

JOURNAL
of the
SENATE OF THE
TWENTY - SECOND LEGISLATURE
of the
STATE OF HAWAII

Regular Session of 2003

Convened Wednesday, January 15, 2003
Adjourned Thursday, May 1, 2003

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Vice President

HONORABLE DONNA MERCADO KIM Honolulu, Hawaii

Clerk

PAUL T. KAWAGUCHI Honolulu, Hawaii

Assistant Clerk

CAROL T. TANIGUCHI Honolulu, Hawaii

Sergeant at Arms

BIENVENIDO C. VILLAFLORES Honolulu, Hawaii

Assistant Sergeant at Arms

GREGG SHIMAO Honolulu, Hawaii

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of the
STATE OF HAWAII

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Second	KOKUBUN, RUSSELL S. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Third	WHALEN, PAUL (R)	The Senate State Capitol Honolulu, Hawaii 96813
Fourth	TSUTSUI, SHAN S. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifth	BAKER, ROSALYN H. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixth	ENGLISH, J. KALANI (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventh	HOOSER, GARY L. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighth	SLOM, SAM (R)	The Senate State Capitol Honolulu, Hawaii 96813
Ninth	IHARA, JR., LES (D)	The Senate State Capitol Honolulu, Hawaii 96813
Tenth	TANIGUCHI, BRIAN T. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eleventh	FUKUNAGA, CAROL (D)	The Senate State Capitol Honolulu, Hawaii 96813

DISTRICT	NAME	ADDRESS
Twelfth	TRIMBLE, GORDON (R)	The Senate State Capitol Honolulu, Hawaii 96813
Thirteenth	CHUN OAKLAND, SUZANNE (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fourteenth	KIM, DONNA MERCADO (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifteenth	SAKAMOTO, NORMAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixteenth	IGE, DAVID Y. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventeenth	MENOR, RON (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighteenth	KAWAMOTO, CAL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Nineteenth	KANNO, BRIAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twentieth	ESPERO, WILLIE C. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-First	HANABUSA, COLLEEN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Second	BUNDA, ROBERT (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Third	ADUJA, MELODIE WILLIAMS (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fourth	HOGUE, BOB (R)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fifth	HEMMINGS, FRED (R)	The Senate State Capitol Honolulu, Hawaii 96813

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Senator Willie C. Espero
Senator David Y. Ige
Senator Donna Mercado Kim

Senator Norman Sakamoto
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Senator Norman Sakamoto
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Senator Fred Hemmings
Senator Sam Slom
Senator Gordon Trimble

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TWENTY - SECOND LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 2003**



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President



DONNA MERCADO KIM
14th Senatorial District
Vice President
Chair: Tourism



COLLEEN HANABUSA
21st Senatorial District
Majority Leader
Chair: Judiciary
and Hawaiian Affairs



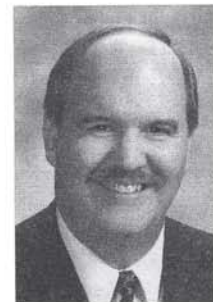
CAL KAWAMOTO
18th Senatorial District
Majority Floor Leader
Chair: Transportation,
Military Affairs,
and Government Operations



SHAN S. TSUTSUI
4th Senatorial District
Majority Caucus Leader



FRED HEMMINGS
25th Senatorial District
Minority Leader



BOB HOGUE
24th Senatorial District
Minority Floor Leader



PAUL WHALEN
3rd Senatorial District
Minority Policy Leader



RON MENOR
17th Senatorial District
Chair: Commerce, Consumer
Protection and Housing



CAROL FUKUNAGA
11th Senatorial District
Chair: Economic Development



NORMAN SAKAMOTO
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6th Senatorial District
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Environment



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Chair: Labor



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16th Senatorial District
Chair: Science, Arts,
and Technology



LORRAINE R. INOUYE
1st Senatorial District
Chair: Water, Land,
and Agriculture



BRIAN T. TANIGUCHI
10th Senatorial District
Chair: Ways and Means



MELODIE WILLIAMS ADUJA
23rd Senatorial District



WILLIE C. ESPERO
20th Senatorial District



GARY L. HOOSER
7th Senatorial District



LES IHARA, JR.
9th Senatorial District



RUSSELL S. KOKUBUN
2nd Senatorial District



SAM SLOM
8th Senatorial District



GORDON TRIMBLE
12th Senatorial District



PAUL T. KAWAGUCHI
Clerk



CAROL T. TANIGUCHI
Assistant Clerk



BIENVENIDO C. VILLAFLO
Sergeant at Arms



GREGG SHIMAO
Assistant Sergeant at Arms

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Note: . In accordance with Article III, Section 10, of the Constitution of the State of Hawaii, the mandatory (five days) recess was held on February 20, 21, 24, 25 and 26, 2003; other recesses were held on January 23, March 3, 5, April 7, 9, 15, 28 and 30, 2003.

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THE
 TWENTY-SECOND LEGISLATURE
 STATE OF HAWAII
 REGULAR SESSION OF 2003
 JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 15, 2003

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, was called to order at 10:03 o'clock a.m., by the Honorable Lorraine R. Inouye, Temporary Chair of the Senate.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawaii Pono'i" led by the Brigham Young University-Hawaii Men's and Women's Choruses, under the direction of Ms. Merrilee Webb.

The Divine Blessing was then invoked by Pastor Wayne Cordeiro, New Hope Christian Fellowship, Oahu, who was escorted to the rostrum by Senators Aduja, Baker and Whalen.

Nominations now being in order for a temporary clerk, Senator Kim nominated Paul T. Kawaguchi, seconded by Senator Kawamoto.

Senator Whalen moved that the nominations be closed, seconded by Senator Trimble and carried.

The Chair declared Paul T. Kawaguchi as Temporary Clerk of the Senate.

Senator Tsutsui then moved that a committee of three Senators be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, seconded by Senator Espero and carried.

The Chair thereupon appointed Senators Kim, Hanabusa and Hemmings to serve on such committee.

At 10:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:18 o'clock a.m.

SPECIAL COMMITTEE REPORT

Senator Kim, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"The Honorable Lorraine R. Inouye
 Temporary Chair of the Senate
 The Twenty-second State Legislature
 State Capitol
 Honolulu, Hawaii 96813

Dear Chair Inouye:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the

Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The Newly elected Senators whose respective terms of office will expire on November 2, 2004 are:

First Senatorial District

Lorraine R. Inouye

Third Senatorial District

Paul Whalen

Fifth Senatorial District

Rosalyn H. Baker

Sixth Senatorial District

J. Kalani English

Seventh Senatorial District

Gary L. Hooser

Twelfth Senatorial District

Gordon Trimble

Sixteenth Senatorial District

David Y. Ige

Seventeenth Senatorial District

Ron Menor

Eighteenth Senatorial District

Cal Kawamoto

Twenty-first Senatorial District

Colleen Hanabusa

Twenty-second Senatorial District

Robert Bunda

Twenty-third Senatorial District

Melodie Williams Aduja

The Newly elected Senators whose respective terms of office will expire on November 7, 2006 are:

Second Senatorial District

Russell S. Kokubun

Fourth Senatorial District

Shan S. Tsutsui

Eighth Senatorial District

Sam Slom

Ninth Senatorial District

Les Ihara, Jr.

Tenth Senatorial District

Brian T. Taniguchi

Eleventh Senatorial District

Carol Fukunaga

Thirteenth Senatorial District

Suzanne Chun Oakland

Fourteenth Senatorial District

Donna Mercado Kim

Fifteenth Senatorial District

Norman Sakamoto

Nineteenth Senatorial District

Brian Kanno

Twentieth Senatorial District

Willie C. Espero

Twenty-fourth Senatorial District

Bob Hogue

Twenty-fifth Senatorial District

Fred Hemmings

Respectfully submitted,

/s/Donna Mercado Kim
/s/Colleen Hanabusa
/s/Fred Hemmings”

Senator Kokubun moved that Special Committee Report No.1 be adopted, seconded by Senator English and carried.

The Committee on Credentials was thereupon discharged with thanks.

The Chair, at this time, appointed Senators Fukunaga, Hanabusa and Kanno to escort Chief Justice Ronald T.Y. Moon of the Hawaii State Supreme Court to the rostrum to administer the oath of office to the newly elected members of the Senate.

The Senators escorted Chief Justice Moon to the rostrum and were thereupon discharged with thanks.

Chief Justice Moon administered the oath of office to the newly elected members of the Senate who were standing at their respective desks.

The Roll was then called by the Temporary Clerk showing all Senators present.

Nominations for officers of the Senate being next in order, Senator Kim placed in nomination the name of Senator Robert Bunda for President of the Senate, seconded by Senator Sakamoto.

Senator Menor moved that the nominations be closed, seconded by Senator Ige.

The motion to close the nominations was then put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Bunda as President of the Senate.

The ballot having been so cast, Senator Robert Bunda was declared unanimously elected President of the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003.

The Chair then appointed Senators Kim, Ihara, Taniguchi and Hemmings to escort the President to the rostrum and the President addressed the members of the Senate and guests as follows:

“Governor Lingle, Lt. Governor and Mrs. Aiona, Chief Justice Moon, Mayor Harris, Mayor Kim, Mayor Arakawa, Mayor Baptiste, Congressman Abercrombie, Congressman Case, Former Governor Ariyoshi, Mrs. Waihee, Admiral Doran, Lt. General Polk, Major General Lowe, Colonel Anderson, esteemed colleagues, honored guests, ladies and gentlemen:

“Aloha and welcome to the beginning of the 2003 Legislative Session.

“We convene the Twenty-Second Hawaii State Legislature in an environment that is unfamiliar to us. We have a new chief executive, Governor Lingle, an entirely new cabinet, and, I expect, ambitious new goals and priorities for the administration. We in the Senate look forward to working with the Governor and her administration in serving the people of Hawaii and in building a stronger, more prosperous community.

“We face uncertainties presented by a struggling national economy and the potential impact of open military conflict on the global front. Meanwhile, it seems we’re facing the same fiscal realities that have dogged us for so long.

“Although our current economic condition may look bleak, I believe it’s a real opportunity to restructure the way government does business and to restore public confidence in our institutions, or, as some like to call it, a new beginning.

“This means that we must be bold, that we shouldn’t be afraid to offer proposals that may seem too daring or far-reaching. We mustn’t hesitate to share ideas, to suggest the seemingly impossible, to resurrect discarded notions, or to seek new ways of doing what we’ve always done. I would argue that it’s our obligation as legislators to do so, and I know the Senate, with the decisive leadership of our Committee Chairs, will be at the forefront of these efforts.

“The biggest and most immediate hurdle we face this session is, of course, balancing the state budget. The previous governor submitted a budget that called for taking most of the money in the Hurricane Relief Fund, despite the Senate’s consistent and solid opposition to that plan.

“We in the Senate are fully aware that we must find creative ways to cut spending and increase revenues to make up the multi-million-dollar shortfall. With the leadership of Ways and Means Chair Brian Taniguchi, the collective experience of veteran legislators, and the fresh ideas of new Senators, I believe we’ll find a way. And we’ll do it without sacrificing vital public services or renegeing on our past promises.

“Clearly, our economic problems are largely the result of forces beyond our shores. We will not find a solution to our own budget woes by spending cuts and fiscal maneuvering alone. But we have an opportunity to make changes to stimulate business growth and private sector job creation if we are willing to look beyond the traditional, beyond the tried-and-true.

“For example, the Legislature’s unprecedented offer of tax credits for hotel construction was vetoed by the Governor last year. The Legislature agreed that tax credits can provide significant economic stimulation and this year we’ll have an opportunity to submit them to a governor who has publicly expressed her support for such incentives.

“It is also imperative that we grow our economy from its roots. We must bolster our support for agriculture, a sizable industry that has often been dismissed out-of-hand by skeptics. Agriculture is a \$500-million contributor to Hawaii’s economy and employs 12,000 people. It keeps our land open and green, thereby supporting tourism and the preservation of our natural resources. It also provides the security of a local food supply in the event of shipping interruptions or an escalation in the price of imported produce.

“The Legislature has been vigorous in supporting the agricultural industry. During the past two years, we have appropriated nearly \$26 million for infrastructure, mostly for improvements to irrigation systems across the State. The Senate Committee on Water, Land, and Agriculture, under the direction of Chair Lorraine Inouye, will be exploring ways to take agriculture to a new level.

“To do this, we must resolve water disputes. We must encourage the large landowners, including the State, to put agricultural land into long-term production, and conversely, discourage leaving productive land fallow. We must develop local and overseas markets for our commodities. More aggressive, broader marketing initiatives could give our farmers the muscle they need to find new markets for their products.

“We also have an opportunity to further bolster the sports industry. The thousands of runners who come to Hawaii for the Honolulu Marathon, the out-of-state fans who come for the NFL Pro Bowl, and the countless thousands who participate in dozens of events throughout the year represent a significant boost to our visitor industry.

“I recently visited Invesco Field in Denver, along with Tourism Chair Donna Mercado Kim and Minority Leader Fred Hemmings. We saw how a public/private partnership can develop a successful, world-class sports center. We returned with ideas on how we can adopt a similar plan to replace our aging Aloha Stadium so it can accommodate larger, more profitable events.

“As with other industries, government must provide the investment in infrastructure that, in turn, supports growth. Our airports and harbors are vital links to the global economy and must be regarded as the major investment opportunities they really are.

“We must ensure that our harbors are capable of accommodating Hawaii’s growing cruise ship industry. And that will require upgrades to piers and facilities. We’ll count on the vision of Transportation Chair Cal Kawamoto for his support.

“In this same vein, as a commuter from Wahiawa who finds endless frustration in our traffic gridlock, I believe it’s time we dusted off our plans for a light rail, mass transit system. It could link central points on Oahu with the City’s proposed plans for urban Honolulu. Not only will mass transit speed the movement of people and ease traffic, but it will create construction jobs, develop new business centers at key terminals, and provoke us into rethinking the way we live and work, much like the people of great cities around the world.

“Senator Inouye and Congressman Abercrombie have both expressed their willingness to go to bat for us in securing the money to underwrite such a system, and those of us in the Legislature must be willing to revisit this proposal to break the gridlock of indecision. If we fail, we will surely choke on the mounting traffic problems of a growing population.

“Up to this point, my emphasis has been on the economy, because I believe we desperately need the economic growth that will underwrite the public services that sustain our quality of life. In keeping with that theme, we must also have the political will to tackle the very serious drug problem that is infecting our society.

“We can consider any number of ideas. But let us give law enforcement officials the tools and resources they need to win the war against drugs and drug pushers. They have recommended a secure, long-term treatment facility for drug offenders. This is an idea we should definitely consider.

“We can also help school administrators and teachers tackle the drug problems of their students, before they pass the point of no return. In New Orleans, for example, they’re attempting to combat drug abuse by screening, detection, and subsequent treatment during the formative and vulnerable adolescent years using mandatory drug testing. We can introduce a pilot drug-testing program for students, with appropriate and consistent solutions and penalties to show that we mean business. We need to take steps to protect our children in schools and punish those who try to corrupt them or, even worse, cost them their very lives.

“We should bring the provisions of Chapter 19, the Department of Education’s disciplinary code, in line with the State’s penal code, to give consistency to school discipline. We should also enable educators to be made aware of the criminal histories of their students, information that is now denied them because of statutory restrictions. There are many more ways to make our schools and neighborhoods safer, but I offer these in the hope that others will bring their own suggestions to the table.

“While many of our economic and social problems persist, changes in the composition of the House and Senate and in the Executive Chambers should bring about new opportunities for us to collaborate on finding new solutions to the concerns we all share, concerns that rise above party or creed. The people of Hawaii deserve no less.

"In my opening day address two years ago, I urged this body to welcome the opportunity for change. I am not a prophet but the words I spoke then seem even more appropriate today. Our real decision as legislators, I said, is whether we spend time resisting change, or do we embrace new ideas and make them our own tools for building a better Hawaii. Last year, I advocated better control of the budget process and cited the need to regain command over special funds in particular. This year, we have a governor who has promised to do this very thing as part of a new beginning. I say great. I say let's do it. I intend to advocate a true spirit of cooperation and collaboration. But let us not sacrifice common sense solutions in our quest for consensus.

"The Legislature and the community as a whole have traditionally relied on consensus for making our decisions. While this method seems to succeed in resolving many problems, the absence of consensus and decisive leadership can sometimes stymie progress.

"Business and government leaders knew 40 years ago that the sugar and pineapple industries were dying. They couldn't reach agreement on what they should do, so the agricultural industry lost the momentum and collective power it has never regained. Over the years, we have completed nearly 150 studies on various mass transit systems but have not been able to reach consensus on a single choice. It is our duty as legislators, as public officials, to act decisively, thereby demonstrating true leadership as well as a passionate and firm belief in our ability to revitalize our economy.

"In closing, let me say this – Governor Lingle, the members of the Senate make this pledge to you and your new administration: We promise open and honest communication. But we are not without our own agenda for change. We are not blind to the needs of the people who elected us. And we are not without a will of our own to set a record of achievement that is responsive to the will of the people.

"This Senate, all twenty and five of us, stands ready to work hand in hand with the House and the new administration, to effect the highest level of positive change for all the people of Hawaii.

"Aloha and mahalo."

Senator Hemmings, Minority Leader of the Senate, then responded as follows:

"Good morning, Mr. President, I hope now that we have five Republican Senators, you don't feel outnumbered. (Laughter.)

"Governor Lingle; Lieutenant Governor Aiona; community leaders; Justice Moon, we congratulate you on the centennial anniversary of the Koreans arriving here in Hawaii – we have a wonderful society made up of so many different people and the Koreans are certainly, as you have exemplified, a strong element in our society; distinguished guests, and most importantly the people of Hawaii:

"Last November, the people of this State spoke out clearly when they elected a new leader for this State. Simply put, their message was change. I'm so pleased to hear the Senate President's speech this morning and to realize in the Senate that the Majority Party is willing to embrace new solutions for old problems.

"We in the Minority feel we have enough laws. In many instances, what we really need is more enforcement and, quite frankly, more accountability. We agree that the budget is the single most important piece of legislation we work on in every

session because it dictates the course of taxpayers' money and how we collect it and how we spend it, and this is where the change must come.

"Mr. President, we announced our legislative package several days ago and someone I have dear affection for said words to the effect that our package, basically, had a snowballs chance in paradise of getting passed unless there was some sort of outside force. Colleagues, I want to introduce you to the outside force – please meet Governor Linda Lingle.

"We want to build consensus to have a responsible budget and your Senate Republicans are willing to join with Senator Taniguchi and the other leaders in the Majority Party to build a new budget. We think we can eliminate the waste, the inefficiency, and the inappropriate spending that have been identified in countless audits.

"We think we can eliminate the duplication of county and state services that probably could be better done by the counties. We think, as the Senate President has proposed, that we can find private/public partnerships in building infrastructures, schools, recreational facilities, and other public facilities. We think that we can petition our congressional delegation to get more of our fair share of federal funding for mandated programs such as the Felix consent decree mandates. Those funds should be as important to the people of Hawaii and to our congressional delegation as defense spending.

"We think we can find more cost-effective charities to take care of our abused, our needy, and those with infirmities such as serious mental illness. We believe with good planning and the flexibility in civil service laws that this state so desperately needs, Governor Lingle's administration can reduce the state workforce through attrition without laying people off.

"The budget – last session we identified \$94 million of funded positions in state government that were vacant. Nothing was done of significance. We have a sage Senator sitting behind me who's voted 'No' against every special fund, sometimes by himself. There may be wisdom in his votes because we find that we have over \$3 billion in special funds that basically have no legislative oversight. This is not budgeting and this must stop. We Republicans advocate returning most of the special funds to the state treasury and have that money be accounted for.

"In December, our research revealed that we have \$110 million in vacant positions that in the past the departments have used as a slush fund, spending it for other things other than what it was budgeted for. We say this has to stop. If people are not hired, the money should be returned to the state coffers so that we can make better use of it.

"Your Minority has a few ideas on what better use could be. We say no new taxes, no fee increases, and hands off the hurricane relief fund. We believe that the best way to develop the economy is not to have politicians do it but to cut taxes and regulations and put the power back into the hands of the working men and women and the business people of Hawaii.

"With that in mind, we have two simple proposals. One is to cut the 4 percent general excise tax on food and medical care. We don't want to tax people for being sick or hungry. Let's change that.

"We think we have to stimulate the economy not with government spending but with government savings. We want to take a serious look at the insidious excise tax that pyramids through every transaction we do. The Tax Foundation tells us if we took away the excise tax and replaced it with a straight

across-the-board retail tax to get the same amount of money for government, that tax would have to be 12 percent. And we wonder why the cost of goods and services are so high in Hawaii.

"If we cut just one-half a percent of the excise tax, we would put \$200 million back into the working people's pockets. And this is not a targeted tax cut. It goes to everybody, not just a special select few. We can balance the budget by identifying the cuts we must make.

"We also want to return control of the economy by getting rid of excessive regulations. There's no reason why we should spend a billion or more dollars on a rapid transit system until we liberate the private transportation resources. The PUC has created public monopolies in transportation. The PUC has created monopolies in energy. We say deregulate and allow the magic of the marketplace to create the opportunities and diversity we need.

"We don't need to duplicate the work done by the county boards, water commissions, and land use agencies. We say eliminate the water land use commissions and allow the counties to control their own destiny.

"There's great evidence that reform is coming to the public education system in spite of the entrenched power structure. I'd like to ask two young people to stand up. Lei and Eddie, would you please stand. This is Lei Freed and Eddie Turk. They were in public schools and they can tell you a sad story of their truancy, of their failing grades and their loss of hope. They are now in Halau Ku Mana Public Charter School and I'd love to have you talk to them. Their hopelessness has been replaced with the prospect of a bright future. Their story will warm your heart. Thank you for being here today, Lei and Eddie.

"Mr. President, your Minority is proposing to expand the number of charter schools for one reason – the public school system can address the needs of many, but not all, and the chartered schools present a choice for the parents in the marketplace of education. And since these schools work, we think these children demand equal funding along with the rest of our public education system.

"In the '60s the State of Hawaii embarked on an adventure. It was an egalitarian or alleged egalitarian system of education – a statewide system that was going to make everybody equal. Well I'm not going to judge how it's worked. But I do believe it's time to change the system.

"We are proposing that we have the BOE's members and the DOE offices in the districts so that when people go to the polls they know who they're electing for the Board of Education. And when they talk someone in the administration, it's someone in their district that they know. We are advocating true decentralization. We think it can work and become cost effective in getting our education resources back to the children.

"Mr. President, colleagues, as usual, the question is not what we want, because we all want prosperity; we all want better education for our children; we all want education and opportunity and all the things that make a great society. So the question is really, how? I would like to submit to you that business as usual will not change anything and 'how' has to be with us keeping an open mind and embracing new ideas and new directions for state government.

"Mr. President, we are pledging to work with the Majority Party. For so long in the past, when issues came to this floor or the floor of the Legislature, there was a great barrier between our two parties. In your years of leadership, we have found that

those barriers are falling aside. We want to build coalitions based on the issues and common sense, not party labels. We are proud, we are confident, and we're looking forward to working with you. Aloha!"

At 10:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair. At this time, the members of the Senate and their guests were entertained by the Polynesian Cultural Center Promotional Team, the Brigham Young University-Hawaii Men's and Women's Choruses, and Kalapana.

The Senate reconvened at 11:41 o'clock a.m.

The President then announced that nominations were in order for the office of Vice President of the Senate.

Senator Hanabusa placed in nomination the name of Senator Donna Mercado Kim for Vice President of the Senate, seconded by Senator Tsutsui.

Senator Kanno moved that the nominations be closed, seconded by Senator Hooser.

The motion was then put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Kim as Vice President of the Senate.

The ballot having been so cast, Senator Donna Mercado Kim was declared unanimously elected as Vice President of the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

S.R. No. 1, providing for the election of Paul T. Kawaguchi for Clerk of the Senate, Carol T. Taniguchi for Assistant Clerk of the Senate, Bienvenido C. Villafior for Sergeant-at-Arms of the Senate, and Gregg Shimao for Assistant Sergeant-at-Arms of the Senate, Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, was offered by Senators Hanabusa and Hemmings.

On motion by Senator Hanabusa, seconded by Senator Hemmings and carried, S.R. No. 1 was adopted.

The President thereupon administered the oath of office to the newly elected Clerk, Assistant Clerk, Sergeant-at-Arms and Assistant Sergeant-at-Arms of the Senate.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 1) was read by the Clerk and was disposed of as follows:

S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS," was offered by Senators Hanabusa and Hemmings.

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.C.R. No. 1 was adopted.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair. The Society of Seven-Las Vegas then

entertained the members of the Senate and their guests at this time.

The Senate reconvened at 12:07 o'clock p.m.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 12:08 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Kanno.

No. 2 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Inouye.

No. 3 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC."

Introduced by: Senator Inouye.

No. 4 "A BILL FOR AN ACT RELATING TO RECYCLED WATER."

Introduced by: Senator Inouye.

No. 5 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Senator Inouye.

No. 6 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES' STIPENDS."

Introduced by: Senators Sakamoto, Hooser.

No. 7 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Senators Sakamoto, Hooser.

No. 8 "A BILL FOR AN ACT RELATING TO UTILIZATION OF DESIGN-BUILD PROCUREMENT PROPOSALS."

Introduced by: Senator Sakamoto.

No. 9 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Kawamoto, Hooser.

No. 10 "A BILL FOR AN ACT RELATING TO COUNSELING."

Introduced by: Senators Sakamoto, Kawamoto, Hooser.

No. 11 "A BILL FOR AN ACT RELATING TO TEMPORARY PUBLIC SCHOOL FACILITIES."

Introduced by: Senators Sakamoto, Kawamoto.

No. 12 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Sakamoto.

No. 13 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Kawamoto, Hooser.

No. 14 "A BILL FOR AN ACT RELATING TO REHIRING RETIRED SCHOOL ADMINISTRATORS."

Introduced by: Senators Sakamoto, Hooser, Kawamoto.

No. 15 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Kawamoto.

No. 16 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Kawamoto.

No. 17 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Kawamoto.

No. 18 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Kawamoto.

No. 19 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL SERVICE CONTRACTS."

Introduced by: Senators Sakamoto, Slom.

No. 20 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Sakamoto.

No. 21 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 22 "A BILL FOR AN ACT RELATING TO MASTER TEACHERS."

Introduced by: Senators Sakamoto, Chun Oakland.

No. 23 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland.

No. 24 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland.

No. 25 "A BILL FOR AN ACT RELATING TO POLLUTION."

Introduced by: Senators Sakamoto, Kokubun, English.

No. 26 "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS."

Introduced by: Senator Bunda, by request.

No. 27 "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS."

Introduced by: Senator Bunda, by request.

No. 28 "A BILL FOR AN ACT RELATING TO CRIME STOPPERS ORGANIZATIONS."

Introduced by: Senators Espero, Chun Oakland, Baker, Hooser, English.

No. 29 "A BILL FOR AN ACT RELATING TO SPECIAL WASTES RECYCLING."

Introduced by: Senators Espero, Chun Oakland, Baker, Hooser, Kokubun, Hanabusa, English.

No. 30 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PREVENT CRYSTAL METHAMPHETAMINE USE."

Introduced by: Senators Espero, Chun Oakland, Aduja, Inouye, Kokubun, Taniguchi, Kawamoto.

No. 31 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senators Kim, Hogue, Chun Oakland, Bunda, Sakamoto, Slom, Hemmings.

No. 32 "A BILL FOR AN ACT RELATING TO PUBLIC RIGHTS OF WAY."

Introduced by: Senators Kim, Hemmings, Bunda, Espero, Kokubun, Slom, Chun Oakland, Taniguchi, Sakamoto, Kawamoto.

No. 33 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kim, Espero, Bunda, Slom, Chun Oakland, Sakamoto, Kawamoto, Hogue.

No. 34 "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION."

Introduced by: Senators Kim, Hogue, Hemmings, Bunda, Espero, Slom, Chun Oakland, Tsutsui.

No. 35 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senators Kim, Bunda, Slom, Kawamoto, Hogue, Hemmings.

No. 36 "A BILL FOR AN ACT RELATING TO WAIKIKI BEACH RESTORATION."

Introduced by: Senator Kim.

No. 37 "A BILL FOR AN ACT RELATING TO SPORTS AND RECREATIONAL ACTIVITY LIABILITY."

Introduced by: Senator Kim.

No. 38 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senator Kim.

No. 39 "A BILL FOR AN ACT RELATING TO PARKS."

Introduced by: Senators Kim, Hogue, Espero, Hooser, Bunda, Hanabusa, Slom, Chun Oakland, Tsutsui, Sakamoto, Kawamoto, Hemmings, Kokubun.

No. 40 "A BILL FOR AN ACT RELATING TO REPLACEMENT OF CANDIDATES ON BALLOTS."

Introduced by: Senators Kim, Hemmings, Bunda, Espero, Hanabusa, Kokubun, Chun Oakland, Taniguchi, Sakamoto, Kawamoto.

No. 41 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Kim, Espero, Chun Oakland, Hooser, Kawamoto, Bunda, Slom, Hogue, Hemmings.

No. 42 "A BILL FOR AN ACT RELATING TO WATERCRAFT."

Introduced by: Senators Kawamoto, Espero, Aduja, Kanno, Baker.

No. 43 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Kanno, Baker, Espero, Kim, Aduja.

No. 44 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Kawamoto, Espero, Kanno.

No. 45 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Kawamoto, Espero, Kanno, Baker, Kokubun, Aduja, Taniguchi.

No. 46 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Kawamoto, Espero, Aduja, Kanno, Baker.

No. 47 "A BILL FOR AN ACT RELATING TO WHARFAGE FEES."

Introduced by: Senators Kawamoto, Chun Oakland, Espero, Aduja, Baker.

No. 48 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senators Kawamoto, by request, Espero, Chun Oakland, Aduja.

No. 49 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kawamoto, by request, Kanno, Chun Oakland, Espero, Aduja.

No. 50 "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM."

Introduced by: Senators Kawamoto, Espero, Kanno, Aduja.

No. 51 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES."

Introduced by: Senators Kawamoto, Chun Oakland, Espero, Hanabusa, Kanno, Baker.

No. 52 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 16, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO PROVIDE THE LEGISLATURE WITH THE POWER TO RECALL A BILL PRESENTED TO THE GOVERNOR."

Introduced by: Senator Bunda.

No. 53 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE IN THE KIHEI/WAILEA REGION OF MAUI."

Introduced by: Senators Baker, English, Tsutsui.

No. 54 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE IN KULA AND KIHEI, MAUI."

Introduced by: Senators Baker, English, Tsutsui.

No. 55 "A BILL FOR AN ACT RELATING TO AUTHORIZING THE ESTABLISHMENT OF A SEPARATE CIVIL SERVICE SYSTEM FOR EMPLOYEES OF THE UNIVERSITY OF HAWAII."

Introduced by: Senators Sakamoto, Kawamoto.

No. 56 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS."

Introduced by: Senators Sakamoto, Chun Oakland, Kawamoto, Hooser.

No. 57 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE."

Introduced by: Senators Sakamoto, Chun Oakland, Hooser, Kawamoto.

No. 58 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE."

Introduced by: Senators Sakamoto, Chun Oakland, Hooser.

No. 59 "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland.

No. 60 "A BILL FOR AN ACT RELATING TO SCHOOL ASSESSMENT LIAISONS."

Introduced by: Senators Sakamoto, Chun Oakland.

No. 61 "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES."

Introduced by: Senators Sakamoto, Kawamoto.

No. 62 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Sakamoto, Kawamoto.

No. 63 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Sakamoto, Kawamoto.

No. 64 "A BILL FOR AN ACT RELATING TO UNLAWFUL POSSESSION OF TOBACCO BY MINORS."

Introduced by: Senators Sakamoto, Chun Oakland.

No. 65 "A BILL FOR AN ACT RELATING TO AGRIBUSINESS INCUBATORS."

Introduced by: Senator Sakamoto.

No. 66 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."

Introduced by: Senators Sakamoto, Taniguchi.

No. 67 "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND PURPOSES."

Introduced by: Senator Sakamoto.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, January 16, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

SECOND DAY

Thursday, January 16, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:48 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Morley, First United Methodist Church, after which the Roll was called showing all Senators present.

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

At this time, President Bunda made the following presentation:

"Members, as you may have noticed, on your desks you have a lei, and the color of course signifies the island that you're from. Most of yours' are yellow. The Senator from Maui has the most colors of them all. It's gray, green, pink and orange, signifying all four islands that you represent, Senator English.

"The clock that you have is a memento from me and I'd like to extend my congratulations to all of you and hope we have a good Session. Just to let you know, we have a 60-day Session and now we can keep on time with those 60 days."

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:21 o'clock p.m.

HOUSE COMMUNICATION

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 15, 2003, was read by the Clerk and was placed on file.

At 1:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:23 o'clock p.m.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2003," was adopted.

SENATE RESOLUTION

The following resolution (S.R. No. 2) was read by the Clerk and was deferred:

Senate Resolution

No. 2 "SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE OF THE TWENTY-SECOND LEGISLATURE."

Offered by: Senators Hanabusa, Hemmings.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 1:24

o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 68 "A BILL FOR AN ACT RELATING TO STUDENT MISCONDUCT."

Introduced by: Senator Sakamoto.

No. 69 "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE."

Introduced by: Senator Sakamoto.

No. 70 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senator Sakamoto.

No. 71 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Senator Sakamoto.

No. 72 "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT."

Introduced by: Senator Sakamoto.

No. 73 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII."

Introduced by: Senator Sakamoto.

No. 74 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII IN ORDER TO CHANGE THE GOVERNANCE, INTERNAL STRUCTURE, MANAGEMENT AND OPERATION OF PUBLIC SCHOOLS IN HAWAII."

Introduced by: Senator Sakamoto.

No. 75 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 76 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Senator Sakamoto.

No. 77 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY."

Introduced by: Senator Sakamoto.

No. 78 "A BILL FOR AN ACT RELATING TO ELDER ABUSE."

Introduced by: Senators Baker, Fukunaga, Chun Oakland, Ihara, Ige, Hooser.

No. 79 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

- Introduced by: Senators Baker, Chun Oakland.
- No. 80 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SAFETY RESOURCE OFFICERS."
- Introduced by: Senator Bunda.
- No. 81 "A BILL FOR AN ACT RELATING TO ACUPUNCTURE."
- Introduced by: Senator Bunda.
- No. 82 "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES."
- Introduced by: Senators Kawamoto, Espero, Kanno, Hanabusa, Fukunaga, Whalen, Aduja.
- No. 83 "A BILL FOR AN ACT RELATING TO A REFERENDUM ON GAMING."
- Introduced by: Senators Kawamoto, Espero, Bunda.
- No. 84 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."
- Introduced by: Senators Kawamoto, Espero, Aduja, Baker, Whalen.
- No. 85 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
- Introduced by: Senators Kawamoto, Chun Oakland, Baker, Kanno, Whalen.
- No. 86 "A BILL FOR AN ACT RELATING TO EVIDENCE."
- Introduced by: Senators Kawamoto, Kanno, Espero, Whalen, Aduja, Chun Oakland.
- No. 87 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."
- Introduced by: Senators Kawamoto, Espero, Chun Oakland, Baker, Whalen.
- No. 88 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL."
- Introduced by: Senators Kawamoto, Espero, Sakamoto, Whalen.
- No. 89 "A BILL FOR AN ACT RELATING TO PHOTO TRAFFIC ENFORCEMENT."
- Introduced by: Senators Kawamoto, Espero, Aduja, Chun Oakland, Whalen.
- No. 90 "A BILL FOR AN ACT RELATING TO PENALTIES FOR MOTOR VEHICLE THEFT."
- Introduced by: Senators Kawamoto, Kanno, Espero, Aduja, Chun Oakland, Baker, Hanabusa, Whalen.
- No. 91 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
- Introduced by: Senators Kawamoto, Espero, Aduja, Taniguchi.
- No. 92 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Kanno.
- No. 93 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF 'MEDICAL CARE' UNDER WORKERS' COMPENSATION LAW."
- Introduced by: Senator Kanno.
- No. 94 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."
- Introduced by: Senator Kanno.
- No. 95 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ORBITS PROGRAM."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 96 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 97 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 98 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HEALTH."
- Introduced by: Senators Hanabusa, English, Chun Oakland, Kokubun, Kawamoto, Inouye, Slom.
- No. 99 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING A SECOND AMBULANCE TO SERVICE THE WAIANAE COAST."
- Introduced by: Senators Hanabusa, Chun Oakland, Inouye, Tsutsui, Slom, Kokubun, Kawamoto, Hogue, English.
- No. 100 "A BILL FOR AN ACT RELATING TO BANKING."
- Introduced by: Senator Hanabusa.
- No. 101 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."
- Introduced by: Senator Hanabusa.
- No. 102 "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION."
- Introduced by: Senator Hanabusa.
- No. 103 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."
- Introduced by: Senator Hanabusa.
- No. 104 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."

Introduced by: Senator Hanabusa.

No. 105 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Hanabusa.

No. 106 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Hanabusa.

No. 107 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senator Hanabusa.

No. 108 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senator Hanabusa.

No. 109 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senator Hanabusa.

No. 110 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Hanabusa.

No. 111 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Hanabusa.

No. 112 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Hanabusa.

No. 113 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Hanabusa.

No. 114 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Hanabusa.

No. 115 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Hanabusa.

No. 116 "A BILL FOR AN ACT RELATING TO INTERSTATE BANKING."

Introduced by: Senator Hanabusa.

No. 117 "A BILL FOR AN ACT RELATING TO LEASEHOLDS."

Introduced by: Senator Hanabusa.

No. 118 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."

Introduced by: Senator Hanabusa.

No. 119 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Hanabusa.

No. 120 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Hanabusa.

No. 121 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."

Introduced by: Senator Hanabusa.

No. 122 "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE."

Introduced by: Senator Hanabusa.

No. 123 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."

Introduced by: Senator Hanabusa.

No. 124 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."

Introduced by: Senator Hanabusa.

No. 125 "A BILL FOR AN ACT RELATING TO COMMUNITY BASED ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 126 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 127 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 128 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 129 "A BILL FOR AN ACT RELATING TO INTERNATIONAL BUSINESS."

Introduced by: Senator Hanabusa.

No. 130 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senator Hanabusa.

No. 131 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senator Hanabusa.

No. 132 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

SENATE JOURNAL - 2nd DAY

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No. 133 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Senator Hanabusa.

No. 134 "A BILL FOR AN ACT RELATING TO THE FOREIGN TRADE ZONE."

Introduced by: Senator Hanabusa.

No. 135 "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

No. 136 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 137 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 138 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 139 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 140 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 141 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 142 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 143 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senator Hanabusa.

No. 144 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senator Hanabusa.

No. 145 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Senator Hanabusa.

No. 146 "A BILL FOR AN ACT RELATING TO ECOLOGY."

Introduced by: Senator Hanabusa.

No. 147 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Hanabusa.

No. 148 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Hanabusa.

No. 149 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Hanabusa.

No. 150 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Hanabusa.

No. 151 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Hanabusa.

No. 152 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Hanabusa.

No. 153 "A BILL FOR AN ACT RELATING TO FOSSIL FUELS."

Introduced by: Senator Hanabusa.

No. 154 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Senator Hanabusa.

No. 155 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Senator Hanabusa.

No. 156 "A BILL FOR AN ACT RELATING TO WATERSHED."

Introduced by: Senator Hanabusa.

No. 157 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 158 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 159 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 160 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 161 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Hanabusa.

No. 162 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 163 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 164 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 165 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 166 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senator Hanabusa.

No. 167 "A BILL FOR AN ACT RELATING TO MARRIAGE."

Introduced by: Senator Hanabusa.

No. 168 "A BILL FOR AN ACT RELATING TO MEDQUEST."

Introduced by: Senator Hanabusa.

No. 169 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Hanabusa.

No. 170 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Hanabusa.

No. 171 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Senator Hanabusa.

No. 172 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Senator Hanabusa.

No. 173 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator Hanabusa.

No. 174 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Senator Hanabusa.

No. 175 "A BILL FOR AN ACT RELATING TO CEDED LANDS INVENTORY."

Introduced by: Senator Hanabusa.

No. 176 "A BILL FOR AN ACT RELATING TO CIVIL PROCEEDINGS."

Introduced by: Senator Hanabusa.

No. 177 "A BILL FOR AN ACT RELATING TO COURTS."

Introduced by: Senator Hanabusa.

No. 178 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senator Hanabusa.

No. 179 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Hanabusa.

No. 180 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Hanabusa.

No. 181 "A BILL FOR AN ACT RELATING TO CRIME PREVENTION."

Introduced by: Senator Hanabusa.

No. 182 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senator Hanabusa.

No. 183 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Hanabusa.

No. 184 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Hanabusa.

No. 185 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 186 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 187 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 188 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

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No. 189 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 190 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 191 "A BILL FOR AN ACT RELATING TO HAWAIIAN CLAIMS."

Introduced by: Senator Hanabusa.

No. 192 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senator Hanabusa.

No. 193 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senator Hanabusa.

No. 194 "A BILL FOR AN ACT RELATING TO INDIVIDUAL RIGHTS."

Introduced by: Senator Hanabusa.

No. 195 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Senator Hanabusa.

No. 196 "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE."

Introduced by: Senator Hanabusa.

No. 197 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Senator Hanabusa.

No. 198 "A BILL FOR AN ACT RELATING TO PROBATE."

Introduced by: Senator Hanabusa.

No. 199 "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES."

Introduced by: Senator Hanabusa.

No. 200 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senator Hanabusa.

No. 201 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senator Hanabusa.

No. 202 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."

Introduced by: Senator Hanabusa.

No. 203 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Hanabusa.

No. 204 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Hanabusa.

No. 205 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 206 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 207 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 208 "A BILL FOR AN ACT RELATING TO NURSE STAFFING."

Introduced by: Senator Hanabusa.

No. 209 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 210 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Hanabusa.

No. 211 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hanabusa.

No. 212 "A BILL FOR AN ACT RELATING TO TRAINING."

Introduced by: Senator Hanabusa.

No. 213 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Hanabusa.

No. 214 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 215 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senator Hanabusa.

No. 216 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senator Hanabusa.

No. 217 "A BILL FOR AN ACT RELATING TO CULTURAL AND HISTORIC PRESERVATION."

Introduced by: Senator Hanabusa.

No. 218 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senator Hanabusa.

No. 219 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 220 "A BILL FOR AN ACT RELATING TO INTELLECTUAL PROPERTY."

Introduced by: Senator Hanabusa.

No. 221 "A BILL FOR AN ACT RELATING TO SCIENCE."

Introduced by: Senator Hanabusa.

No. 222 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 223 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 224 "A BILL FOR AN ACT RELATING TO THE ARTS."

Introduced by: Senator Hanabusa.

No. 225 "A BILL FOR AN ACT RELATING TO THE ARTS."

Introduced by: Senator Hanabusa.

No. 226 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

No. 227 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Senator Hanabusa.

No. 228 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senator Hanabusa.

No. 229 "A BILL FOR AN ACT RELATING TO CONTRACTS."

Introduced by: Senator Hanabusa.

No. 230 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Hanabusa.

No. 231 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Hanabusa.

No. 232 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senator Hanabusa.

No. 233 "A BILL FOR AN ACT RELATING TO FEDERAL GOVERNMENT."

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No. 235 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 236 "A BILL FOR AN ACT RELATING TO GOVERNMENT EFFICIENCY."

Introduced by: Senator Hanabusa.

No. 237 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Hanabusa.

No. 238 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 239 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 240 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Senator Hanabusa.

No. 241 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Senator Hanabusa.

No. 242 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 243 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Hanabusa.

No. 244 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Hanabusa.

SENATE JOURNAL - 2nd DAY

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No. 245 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Hanabusa.

No. 246 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Hanabusa.

No. 247 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Senator Hanabusa.

No. 248 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senator Hanabusa.

No. 249 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Hanabusa.

No. 250 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Hanabusa.

No. 251 "A BILL FOR AN ACT RELATING TO TOURISM."

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No. 252 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Hanabusa.

No. 253 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

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No. 256 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Hanabusa.

No. 257 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Hanabusa.

No. 258 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Hanabusa.

No. 259 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Hanabusa.

No. 260 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senator Hanabusa.

No. 261 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Hanabusa.

No. 262 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Hanabusa.

No. 263 "A BILL FOR AN ACT RELATING TO MARICULTURE."

Introduced by: Senator Hanabusa.

No. 264 "A BILL FOR AN ACT RELATING TO MARICULTURE."

Introduced by: Senator Hanabusa.

No. 265 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Senator Hanabusa.

No. 266 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senator Hanabusa.

No. 267 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Hanabusa.

No. 268 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

No. 269 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senator Hanabusa.

No. 270 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senator Hanabusa.

No. 271 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Senator Hanabusa.

No. 272 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senator Hanabusa.

No. 273 "A BILL FOR AN ACT RELATING TO FINANCES."

Introduced by: Senator Hanabusa.

No. 274 "A BILL FOR AN ACT RELATING TO FINANCES."

Introduced by: Senator Hanabusa.

No. 275 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Hanabusa.

No. 276 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Hanabusa.

No. 277 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Hanabusa.

No. 278 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS."

Introduced by: Senator Hanabusa.

No. 279 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE."

Introduced by: Senator Hanabusa.

No. 280 "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND CONTRACTS."

Introduced by: Senator Hanabusa.

No. 281 "A BILL FOR AN ACT RELATING TO REVENUES."

Introduced by: Senator Hanabusa.

No. 282 "A BILL FOR AN ACT RELATING TO REVENUES."

Introduced by: Senator Hanabusa.

No. 283 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senator Hanabusa.

No. 284 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

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No. 286 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Hanabusa.

No. 287 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Hanabusa.

No. 288 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Hanabusa.

No. 289 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senator Hanabusa.

No. 290 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senator Hanabusa.

No. 291 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Espero, Aduja, Hanabusa.

No. 292 "A BILL FOR AN ACT RELATING TO HOME-SCHOOLING."

Introduced by: Senator Espero.

No. 293 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS PROPERTY REGIMES."

Introduced by: Senators Espero, Aduja.

No. 294 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Espero, Kawamoto, Aduja.

No. 295 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING."

Introduced by: Senators Espero, Aduja, Inouye, Hanabusa.

No. 296 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Espero, Chun, Oakland, Hanabusa.

No. 297 "A BILL FOR AN ACT RELATING TO CAMPAIGN ACTIVITIES."

Introduced by: Senators Espero, Aduja, Menor.

No. 298 "A BILL FOR AN ACT RELATING TO VENDING FACILITIES."

Introduced by: Senator Espero, by request.

No. 299 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Senators Espero, Kawamoto, Chun, Oakland, Aduja, Menor, Inouye, Hanabusa.

No. 300 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."

Introduced by: Senators Espero, Inouye, Chun Oakland, Aduja, Menor.

No. 301 "A BILL FOR AN ACT RELATING TO THE POLICE DEPARTMENTS."

Introduced by: Senators Espero, Aduja, Menor, Inouye.

No. 302 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."

Introduced by: Senator Espero.

No. 303 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Espero, Inouye, Kawamoto, Chun Oakland, Aduja, Menor.

No. 304 "A BILL FOR AN ACT RELATING TO DEOXYRIBONUCLEIC ACID COLLECTION."

Introduced by: Senators Espero, Kawamoto, Aduja, Inouye.

No. 305 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Menor, Kawamoto, Espero, Kim, Aduja.

No. 306 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Menor, Slom, Kim, Aduja.

No. 307 "A BILL FOR AN ACT RELATING TO INSURERS."

Introduced by: Senators Menor, by request, Slom, Hogue, Espero, Ihara, by request, Aduja.

No. 308 "A BILL FOR AN ACT RELATING TO THE SALE OF INTOXICATING LIQUOR."

Introduced by: Senators Menor, by request, Slom, Kawamoto, Hogue, English, Espero, Hanabusa, Ihara, Kim, Aduja.

No. 309 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HURRICANE RESERVE TRUST FUND."

Introduced by: Senators Menor, Ige, Baker, Hemmings, Whalen, Chun Oakland, Ihara, Slom, Kim, Kanno, Trimble, Hogue, Inouye.

No. 310 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senators Menor, Inouye, Whalen, Hemmings, Chun Oakland, Ihara, Slom, Kanno, Hogue.

No. 311 "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS."

Introduced by: Senators Menor, Kawamoto, Kokubun, Ige, Baker, Whalen, Chun Oakland, Ihara, Hemmings, Taniguchi, Espero, English, Slom, Kim, Kanno, Hogue, Inouye.

No. 312 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kawamoto, Kanno, Aduja, Baker, Sakamoto, Fukunaga.

No. 313 "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY."

Introduced by: Senators Kawamoto, Aduja, Espero, Kanno, Chun Oakland, Tsutsui, Baker.

No. 314 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Senator Kawamoto.

No. 315 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senators Kawamoto, Kanno, Aduja, Sakamoto, Chun Oakland.

No. 316 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL."

Introduced by: Senators Kawamoto, Espero, Kanno, Sakamoto, Hemmings, English, Trimble, Tsutsui, Kokubun, Slom, Whalen.

No. 317 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION."

Introduced by: Senators Kawamoto, Sakamoto, Espero, Kanno, Taniguchi, Hemmings, Baker, Aduja, Slom, Whalen.

No. 318 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senators Kawamoto, Aduja, Fukunaga, Kokubun, Kim, Taniguchi, Ige.

No. 319 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Kim, Kokubun, Hooser, Kanno, Kawamoto, Hanabusa, Ihara, Bunda, Taniguchi, Inouye, Chun Oakland, Hemmings, Espero, Aduja, English.

No. 320 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TOURISM."

Introduced by: Senator Kim, by request.

No. 321 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator English.

No. 322 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES SERVICES BRANCH OF THE DEPARTMENT OF HEALTH."

Introduced by: Senators Bunda, Kim, Chun Oakland.

No. 323 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY TAX INCENTIVES."

Introduced by: Senator Bunda.

No. 324 "A BILL FOR AN ACT RELATING TO VEHICLE SALVAGE."

Introduced by: Senator Bunda.

No. 325 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Bunda.

No. 326 "A BILL FOR AN ACT RELATING TO AIRCRAFT NOISE ABATEMENT."

Introduced by: Senator Hanabusa.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 17, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRD DAY

Friday, January 17, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:51 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Seaward B. Grant, C.S., First Church of Christ Scientist, after which the Roll was called showing all Senators present.

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

At this time, Senators Hogue and Aduja congratulated the 2002 OIA Varsity Football Champions, the Castle High School Black Knights, and introduced the following individuals: Jacob Ramos, quarterback/team captain; team members Aaron Sasaki, Kawika Sebay and Jonah Navarro; Head Coach Nelson Maeda; Principal Meredith Maeda; and Athletic Director Richard Haru.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 2 and 3) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 16, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

Hse. Com. No. 3, returning S.C.R. No. 1, which was adopted by the House of Representatives on January 16 2003, was placed on file.

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM THURSDAY, JANUARY 16, 2003

S.R. No. 2:

Senator Kawamoto moved that S.R. No. 2 be adopted, seconded by Senator Hogue.

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

The motion was put by the Chair and carried, S.R. No. 2, entitled: "SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE OF THE TWENTY-SECOND LEGISLATURE," was adopted.

At 12:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 12:20 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 327 "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT OFFICE."

Introduced by: Senator Sakamoto.

No. 328 "A BILL FOR AN ACT RELATING TO CIVIL JUSTICE REFORM."

Introduced by: Senator Sakamoto.

No. 329 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Sakamoto.

No. 330 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Sakamoto.

No. 331 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Sakamoto.

No. 332 "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE."

Introduced by: Senator Sakamoto.

No. 333 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Sakamoto.

No. 334 "A BILL FOR AN ACT RELATING TO PALLIATIVE CARE EDUCATION."

Introduced by: Senator Sakamoto.

No. 335 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY."

Introduced by: Senator Sakamoto.

No. 336 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE FIFTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Sakamoto.

No. 337 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES."

Introduced by: Senator Sakamoto.

No. 338 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 339 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 340 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senators Sakamoto, Hogue.

No. 341 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY."

Introduced by: Senator Sakamoto.

No. 342 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAUOLI SCHOOL."

Introduced by: Senators Sakamoto, Hogue.

No. 343 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY."

Introduced by: Senators Sakamoto, Hogue.

No. 344 "A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS."

Introduced by: Senators Sakamoto, Baker.

No. 345 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Menor, Sakamoto.

No. 346 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Menor, Sakamoto.

No. 347 "A BILL FOR AN ACT RELATING TO CHILD ABDUCTION."

Introduced by: Senator Sakamoto.

No. 348 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Senators Sakamoto, Baker.

No. 349 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hogue.

No. 350 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 351 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 352 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 353 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 354 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Kawamoto, by request.

No. 355 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Bunda, by request.

No. 356 "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF MEDICAL BENEFITS."

Introduced by: Senator Fukunaga, by request.

No. 357 "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY."

Introduced by: Senator Fukunaga.

No. 358 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Fukunaga, Ige, Aduja, English, Ihara, Kanno, Kawamoto.

No. 359 "A BILL FOR AN ACT RELATING TO FILM INDUSTRY."

Introduced by: Senators Fukunaga, Ige, Aduja, Ihara, Kanno, Kawamoto.

No. 360 "A BILL FOR AN ACT RELATING TO REUSABLE RESOURCE CENTER."

Introduced by: Senators Fukunaga, Chun Oakland, Ihara, Sakamoto, Tsutsui.

No. 361 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM."

Introduced by: Senators Fukunaga, Chun Oakland, Kim, Sakamoto.

No. 362 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kawamoto, Espero, Kanno, Kim, Taniguchi.

No. 363 "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY."

Introduced by: Senators Kawamoto, Espero, Whalen.

No. 364 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Kawamoto, Kanno, Espero.

No. 365 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF STATE EDUCATIONAL FACILITIES."

Introduced by: Senators Kawamoto, Espero, Kanno, Sakamoto, English, Ige, Taniguchi.

No. 366 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PLANS, DESIGN, AND CONSTRUCTION OF THE UNIVERSITY OF HAWAII-WEST OAHU CAMPUS FACILITIES."

Introduced by: Senators Kawamoto, Espero, Kanno, Sakamoto, Ige.

No. 367 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Kawamoto, by request, Espero, Whalen.

No. 368 "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE."

Introduced by: Senators Kawamoto, by request, Kanno, Chun Oakland, Whalen, Aduja.

No. 369 "A BILL FOR AN ACT RELATING TO POSSESSION OF STOLEN ITEMS."

Introduced by: Senators Kawamoto, by request, Kanno, Chun Oakland, Whalen.

No. 370 "A BILL FOR AN ACT RELATING TO NON-EMERGENCY POLICE CALL SYSTEMS."

Introduced by: Senators Kawamoto, Chun Oakland, Espero, Aduja.

No. 371 "A BILL FOR AN ACT RELATING TO BURGLARY IN THE FIRST DEGREE."

Introduced by: Senators Kawamoto, by request, Chun Oakland, Baker, Espero, Whalen.

No. 372 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Menor, by request.

No. 373 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Menor.

No. 374 "A BILL FOR AN ACT RELATING TO REAL ESTATE."

Introduced by: Senator Menor, by request.

No. 375 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senator Hogue.

No. 376 "A BILL FOR AN ACT RELATING TO ART."

Introduced by: Senators Trimble, Hogue.

No. 377 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Hanabusa, English, Kawamoto, Kanno, Kim.

No. 378 "A BILL FOR AN ACT RELATING TO ACCRETED LANDS."

Introduced by: Senators Hanabusa, English, Chun Oakland, Kawamoto, Kim, Ihara.

No. 379 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."

Introduced by: Senators Hanabusa, Chun Oakland, Kawamoto, Kim, English, Ihara.

No. 380 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Senators Hanabusa, Chun Oakland, Kawamoto, Kim, English, Ihara.

No. 381 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senators Hanabusa, Chun Oakland, English, Ihara.

No. 382 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Hanabusa, Chun Oakland, English, Kim, Ihara.

No. 383 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senators Hanabusa, Chun Oakland, English, Kim, Ihara.

No. 384 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Senators Hanabusa, English, Kawamoto, Ihara, Chun Oakland, Kim.

No. 385 "A BILL FOR AN ACT RELATING TO STUDENT ASSESSMENTS."

Introduced by: Senators Hanabusa, by request, Kawamoto, Chun Oakland, Ihara.

No. 386 "A BILL FOR AN ACT RELATING TO UTILIZATION OF FEDERAL FUNDS."

Introduced by: Senators Hanabusa, English, Kawamoto, Chun Oakland, Kim.

No. 387 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Senators Hanabusa, English.

No. 388 "A BILL FOR AN ACT RELATING TO CIGARETTE RETAILERS AND MANUFACTURERS."

Introduced by: Senators Hanabusa, by request, English.

No. 389 "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOO LAWE."

Introduced by: Senators Hanabusa, English, Chun Oakland, Kim, Ihara.

No. 390 "A BILL FOR AN ACT RELATING TO EXPUNGEMENT."

Introduced by: Senators Hanabusa, by request, Chun Oakland, Kim, English.

No. 391 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."

Introduced by: Senator Hanabusa.

No. 392 "A BILL FOR AN ACT RELATING TO MANDATORY DRUG TREATMENT COURT QUARTERLY REPORTING."

Introduced by: Senators Hanabusa, Kawamoto, English, Chun Oakland, Kim, Ihara.

No. 393 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Hanabusa, Kawamoto, Chun Oakland.

No. 394 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Menor, by request.

No. 395 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HO'ALA SCHOOL."

Introduced by: Senators Sakamoto, Kawamoto.

No. 396 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senators Sakamoto, Kawamoto.

No. 397 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE."

Introduced by: Senators Sakamoto, Kawamoto.

No. 398 "A BILL FOR AN ACT RELATING TO THE DRIVERS EDUCATION FUND."

Introduced by: Senator Sakamoto.

No. 399 "A BILL FOR AN ACT RELATING TO THE COMSTAT PROGRAM."

Introduced by: Senators Sakamoto, Kawamoto.

No. 400 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PHASE II OF THE INSTITUTE FOR ASTRONOMY ADVANCED TECHNOLOGY RESEARCH CENTER."

Introduced by: Senators Sakamoto, Kawamoto.

No. 401 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD."

Introduced by: Senators Sakamoto, Kawamoto.

No. 402 "A BILL FOR AN ACT RELATING TO MEDICAL EDUCATION."

Introduced by: Senator Sakamoto.

No. 403 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF DEPARTMENT OF EDUCATION FACILITIES."

Introduced by: Senator Sakamoto.

No. 404 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."

Introduced by: Senator Espero.

No. 405 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."

Introduced by: Senator Espero.

No. 406 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Espero, Aduja, Ige, Fukunaga.

No. 407 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 408 "A BILL FOR AN ACT RELATING TO SUBMERGED LANDS."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 409 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 410 "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 411 "A BILL FOR AN ACT RELATING TO EMPLOYEE LEASING COMPANIES."

Introduced by: Senators Hemmings, Whalen, Trimble, Slom, Hogue.

No. 412 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 413 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII IN ORDER TO CHANGE THE GOVERNANCE, INTERNAL STRUCTURE, MANAGEMENT AND OPERATION OF PUBLIC SCHOOLS IN HAWAII."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 414 "A BILL FOR AN ACT RELATING TO GROUND AND MARITIME TRANSPORTATION."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 415 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 416 "A BILL FOR AN ACT RELATING TO FOOD AND MEDICAL SERVICES."

Introduced by: Senators Hemmings, Hogue, Trimble, Slom, Whalen.

No. 417 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 418 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Hemmings, Hogue, Slom, Whalen, Trimble.

No. 419 "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR INCENTIVE PROGRAM."

Introduced by: Senators Hemmings, Hogue, Trimble, Slom, Whalen.

No. 420 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senators Hemmings, Hogue, Trimble, Slom, Whalen.

No. 421 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Senators Hemmings, Hogue, Slom, Trimble, Whalen.

No. 422 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."

Introduced by: Senators Hemmings, Hogue, Slom, Trimble, Whalen.

No. 423 "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER RECRUITMENT AND RETENTION PROGRAM."

Introduced by: Senators Hemmings, Hogue, Slom, Trimble, Whalen.

No. 424 "A BILL FOR AN ACT RELATING TO UTILITIES."

Introduced by: Senators Hemmings, Hogue, Slom, Trimble, Whalen.

No. 425 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Senators Ige, Aduja, English, Fukunaga, Ihara, Kanno.

No. 426 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Ige, Fukunaga, Aduja, Ihara, English, Hogue, Kanno.

No. 427 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."

Introduced by: Senators Ige, Aduja, Fukunaga, Ihara.

No. 428 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE X, SECTION 1, OF THE HAWAII CONSTITUTION TO AUTHORIZE THE STATE TO PROVIDE SCHOLARSHIPS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOL STUDENTS WITH A DISABILITY TO ENROLL IN AND ATTEND NOT-FOR-PROFIT PRIVATE ELEMENTARY AND SECONDARY SCHOOLS OF CHOICE IN HAWAII."

Introduced by: Senator Ige, by request.

No. 429 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Senator Ige, by request.

No. 430 "A BILL FOR AN ACT RELATING TO SKATEBOARD PARKS."

Introduced by: Senator Ige.

No. 431 "A BILL FOR AN ACT RELATING TO CLEAN FUEL VEHICLES."

Introduced by: Senator Ige.

No. 432 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REPLACE THE SINGLE, STATEWIDE SUPERINTENDENT OF EDUCATION WITH A SUPERINTENDENT OF EDUCATION FOR EACH DEPARTMENTAL SCHOOL DISTRICT ESTABLISHED BY LAW."

Introduced by: Senator Ige, by request.

No. 433 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING."

Introduced by: Senator Ige.

No. 434 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION BENEFITS TRUST PLAN."

Introduced by: Senator Ige.

No. 435 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

Introduced by: Senator Ige.

No. 436 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Ige, by request.

No. 437 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

Introduced by: Senator Ige, by request.

No. 438 "A BILL FOR AN ACT RELATING TO PENSION INCOME."

Introduced by: Senator Ige, by request.

No. 439 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Slom, Whalen, Hemmings, Chun Oakland.

No. 440 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Slom, Hemmings, Ige, English.

No. 441 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO MANDATED HEALTH COVERAGE."

Introduced by: Senators Slom, Hemmings.

No. 442 "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS."

Introduced by: Senators Slom, Hemmings, Ige, Whalen.

No. 443 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR INITIATIVE, REFERENDUM, AND RECALL."

Introduced by: Senators Slom, Hemmings, Whalen.

No. 444 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE HAWAII CONSTITUTION TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL."

Introduced by: Senators Slom, Hemmings, Whalen.

No. 445 "A BILL FOR AN ACT RELATING TO LABOR AND INDUSTRIAL RELATIONS."

Introduced by: Senators Slom, Hemmings, Whalen.

No. 446 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Slom, Whalen, Hemmings, Ige.

No. 447 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators Slom, Chun Oakland, Kim, Ige, Hemmings.

No. 448 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT."

Introduced by: Senators Slom, Kim, Hemmings, Chun Oakland, Ige, Whalen.

No. 449 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Senators Slom, Kim, Hemmings, Chun Oakland, Ige, Whalen.

No. 450 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Slom, Kim, Hemmings, Whalen.

No. 451 "A BILL FOR AN ACT RELATING TO FLUORIDATION OF HAWAII'S WATER SUPPLY."

Introduced by: Senators Slom, Hemmings, Chun Oakland, Ige, Whalen.

No. 452 "A BILL FOR AN ACT RELATING TO EXEMPTION FROM THE GENERAL EXCISE TAX FOR NONPROFIT ORGANIZATIONS."

Introduced by: Senators Slom, Whalen, Ige, Hemmings.

No. 453 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Slom, Whalen, Hemmings.

No. 454 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Slom, Hemmings, Whalen.

No. 455 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE FRIENDS OF WAIPAHU CULTURAL GARDEN PARK."

Introduced by: Senators Kawamoto, Espero, Kanno, Sakamoto, Fukunaga, Aduja, Ige, Hanabusa, Hemmings, Taniguchi.

No. 456 "A BILL FOR AN ACT RELATING TO CAMPAIGN ADVERTISING."

Introduced by: Senator Kawamoto.

No. 457 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIPAHU COMMUNITY ADULT DAY HEALTH CENTER AND YOUTH DAY CARE CENTER PILOT PROJECT."

Introduced by: Senators Kawamoto, Espero, Chun Oakland, Inouye, Hooser, Ige.

No. 458 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Senators Kawamoto, Espero, Sakamoto, Kanno, Aduja, Kim, Menor, Whalen, Taniguchi.

No. 459 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Kawamoto, Sakamoto, Espero, Whalen.

No. 460 "A BILL FOR AN ACT RELATING TO DUNE BUGGIES."

Introduced by: Senator Kawamoto, by request.

No. 461 "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES."

Introduced by: Senators Kawamoto, Kanno, Kokubun, Hanabusa.

No. 462 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Kawamoto, by request, Whalen, Aduja.

No. 463 "A BILL FOR AN ACT RELATING TO KAHO'OLAWA ISLAND RESERVE."

Introduced by: Senators Kawamoto, Aduja, Espero, Whalen.

No. 464 "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM."

Introduced by: Senators Kawamoto, Espero, Kanno, Whalen, Aduja.

No. 465 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Kawamoto, by request.

No. 466 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Senators Hanabusa, Chun Oakland, Kim.

No. 467 "A BILL FOR AN ACT RELATING TO ELDER ABUSE."

Introduced by: Senators Hanabusa, Kawamoto, Espero, Slom, English.

No. 468 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Hanabusa, Kawamoto, Espero, English.

No. 469 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Hanabusa, Espero, Kawamoto, Chun Oakland, English.

No. 470 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Hanabusa, Kawamoto, Chun Oakland, Espero, English.

No. 471 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Hanabusa, English, Hogue, Kawamoto, Espero, Slom, Chun Oakland.

No. 472 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Hanabusa, Kawamoto, Slom, Chun Oakland, English.

No. 473 "A BILL FOR AN ACT RELATING TO HALFWAY HOUSES."

Introduced by: Senators Hanabusa, Espero, Kawamoto, Hogue, Slom, Chun Oakland.

No. 474 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senators Hanabusa, Kawamoto, Chun Oakland, Hogue, Espero, Slom, English.

No. 475 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL."

Introduced by: Senators Hanabusa, Kawamoto, Hogue, English, Slom.

No. 476 "A BILL FOR AN ACT RELATING TO CEDED LAND REVENUES."

Introduced by: Senators Hanabusa, English, Kawamoto, Chun Oakland, Espero, Slom.

No. 477 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS COMMISSION ACT."

Introduced by: Senators Hanabusa, English, Chun Oakland, Espero.

No. 478 "A BILL FOR AN ACT RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Hanabusa, English, Kawamoto, Chun Oakland, Hogue, Espero, Slom.

No. 479 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Senator Hanabusa, by request.

No. 480 "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE."

Introduced by: Senators Kawamoto, Espero, Kanno, Baker, Hanabusa, Sakamoto, Kim, Whalen.

No. 481 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Senators Menor, Kawamoto.

No. 482 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Senators Menor, Kawamoto.

No. 483 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senators English, Kokubun, Baker, Ihara, Chun Oakland, Ige, Hemmings.

No. 484 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION."

Introduced by: Senators English, Baker, Tsutsui, Chun Oakland, Hanabusa, Hooser, Inouye, Espero, Ihara, Fukunaga, Taniguchi, Ige.

No. 485 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL COMPLIANCE."

Introduced by: Senators English, Kokubun, Hooser, Baker, Tsutsui, Chun Oakland, Hanabusa, Ihara, Ige.

No. 486 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA YOUTH CENTER."

Introduced by: Senators English, Baker, Kawamoto, Tsutsui, Chun Oakland, Hanabusa, Ihara, Taniguchi, Ige.

No. 487 "A BILL FOR AN ACT RELATING TO A GEOTHERMAL-TO-HYDROGEN TAX CREDIT."

Introduced by: Senators English, Kokubun, Hemmings, Hanabusa, Ihara, Chun Oakland, Ige, Taniguchi, Baker.

No. 488 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senators English, Kokubun, Hanabusa, Hemmings, Kim, Ihara, Chun Oakland, Ige, Baker, Taniguchi.

No. 489 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators English, Hanabusa, Ihara, Kim, Baker, Ige.

No. 490 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators English, Chun Oakland, Kokubun, Ige, Hanabusa, Hemmings, Ihara, Baker, Taniguchi, Kim.

No. 491 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL AIR TRANSPORT SERVICES FOR THE COUNTY OF MAUI."

Introduced by: Senators English, Tsutsui, Baker, Kokubun, Chun Oakland, Ige, Inouye, Espero, Hooser, Kawamoto, Ihara.

No. 492 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR ENERGY EFFICIENCY IN STATE FACILITIES."

Introduced by: Senators English, Fukunaga, Baker, Chun Oakland, Kokubun, Hemmings, Hanabusa, Ihara, Ige.

No. 493 "A BILL FOR AN ACT RELATING TO PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS."

Introduced by: Senators English, Baker, Tsutsui, Espero, Kawamoto, Chun Oakland, Ihara, Inouye.

No. 494 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI ADULT DAY CARE CENTER."

Introduced by: Senators English, Taniguchi, Ige, Tsutsui, Espero, Baker, Hanabusa, Hooser, Inouye, Kawamoto, Ihara, Chun Oakland, Fukunaga.

No. 495 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF JURISDICTION OVER HIGHWAYS TO THE COUNTIES."

Introduced by: Senators English, Hooser, Sakamoto, Ige, Baker, Tsutsui, Chun Oakland, Ihara, Fukunaga.

No. 496 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPLETING FENCE ENCLOSURES AROUND LANA 'S WATERSHED."

Introduced by: Senators English, Tsutsui, Espero, Baker, Hanabusa, Hooser, Inouye, Ihara, Chun Oakland, Fukunaga, Taniguchi, Ige.

No. 497 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Senators English, Kokubun, Hanabusa, Ihara, Hooser, Inouye, Taniguchi, Espero, Kawamoto, Sakamoto, Chun Oakland, Fukunaga, Ige.

No. 498 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators English, Hooser, Chun Oakland, Fukunaga, Hanabusa, Baker, Tsutsui, Inouye, Espero, Kawamoto, Ihara, Taniguchi, Ige.

No. 499 "A BILL FOR AN ACT RELATING TO CLEAN POWER."

Introduced by: Senators English, Taniguchi, Hanabusa, Kim, Ihara, Chun Oakland, Fukunaga, Ige.

No. 500 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators English, Kokubun, Hanabusa, Kim, Ihara, Fukunaga, Ige, Taniguchi.

No. 501 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES FOR MAUI."

Introduced by: Senators English, Baker, Tsutsui, Kawamoto, Chun Oakland, Hanabusa, Hooser, Inouye, Espero, Ihara, Fukunaga, Ige.

No. 502 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR POLIPOLI ACCESS ROAD."

Introduced by: Senators English, Baker, Kawamoto, Tsutsui, Chun Oakland, Ihara, Hanabusa, Hooser, Inouye, Espero, Fukunaga, Ige.

No. 503 "A BILL FOR AN ACT RELATING TO CLEAN WATER."

Introduced by: Senators English, Hooser, Kokubun, Baker, Kawamoto, Tsutsui, Chun Oakland, Ihara, Hanabusa, Fukunaga, Ige.

No. 504 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI FOOD BANK."

Introduced by: Senators English, Baker, Tsutsui, Chun Oakland, Hanabusa, Hooser, Inouye, Espero, Ihara, Fukunaga, Taniguchi.

No. 505 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE."

Introduced by: Senators English, Chun Oakland, Hooser, Tsutsui, Baker, Hanabusa, Hemmings, Inouye, Espero, Kawamoto, Sakamoto, Ihara, Fukunaga, Taniguchi, Ige.

No. 506 "A BILL FOR AN ACT RELATING TO GEOTHERMAL ROYALTIES."

Introduced by: Senators English, Hooser, Hanabusa, Baker, Tsutsui, Inouye, Espero, Sakamoto, Ihara, Ige, Fukunaga, Hemmings, Chun Oakland.

No. 507 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators English, Sakamoto, Ihara, Chun Oakland, Ige.

No. 508 "A BILL FOR AN ACT RELATING TO ELECTRONIC MAIL."

Introduced by: Senators English, Ige, Fukunaga, Inouye, Ihara, Hemmings, Chun Oakland, Tsutsui, Taniguchi.

No. 509 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT PROGRAMS."

Introduced by: Senators English, Ige, Tsutsui, Hooser, Sakamoto, Chun Oakland, Fukunaga, Hanabusa, Baker, Inouye, Espero, Kawamoto, Ihara, Hemmings.

No. 510 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators English, Slom.

No. 511 "A BILL FOR AN ACT RELATING TO AHUPUA`A O KAHANA."

Introduced by: Senators Aduja, Fukunaga, Hemmings, Hogue.

No. 512 "A BILL FOR AN ACT RELATING TO RIGHTS OF PARENTS AND GUARDIANS."

Introduced by: Senators Aduja, Espero, Hemmings, Whalen, Trimble.

No. 513 "A BILL FOR AN ACT RELATING TO THE OFFICE OF GRANT WRITING."

Introduced by: Senators Aduja, Fukunaga, Ige, Espero.

No. 514 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR QUEST ORTHODONTIC SERVICES."

Introduced by: Senators Aduja, Espero, Ige, Hemmings.

No. 515 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senators Aduja, Fukunaga, Ige, Baker, Espero.

No. 516 "A BILL FOR AN ACT RELATING TO KANEHOE BAY PIERS."

Introduced by: Senators Aduja, Espero, Hemmings, Whalen, Trimble.

No. 517 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO BUILD A FRUIT FLY IRRADIATION TREATMENT PLANT ON OAHU."

Introduced by: Senators Aduja, Inouye, Hemmings, Whalen, Trimble.

No. 518 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Aduja, Espero, Whalen.

No. 519 "A BILL FOR AN ACT MAKING A MATCHING FUNDS APPROPRIATION TO SUPPORT A PUBLIC-PRIVATE PARTNERSHIP TO MARKET AND PROMOTE INCENTIVES PROVIDED BY ACT 221, SESSION LAWS OF HAWAII 2001, FOR INVESTORS TO INVEST IN HIGH TECHNOLOGY IN HAWAII."

Introduced by: Senators Aduja, Ige, Hemmings.

No. 520 "A BILL FOR AN ACT MAKING A MATCHING FUNDS APPROPRIATION TO SUPPORT A PUBLIC-PRIVATE PARTNERSHIP TO MARKET AND PROMOTE ALTERNATIVE ENERGY ACTIVITIES AND BUSINESS OPPORTUNITIES IN HAWAII BY DEVELOPING AN ALTERNATIVE ENERGY INTERNET PORTAL."

Introduced by: Senators Aduja, Ige.

No. 521 "A BILL FOR AN ACT RELATING TO AN OFFICE OF TECHNOLOGY AND ECONOMIC DEVELOPMENT."

Introduced by: Senators Aduja, Ige.

No. 522 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Inouye, Whalen.

No. 523 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 524 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND IN NORTH KONA."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 525 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ENHANCE AGRICULTURAL TOURISM VENUES."

Introduced by: Senators Inouye, Espero, Kokubun, English.

No. 526 "A BILL FOR AN ACT RELATING TO COUNTY REVENUES."

Introduced by: Senators Inouye, Whalen.

No. 527 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 528 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 529 "A BILL FOR AN ACT RELATING TO CAVE PROTECTION."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 530 "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS WITHIN AGRICULTURAL DISTRICTS."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 531 "A BILL FOR AN ACT RELATING TO COUNTY LIABILITY."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 532 "A BILL FOR AN ACT RELATING TO COUNTY LIABILITY."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 533 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'ROADS IN LIMBO' PROGRAM IN HAWAII COUNTY."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 534 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Inouye, Espero, Chun Oakland, Whalen, Hooser, Fukunaga.

No. 535 "A BILL FOR AN ACT RELATING TO THE CONTROL OF AXIS DEER IN MAUI COUNTY."

Introduced by: Senators Inouye, Whalen, Espero, Hooser.

No. 536 "A BILL FOR AN ACT RELATING TO THE HAWAII FORESTRY AND COMMUNITY INITIATIVE."

Introduced by: Senators Inouye, Whalen, Espero, Hooser, Chun Oakland, Fukunaga.

No. 537 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS."

Introduced by: Senators Inouye, Whalen, Espero, Hooser, Chun Oakland, Fukunaga.

No. 538 "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION."

Introduced by: Senators Inouye, Whalen, Espero, Hooser, Chun Oakland.

No. 539 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Inouye, Whalen, Espero, Hooser, Chun Oakland, Fukunaga.

No. 540 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."

Introduced by: Senators Inouye, Espero, English, Whalen.

No. 541 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS."

Introduced by: Senators Inouye, Espero, Whalen.

No. 542 "A BILL FOR AN ACT RELATING TO ORGANIC LABELING."

Introduced by: Senators Inouye, English, Espero.

No. 543 "A BILL FOR AN ACT RELATING TO STATE IRRIGATION SYSTEMS."

Introduced by: Senators Inouye, Tsutsui, Baker, Espero, Whalen.

No. 544 "A BILL FOR AN ACT RELATING TO THE ELDER JUSTICE ACT."

Introduced by: Senators Inouye, Espero, Chun Oakland, Kawamoto.

No. 545 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTROL OF INVASIVE SPECIES."

Introduced by: Senators Inouye, Chun Oakland, Whalen, Espero, Hooser, Fukunaga.

No. 546 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH."

Introduced by: Senators Inouye, Espero, Whalen, Hooser, Chun Oakland, Fukunaga.

No. 547 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLEGE OF AGRICULTURE'S FORESTRY PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Inouye, Whalen, Espero, Hooser, Chun Oakland, Fukunaga.

No. 548 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Inouye, Espero, Chun Oakland, Hooser.

No. 549 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."

Introduced by: Senators Inouye, Espero, Chun Oakland, Hooser.

No. 550 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES."

Introduced by: Senators Inouye, Espero, Chun Oakland, Hooser.

No. 551 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY INVESTMENT TAX CREDITS."

Introduced by: Senators Inouye, Espero, Kokubun, Whalen, Hanabusa, Tsutsui, Kawamoto, Chun Oakland, Hooser.

No. 552 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."

Introduced by: Senators Inouye, English, Espero, Kawamoto, Whalen, Sakamoto, Fukunaga.

No. 553 "A BILL FOR AN ACT RELATING TO CONTROL OR ERADICATION OF PESTS."

Introduced by: Senators Inouye, Espero, Kawamoto, Whalen, Sakamoto, Fukunaga, English.

No. 554 "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES."

Introduced by: Senators Inouye, Espero, Kawamoto, Whalen, Sakamoto, English.

No. 555 "A BILL FOR AN ACT RELATING TO INSPECTION AND QUARANTINE."

Introduced by: Senators Inouye, Espero, Kawamoto, Sakamoto, Fukunaga, English.

No. 556 "A BILL FOR AN ACT RELATING TO WATERSHEDS."

Introduced by: Senators Inouye, English, Espero, Kawamoto, Fukunaga, Whalen, Sakamoto.

No. 557 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Senators Inouye, Espero, Kawamoto, Whalen, Sakamoto, English.

No. 558 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Senators Inouye, English.

No. 559 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Inouye, Kawamoto, Whalen.

No. 560 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS DEVELOPMENT."

Introduced by: Senators Inouye, Kokubun, Fukunaga.

No. 561 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Inouye, Hooser, English, Espero, Whalen.

No. 562 "A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES."

Introduced by: Senators Inouye, Kawamoto.

No. 563 "A BILL FOR AN ACT RELATING TO THE PROTECTION AGAINST INTERRUPTION OF COMMERCE."

Introduced by: Senators Slom, Chun Oakland, Hemmings, Ige.

No. 564 "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT."

Introduced by: Senators Slom, Ige, Aduja, Kawamoto, Espero, Hemmings.

No. 565 "A BILL FOR AN ACT RELATING TO PAYCHECK PROTECTION."

Introduced by: Senators Slom, Chun Oakland, Kawamoto, English, Tsutsui, Sakamoto, Kim, Hemmings.

No. 566 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Slom, Ige, English, Chun Oakland, Aduja, Kawamoto, Espero, Hemmings.

No. 567 "A BILL FOR AN ACT RELATING TO BRIBES."

Introduced by: Senator Slom.

No. 568 "A BILL FOR AN ACT RELATING TO TERM LIMITS."

Introduced by: Senator Slom.

No. 569 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."

Introduced by: Senators Slom, Whalen.

No. 570 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Slom.

No. 571 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senators Taniguchi, Kokubun, English, Kim, Fukunaga, Espero, Hanabusa, Kawamoto, Tsutsui, Baker, Kanno, Inouye, Ige, Whalen.

No. 572 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL."

Introduced by: Senators Taniguchi, Chun Oakland, Baker.

No. 573 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES."

Introduced by: Senators Taniguchi, Hanabusa, Kawamoto.

No. 574 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Senator Taniguchi.

No. 575 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY INVESTMENT TAX CREDITS."

Introduced by: Senator Taniguchi.

No. 576 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Taniguchi.

No. 577 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senators Taniguchi, Kanno.

No. 578 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Taniguchi, Hanabusa, Kawamoto.

No. 579 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-1."

Introduced by: Senators Taniguchi, Kanno, Chun Oakland, Kawamoto, Kokubun, Kim, Ihara, Hanabusa, Aduja, Baker, Trimble, Tsutsui, English, Espero, Fukunaga, Inouye.

No. 580 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU AND THE OMBUDSMAN."

Introduced by: Senator Taniguchi.

No. 581 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senator Taniguchi.

No. 582 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senator Taniguchi.

No. 583 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Taniguchi.

No. 584 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senator Taniguchi.

No. 585 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Taniguchi.

No. 586 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi.

No. 587 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senator Taniguchi.

No. 588 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES."

Introduced by: Senator Taniguchi.

No. 589 "A BILL FOR AN ACT RELATING TO UTILITIES."

Introduced by: Senator Taniguchi.

No. 590 "A BILL FOR AN ACT RELATING TO UTILITY LINES."

Introduced by: Senator Taniguchi.

No. 591 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY OR GAS."

Introduced by: Senator Taniguchi.

No. 592 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Taniguchi.

No. 593 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Taniguchi.

No. 594 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Taniguchi.

No. 595 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senator Taniguchi.

No. 596 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDIT."

Introduced by: Senator Taniguchi.

No. 597 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Taniguchi.

No. 598 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Taniguchi.

No. 599 "A BILL FOR AN ACT RELATING TO UTILITY LINES."

Introduced by: Senator Taniguchi.

No. 600 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENETIC ENGINEERING ASSESSMENT."

Introduced by: Senator Taniguchi, by request.

No. 601 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Taniguchi, by request.

No. 602 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Taniguchi, by request.

No. 603 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS."

Introduced by: Senator Taniguchi, by request.

No. 604 "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE."

Introduced by: Senator Taniguchi, by request.

No. 605 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Taniguchi, by request.

No. 606 "A BILL FOR AN ACT RELATING TO THE PROHIBITION OF DISCRIMINATION BY PUBLIC ENTITIES AGAINST INDIVIDUALS WITH DISABILITIES."

Introduced by: Senator Hanabusa, by request.

No. 607 "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT."

Introduced by: Senators Hanabusa, Kim, English, Kawamoto, Ihara.

No. 608 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Senator Hanabusa.

No. 609 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senators Hanabusa, Slom, Kawamoto, English, Ihara.

No. 610 "A BILL FOR AN ACT RELATING TO INDIVIDUAL CLAIMS RESOLUTION UNDER THE HAWAIIAN HOME LANDS TRUST."

Introduced by: Senators Hanabusa, Slom, Chun Oakland, Kawamoto, English, Ihara.

No. 611 "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL."

Introduced by: Senators Hanabusa, English, Ihara.

No. 612 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Hanabusa, Ihara.

No. 613 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT."

Introduced by: Senators Hanabusa, English.

No. 614 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Hanabusa, Slom, Chun Oakland, Kawamoto, Ihara, English.

No. 615 "A BILL FOR AN ACT RELATING TO SPECIAL ATTORNEYS GENERAL."

Introduced by: Senators Hanabusa, English, Chun Oakland, Kawamoto, Ihara.

No. 616 "A BILL FOR AN ACT RELATING TO HATE CRIMES."

Introduced by: Senators Hanabusa, by request, Chun Oakland, Kawamoto, English.

No. 617 "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES."

Introduced by: Senators Hanabusa, Chun Oakland, Kawamoto.

No. 618 "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION."

Introduced by: Senators Hanabusa, by request, Slom, Kawamoto.

No. 619 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE."

Introduced by: Senators Hanabusa, Chun Oakland, English, Slom, Kawamoto, Ihara.

No. 620 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Hanabusa, by request, Chun Oakland, English.

No. 621 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Hanabusa, by request, Slom, Chun Oakland, Kawamoto.

No. 622 "A BILL FOR AN ACT RELATING TO CHIROPRACTIC."

Introduced by: Senators Hanabusa, Kawamoto.

No. 623 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Senators Hanabusa, Chun Oakland, English, Kawamoto.

No. 624 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."

Introduced by: Senators Hanabusa, Slom, Kawamoto, English.

No. 625 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Introduced by: Senators Hanabusa, Slom, Chun Oakland, English.

No. 626 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT FUND."

Introduced by: Senators Hanabusa, Chun Oakland, English, Ihara.

No. 627 "A BILL FOR AN ACT RELATING TO PAROLE."

Introduced by: Senators Hanabusa, by request, Chun Oakland, Kawamoto, English.

No. 628 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Hanabusa, Slom.

No. 629 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Hanabusa, Ihara.

No. 630 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS."

Introduced by: Senators Hanabusa, Ihara.

No. 631 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Hanabusa, Ihara, Kim, Chun Oakland, Sakamoto.

No. 632 "A BILL FOR AN ACT RELATING TO TAXATION APPEALS."

Introduced by: Senators Hanabusa, Hooser, Hemmings, Kokubun, English, Tsutsui, Sakamoto, Ihara.

No. 633 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO PREVENT CONDEMNATION OF TRUST LANDS."

Introduced by: Senators Hanabusa, Kokubun, English, Hemmings, Tsutsui, Hooser, Sakamoto, Taniguchi.

No. 634 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWO COUNSELORS TO TREAT WOMEN INCARCERATED FOR DRUG-RELATED OFFENSES ON MAUI."

Introduced by: Senators Hanabusa, Kokubun, English, Tsutsui, Ihara, Kim, Hemmings, Hooser, Taniguchi.

No. 635 "A BILL FOR AN ACT RELATING TO TRAFFIC FINES."

Introduced by: Senators Hanabusa, Chun Oakland, English, Ihara.

No. 636 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Senators Hanabusa, Chun Oakland, Kokubun, English, Kawamoto.

No. 637 "A BILL FOR AN ACT RELATING TO MISSING CHILDREN."

Introduced by: Senators Hanabusa, Chun Oakland, Kokubun, English, Kawamoto.

No. 638 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION."

Introduced by: Senators Hanabusa, Kokubun, English, Chun Oakland, Kawamoto.

No. 639 "A BILL FOR AN ACT RELATING TO ALTERNATIVE PROGRAMS TO INCARCERATION."

Introduced by: Senator Hanabusa.

No. 640 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR NATIVE HAWAIIANS."

Introduced by: Senator Hanabusa.

No. 641 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Hanabusa, Kawamoto.

No. 642 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."

Introduced by: Senator Hanabusa.

No. 643 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."

Introduced by: Senator Hanabusa.

No. 644 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 645 "A BILL FOR AN ACT RELATING TO HEALTH FUND."

Introduced by: Senator Hanabusa.

No. 646 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 647 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 648 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 649 "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM."

Introduced by: Senator Hanabusa.

No. 650 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Hanabusa.

No. 651 "A BILL FOR AN ACT RELATING TO TRANSIT ACCOMMODATIONS TAX."

Introduced by: Senator Hanabusa.

No. 652 "A BILL FOR AN ACT RELATING TO TRAFFIC AND PARKING FINES."

Introduced by: Senator Hanabusa.

No. 653 "A BILL FOR AN ACT RELATING TO TAXING AUTHORITY."

Introduced by: Senator Hanabusa.

No. 654 "A BILL FOR AN ACT RELATING TO PUBLIC NOTICES."

Introduced by: Senator Hanabusa.

No. 655 "A BILL FOR AN ACT RELATING TO HURRICANE SHELTERS."

Introduced by: Senators Menor, English, Tsutsui, Kawamoto, Aduja, Espero, Kim, Inouye, Trimble, Hogue, Ihara.

No. 656 "A BILL FOR AN ACT RELATING TO SCHOOL-LEVEL MINOR REPAIRS AND MAINTENANCE ACCOUNTS."

Introduced by: Senators Menor, English, Tsutsui, Kawamoto, Inouye, Hogue, Espero, Kim, Ihara, Trimble, Hemmings, Aduja.

No. 657 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES."

Introduced by: Senators Menor, English, Tsutsui, Kawamoto, Inouye, Ihara, Trimble, Espero, Hemmings, Aduja.

No. 658 "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS."

Introduced by: Senators Fukunaga, Ihara, Kawamoto.

No. 659 "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONE."

Introduced by: Senators Fukunaga, Ige.

No. 660 "A BILL FOR AN ACT RELATING TO FILM."

Introduced by: Senators Fukunaga, Ige.

No. 661 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Senators Fukunaga, Baker, Hanabusa, Inouye, Chun Oakland, Aduja, Kim.

No. 662 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS."

Introduced by: Senators Fukunaga, Ihara, Ige, Trimble, Aduja, English, Kawamoto.

No. 663 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION OF THE OCEANIC INSTITUTE'S AQUACULTURE AND MARINE BIOTECHNOLOGY RESEARCH FACILITIES."

Introduced by: Senators Fukunaga, English, Ihara, Ige, Aduja, Kanno, Kawamoto.

No. 664 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR THE DEVELOPMENT OF A VETERANS AFFAIRS LONG-TERM CARE FACILITY."

Introduced by: Senators Kokubun, Kawamoto.

No. 665 "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE PLAN."

Introduced by: Senator Kokubun.

No. 666 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 667 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 668 "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING."

Introduced by: Senator Sakamoto.

No. 669 "A BILL FOR AN ACT RELATING TO INCIDENTAL CONTRACTING."

Introduced by: Senator Sakamoto.

No. 670 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE X OF CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Senator Sakamoto.

No. 671 "A BILL FOR AN ACT RELATING TO SCHOOL ZONES."

Introduced by: Senator Sakamoto.

No. 672 "A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES."

Introduced by: Senator Sakamoto.

No. 673 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Tsutsui.

No. 674 "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."

Introduced by: Senators Kawamoto, Espero.

No. 675 "A BILL FOR AN ACT RELATING TO SUBPOENAS."

Introduced by: Senators Kawamoto, by request, Chun Oakland, Espero.

No. 676 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Whalen, Menor.

No. 677 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS."

Introduced by: Senator Kawamoto, by request.

No. 678 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Kawamoto, Espero.

No. 679 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE."

Introduced by: Senators Kawamoto, by request, Whalen, Espero.

No. 680 "A BILL FOR AN ACT RELATING TO TOWING."

Introduced by: Senators Kawamoto, Espero.

No. 681 "A BILL FOR AN ACT RELATING TO TOWING."

Introduced by: Senator Kawamoto.

No. 682 "A BILL FOR AN ACT RELATING TO SECTION 103D-1007, HAWAII REVISED STATUTES."

Introduced by: Senators Kawamoto, Whalen, Menor, Baker.

No. 683 "A BILL FOR AN ACT RELATING TO DIABETES EDUCATION."

Introduced by: Senators Kawamoto, Inouye, Hogue, Hanabusa, Baker, Chun Oakland.

No. 684 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Senators Kawamoto, by request, Espero, Whalen, Chun Oakland.

No. 685 "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBERS PLACED IN POLL BOOKS."

Introduced by: Senators Kawamoto, Whalen, Espero, Aduja, Baker, Chun Oakland.

No. 686 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Kawamoto, by request.

No. 687 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE."

Introduced by: Senator Kawamoto, by request.

No. 688 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Kawamoto, by request.

No. 689 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."

Introduced by: Senator Kawamoto, by request.

No. 690 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Hooser, Ihara, Ige, Hemmings, Kim, Fukunaga, Espero, Taniguchi.

No. 691 "A BILL FOR AN ACT RELATING TO GIFTS ALLOWED UNDER THE CODE OF ETHICS."

Introduced by: Senators Hooser, Ige, Hemmings, Trimble, Ihara, Chun Oakland, Fukunaga, Espero.

No. 692 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senators Hooser, Aduja, Ige, Hemmings, Trimble, Ihara, Kim, English, Tsutsui, Fukunaga, Espero.

No. 693 "A BILL FOR AN ACT RELATING TO STATE ETHICS CODE."

Introduced by: Senators Hooser, Espero, Ige, Hemmings, Trimble, Aduja, Fukunaga, Chun Oakland, Ihara.

No. 694 "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT."

Introduced by: Senators Kokubun, Kanno, Hanabusa.

No. 695 "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS."

Introduced by: Senators Kokubun, Baker, Sakamoto, Inouye, Kanno, English, Espero, Chun Oakland, Hanabusa, Fukunaga, Aduja.

No. 696 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE REFORM."

Introduced by: Senator Kokubun, by request.

No. 697 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES."

Introduced by: Senator Kokubun.

No. 698 "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING."

Introduced by: Senator Kokubun.

No. 699 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Senators Kokubun, Hanabusa, Inouye, Taniguchi.

No. 700 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

- Introduced by: Senators Kokubun, English, Aduja, Hooser.
- No. 701 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senators Kokubun, Hooser.
- No. 702 "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION."
Introduced by: Senators Kokubun, Espero, Hanabusa, Taniguchi, Aduja, Kawamoto.
- No. 703 "A BILL FOR AN ACT RELATING TO LAND USE."
Introduced by: Senators Kokubun, Hanabusa, Taniguchi, English, Hooser, Tsutsui.
- No. 704 "A BILL FOR AN ACT RELATING TO ACCRETED LANDS."
Introduced by: Senators Kokubun, English, Hanabusa, Inouye, Hooser.
- No. 705 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."
Introduced by: Senators Kokubun, English, Inouye, Aduja, Hooser.
- No. 706 "A BILL FOR AN ACT RELATING TO LAND USE."
Introduced by: Senators Kokubun, Espero, Hanabusa, Taniguchi, English, Inouye, Aduja, Hooser, Tsutsui.
- No. 707 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
Introduced by: Senators Kokubun, Espero, English, Hooser, Hanabusa, Inouye, Taniguchi, Tsutsui.
- No. 708 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
Introduced by: Senators Kokubun, English, Hooser, Inouye, Hanabusa, Tsutsui, Taniguchi.
- No. 709 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROJECTS ON THE ISLANDS OF MAUI AND HAWAII."
Introduced by: Senators Kokubun, English, Inouye, Tsutsui.
- No. 710 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
Introduced by: Senators Kokubun, Espero, Hanabusa, Taniguchi, English, Hooser, Tsutsui.
- No. 711 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
Introduced by: Senators Kokubun, English, Hooser, Tsutsui.
- No. 712 "A BILL FOR AN ACT RELATING TO DISPOSITION OF PROPERTY FORFEITED."
Introduced by: Senators Kokubun, Hanabusa, Tsutsui.
- No. 713 "A BILL FOR AN ACT RELATING TO CLOSURE OF MUNICIPAL FACILITIES."
Introduced by: Senators Kokubun, Inouye, English, Hanabusa.
- No. 714 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY AMBULANCE SERVICE ON THE ISLAND OF HAWAII."
Introduced by: Senators Kokubun, Espero, Hanabusa, Taniguchi, Whalen, Inouye.
- No. 715 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."
Introduced by: Senator Aduja.
- No. 716 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senator Aduja.
- No. 717 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Senator Aduja.
- No. 718 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF AGRICULTURE."
Introduced by: Senator Aduja.
- No. 719 "A BILL FOR AN ACT RELATING TO AQUACULTURE."
Introduced by: Senator Aduja.
- No. 720 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUBLIC EDUCATION."
Introduced by: Senator Aduja.
- No. 721 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A UNIFIED DATABASE SYSTEM OF ALL STATE AGENCIES."
Introduced by: Senator Aduja.
- No. 722 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
Introduced by: Senator Aduja.
- No. 723 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
Introduced by: Senator Aduja.
- No. 724 "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL."
Introduced by: Senator Aduja.
- No. 725 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ECONOMIC DEVELOPMENT

PLAN FOR THE KAHUKU AREA AS A HEALTH AND WELLNESS CENTER.”

Introduced by: Senator Aduja.

No. 726 “A BILL FOR AN ACT RELATING TO THE SPECIAL ADVISORY COUNCIL FOR TECHNOLOGY DEVELOPMENT.”

Introduced by: Senators Aduja, Espero.

No. 727 “A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS.”

Introduced by: Senators Aduja, Espero.

No. 728 “A BILL FOR AN ACT RELATING TO PUBLIC EDUCATION.”

Introduced by: Senators Aduja, Espero, Kawamoto, Hooser.

No. 729 “A BILL FOR AN ACT RELATING TO THE DRUG COURT PROGRAM.”

Introduced by: Senators Aduja, Espero, Chun Oakland, Hooser, Kawamoto, Trimble.

No. 730 “A BILL FOR AN ACT RELATING TO WINDWARD COMMUNITY COLLEGE.”

Introduced by: Senators Aduja, Chun Oakland, Hooser.

No. 731 “A BILL FOR AN ACT RELATING TO WINDWARD COMMUNITY COLLEGE.”

Introduced by: Senators Aduja, Chun Oakland, Espero, Trimble, Hooser.

No. 732 “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGHWAY IMPROVEMENTS.”

Introduced by: Senator Aduja.

No. 733 “A BILL FOR AN ACT RELATING TO PROCUREMENT.”

Introduced by: Senator Aduja.

No. 734 “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF A HONOLULU MONORAIL.”

Introduced by: Senator Aduja.

No. 735 “A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES.”

Introduced by: Senators Baker, Fukunaga, Ige, Ihara, Chun Oakland, Kawamoto, Hooser.

No. 736 “A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS.”

Introduced by: Senator Baker.

No. 737 “A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE.”

Introduced by: Senators Baker, Ihara, Ige, Chun Oakland, Espero, Hooser, Fukunaga, Kanno, Whalen, Menor, Aduja.

No. 738 “A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES.”

Introduced by: Senators Baker, Ihara, Ige, Chun Oakland, Espero, Hooser, Fukunaga, Kanno, Whalen, Menor, Aduja.

No. 739 “A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS.”

Introduced by: Senators Baker, Chun Oakland, Espero.

No. 740 “A BILL FOR AN ACT RELATING TO HEALTH.”

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Kanno, Inouye, Kim, Hanabusa, Kawamoto, Aduja.

No. 741 “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES.”

Introduced by: Senators Baker, Chun Oakland, Kim, Hanabusa, Fukunaga, Aduja, Inouye.

No. 742 “A BILL FOR AN ACT RELATING TO HEALTH.”

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Ige.

No. 743 “A BILL FOR AN ACT RELATING TO FAMILY CAREGIVERS.”

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Inouye, Ige, Ihara.

No. 744 “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE PENSION FINANCING.”

Introduced by: Senators Baker, Taniguchi, English, Chun Oakland, Fukunaga, Ihara, Bunda, Tsutsui.

No. 745 “A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES.”

Introduced by: Senators Baker, Tsutsui, English.

No. 746 “A BILL FOR AN ACT RELATING TO CANCER.”

Introduced by: Senators Baker, Fukunaga, Hanabusa, Inouye, Chun Oakland, Aduja, Kim.

No. 747 “A BILL FOR AN ACT RELATING TO INSURANCE.”

Introduced by: Senators Baker, Inouye, Chun Oakland, Tsutsui, Kokubun, Hogue.

No. 748 “A BILL FOR AN ACT RELATING TO NURSING EDUCATION.”

Introduced by: Senators Baker, Kokubun, Chun Oakland, Hooser, Fukunaga, Ige, Ihara, Inouye, Tsutsui, Hogue.

No. 749 “A BILL FOR AN ACT RELATING TO NURSING SCHOLARSHIPS.”

Introduced by: Senators Baker, Chun Oakland, Inouye, Ihara, Tsutsui, Kokubun, Hooser, Fukunaga, Ige, Hogue.

No. 750 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NURSING FACULTY POSITIONS AT THE UNIVERSITY OF HAWAII AT MANOA AND HILO."

Introduced by: Senators Baker, Chun Oakland, Inouye, Tsutsui, Kokubun, Hooser, Fukunaga, Ige, Ihara, Hogue.

No. 751 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Baker, by request.

No. 752 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senators Kanno, Kawamoto, Inouye, Espero, Baker.

No. 753 "A BILL FOR AN ACT RELATING TO PRIVATIZATION."

Introduced by: Senators Kanno, Kawamoto, Inouye, Espero, Baker.

No. 754 "A BILL FOR AN ACT RELATING TO THE HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Inouye, Kawamoto, Espero, Baker.

No. 755 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Kawamoto, Inouye, Espero.

No. 756 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Kanno.

No. 757 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Kawamoto, Inouye, Espero, Baker.

No. 758 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Kawamoto, Inouye, Baker.

No. 759 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION BENEFITS TRUST PLAN."

Introduced by: Senators Kanno, Kawamoto, Inouye, Baker.

No. 760 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Inouye, Baker.

No. 761 "A BILL FOR AN ACT RELATING TO THE HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Kawamoto, Inouye, Espero, Baker.

No. 762 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Kawamoto, Inouye, Espero, Baker.

No. 763 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Kanno, Kawamoto, Inouye, Baker, Espero.

No. 764 "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT."

Introduced by: Senators Kanno, Chun Oakland, Baker, Kawamoto.

No. 765 "A BILL FOR AN ACT RELATING TO THE RETIREMENT ALLOWANCE FOR PRINCIPALS AND VICE PRINCIPALS."

Introduced by: Senators Kanno, Inouye.

No. 766 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."

Introduced by: Senators Kanno, Espero, Kawamoto, Inouye.

No. 767 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senators Kanno, Baker, Kawamoto, Inouye, Espero.

No. 768 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senators Kanno, Baker, Hooser, Tsutsui, Kawamoto, Inouye, Fukunaga, Espero.

No. 769 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VICE PRINCIPAL POSITIONS."

Introduced by: Senators Kanno, Inouye, Espero, Baker, Kawamoto.

No. 770 "A BILL FOR AN ACT RELATING TO UNION ORGANIZING."

Introduced by: Senator Kanno.

No. 771 "A BILL FOR AN ACT RELATING TO SICK LEAVE."

Introduced by: Senator Kanno.

No. 772 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE BENEFITS INSURANCE."

Introduced by: Senator Kanno.

No. 773 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

Introduced by: Senator Kanno.

No. 774 "A BILL FOR AN ACT RELATING TO CORPORATE DISCLOSURE."

Introduced by: Senator Kanno.

No. 775 "A BILL FOR AN ACT RELATING TO PHARMACEUTICAL BENEFIT MANAGEMENT COMPANIES."

Introduced by: Senator Kanno.

No. 776 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS."

Introduced by: Senator Kanno.

No. 777 "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW."

Introduced by: Senator Kanno.

No. 778 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."

Introduced by: Senator Kanno.

No. 779 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Kanno.

No. 780 "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY."

Introduced by: Senator Kanno.

No. 781 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Kawamoto.

No. 782 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senators Kanno, Kawamoto.

No. 783 "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM FOR EMERGENCY MEDICAL TECHNICIANS."

Introduced by: Senators Kanno, Kawamoto.

No. 784 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senator Kanno.

No. 785 "A BILL FOR AN ACT RELATING TO TELEMARKETING."

Introduced by: Senators Kanno, Kawamoto, Kim, Inouye, English.

No. 786 "A BILL FOR AN ACT RELATING TO ADOPTION."

Introduced by: Senators Kanno, Chun, Oakland, Hemmings, Kim, Baker, English.

No. 787 "A BILL FOR AN ACT RELATING TO DISASTER LEAVE."

Introduced by: Senators Kanno, Inouye, Kawamoto, Kim, English.

No. 788 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Kanno, Inouye.

No. 789 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

Introduced by: Senators Kanno, Kawamoto, Kim, Baker, Inouye, English.

No. 790 "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES."

Introduced by: Senators Kanno, Kim, English.

No. 791 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Kanno, Inouye, English.

No. 792 "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES."

Introduced by: Senator Kanno.

No. 793 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Kanno, Kawamoto, Inouye.

No. 794 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE."

Introduced by: Senators Kanno, English.

No. 795 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Kawamoto, Baker, Inouye, English.

No. 796 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Senators Kanno, Kawamoto, Baker, Inouye, English.

No. 797 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Inouye, English.

No. 798 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kanno, Kawamoto, English.

No. 799 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."

Introduced by: Senators Kanno, Baker, Inouye, English.

No. 800 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senators Kanno, Inouye, Kawamoto, Kim, English.

No. 801 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Senator Ihara.

No. 802 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."

Introduced by: Senators Ihara, Hooser, Fukunaga, Baker, Ige, Chun Oakland.

No. 803 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR DIAMOND HEAD STATE MONUMENT VISITORS CENTER."

Introduced by: Senator Ihara.

No. 804 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, Hooser, Fukunaga, Chun Oakland, Baker.

No. 805 "A BILL FOR AN ACT RELATING TO WORKS OF ART IN PUBLIC BUILDINGS."

Introduced by: Senators Ihara, English, Chun Oakland, Hooser, Baker.

No. 806 "A BILL FOR AN ACT RELATING TO HOMELAND SECURITY."

Introduced by: Senator Ihara.

No. 807 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE APPLICATIONS."

Introduced by: Senators Ihara, Fukunaga, Chun Oakland, Hooser, Baker.

No. 808 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Senators Ihara, Fukunaga, English, Chun Oakland, Hooser, Baker.

No. 809 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."

Introduced by: Senator Ihara.

No. 810 "A BILL FOR AN ACT RELATING TO THE DRUG DEALER LIABILITY ACT."

Introduced by: Senator Hanabusa, by request.

No. 811 "A BILL FOR AN ACT RELATING TO PROMOTION OF HIGH TECHNOLOGY INDUSTRIES IN HAWAII."

Introduced by: Senators Ige, Fukunaga, Aduja.

No. 812 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS HIGH TECHNOLOGY EMPLOYMENT TAX CREDIT."

Introduced by: Senators Ige, Fukunaga, Aduja.

No. 813 "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY PROJECTS."

Introduced by: Senators Ige, Fukunaga.

No. 814 "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY PROJECTS."

Introduced by: Senators Ige, Fukunaga.

No. 815 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ASSESSMENTS."

Introduced by: Senators Ige, Fukunaga.

No. 816 "A BILL FOR AN ACT RELATING TO SAFETY RESOURCE OFFICER PROGRAM."

Introduced by: Senators Ige, Sakamoto, Kim, Kawamoto, Bunda.

No. 817 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, Sakamoto, Bunda, Kim, Kawamoto.

No. 818 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senator Ige, by request.

No. 819 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Senators Espero, Kawamoto.

No. 820 "A BILL FOR AN ACT RELATING TO MANDATORY MINIMUM SENTENCES FOR PERSONS CONVICTED OF THEFT OF A MOTOR VEHICLE."

Introduced by: Senators Espero, Kawamoto, Kanno, Aduja.

No. 821 "A BILL FOR AN ACT RELATING TO DISASTER LEAVE."

Introduced by: Senators Espero, Kawamoto, Aduja.

No. 822 "A BILL FOR AN ACT RELATING TO NOISE VIOLATIONS."

Introduced by: Senators Espero, Kawamoto.

No. 823 "A BILL FOR AN ACT RELATING TO FAMILY CAREGIVERS."

Introduced by: Senators Espero, Kawamoto, Aduja.

No. 824 "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT."

Introduced by: Senator Espero, by request.

No. 825 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE."

Introduced by: Senator Espero.

No. 826 "A BILL FOR AN ACT RELATING TO TIME SHARING."

Introduced by: Senator Bunda, by request.

No. 827 "A BILL FOR AN ACT RELATING TO LAND COURT."

Introduced by: Senator Bunda, by request.

No. 828 "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS."

Introduced by: Senator Bunda, by request.

No. 829 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HALEIWA PSYCHOLOGICAL REHABILITATION CENTER."

Introduced by: Senator Bunda.

No. 830 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."

Introduced by: Senator Bunda.

No. 831 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."

Introduced by: Senator Bunda.

No. 832 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Senator Bunda, by request.

No. 833 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Senator Bunda, by request.

No. 834 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESSES."

Introduced by: Senator Bunda.

No. 835 "A BILL FOR AN ACT RELATING TO STORED VEHICLES."

Introduced by: Senator Bunda.

No. 836 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Fukunaga, Ige, Aduja.

No. 837 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Senators Fukunaga, Ige, Aduja.

No. 838 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."

Introduced by: Senator English.

No. 839 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PHASE II OF THE INSTITUTE FOR ASTRONOMY ADVANCED TECHNOLOGY RESEARCH CENTER."

Introduced by: Senators English, Aduja, Hemmings, Hanabusa, Sakamoto, Tsutsui.

No. 840 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators English, Tsutsui, Hemmings, Fukunaga, Aduja, Hanabusa, Ihara.

No. 841 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT."

Introduced by: Senators English, Tsutsui, Ige, Fukunaga, Hemmings, Ihara, Hanabusa, Aduja.

No. 842 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Senators English, Hemmings.

No. 843 "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS."

Introduced by: Senators English, Espero, Hemmings, Tsutsui, Ihara, Sakamoto, Ige, Hanabusa, Fukunaga.

No. 844 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."

Introduced by: Senators English, Espero, Hemmings, Hanabusa, Tsutsui.

No. 845 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators English, Tsutsui, Ige, Hemmings, Ihara, Hogue, Fukunaga, Aduja, Hanabusa, Sakamoto.

No. 846 "A BILL FOR AN ACT RELATING TO STATE IRRIGATION SYSTEMS."

Introduced by: Senators English, Hemmings, Hanabusa, Tsutsui.

No. 847 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS CABLE TELEVISION."

Introduced by: Senators English, Ihara, Hemmings, Hanabusa.

No. 848 "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOO LAWE."

Introduced by: Senators English, Aduja, Tsutsui, Ige, Hemmings, Fukunaga, Sakamoto, Ihara, Hogue, Hanabusa.

No. 849 "A BILL FOR AN ACT RELATING TO INTELLECTUAL PROPERTY."

Introduced by: Senators English, Ihara, Kim, Hemmings, Kawamoto, Tsutsui.

No. 850 "A BILL FOR AN ACT RELATING TO STATE IRRIGATION SYSTEMS."

Introduced by: Senators English, Espero, Hemmings, Hanabusa, Tsutsui.

No. 851 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE KULAMALU LONG-TERM CARE FACILITY IN KULA, MAUI."

Introduced by: Senators English, Tsutsui, Baker.

No. 852 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Senators English, Ihara, Kim, Hemmings, Tsutsui.

No. 853 "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW."

Introduced by: Senator English.

No. 854 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES FUNDING."

Introduced by: Senators English, Aduja, Hemmings, Hanabusa, Sakamoto.

No. 855 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators English, Aduja, Hemmings, Hanabusa, Sakamoto.

No. 856 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Senators English, Ihara, Kim, Tsutsui, Hemmings.

No. 857 "A BILL FOR AN ACT RELATING TO ALIEN INVASIVE SPECIES."

Introduced by: Senators English, Kokubun, Ihara, Kim, Hemmings, Kawamoto, Tsutsui.

No. 858 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY BENEFITS TO CARE FOR FAMILY MEMBERS WITH A SERIOUS HEALTH CONDITION."

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 859 "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE."

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 860 "A BILL FOR AN ACT RELATING TO TRAFFIC LAW ENFORCEMENT."

Introduced by: Senators Chun Oakland, Kawamoto, Hanabusa.

No. 861 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Chun Oakland.

No. 862 "A BILL FOR AN ACT RELATING TO PROHIBITION OF DISCRIMINATION BY PUBLIC ENTITIES AGAINST INDIVIDUALS WITH DISABILITIES."

Introduced by: Senator Chun Oakland.

No. 863 "A BILL FOR AN ACT RELATING TO VOTING BY INCARCERATED FELONS."

Introduced by: Senators Chun Oakland, Hooser, Fukunaga, Ihara, Baker.

No. 864 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Senators Chun Oakland, Hooser, Fukunaga, Ige, Ihara, Baker.

No. 865 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE FOOD SECURITY COUNCIL."

Introduced by: Senators Chun Oakland, Hooser, Fukunaga, Ige, Ihara, Baker.

No. 866 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chun Oakland, Hooser, Fukunaga, Ige, Ihara, Baker.

No. 867 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Chun Oakland.

No. 868 "A BILL FOR AN ACT RELATING TO RESIDENTIAL CONSTRUCTION AND RENOVATION TAX CREDIT."

Introduced by: Senators Chun Oakland, Hooser, Fukunaga, Ige, Ihara, Baker.

No. 869 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Senators Chun Oakland, Baker, Ihara, Fukunaga, Ige.

No. 870 "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES."

Introduced by: Senator Chun Oakland.

No. 871 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

Introduced by: Senator Chun Oakland.

No. 872 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR RECONSTRUCTION OF STATE PARK FACILITIES."

Introduced by: Senators Chun Oakland, Fukunaga,
Kokubun, English, Hooser, Sakamoto, Ige, Ihara, Baker,
Hemmings.

No. 873 "A BILL FOR AN ACT RELATING TO
CRUELTY TO ANIMALS."

Introduced by: Senators Chun Oakland, Hemmings.

No. 874 "A BILL FOR AN ACT RELATING TO
ANATOMICAL GIFTS."

Introduced by: Senator Chun Oakland.

ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 9:30 o'clock
a.m., Tuesday, January 21, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FOURTH DAY

Tuesday, January 21, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 9:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Claudia Wong, C.S.J., Sisters of St. Joseph, after which the Roll was called showing all Senators present with the exception of Senators Kanno and Sakamoto who were excused.

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

At this time, the following Senate leadership assignments were announced by Senate President Bunda:

Majority Leader:
Senator Colleen Hanabusa

Majority Floor Leader:
Senator Cal Kawamoto

Majority Caucus Leader:
Senator Shan S. Tsutsui

Minority Leader:
Senator Fred Hemmings

Minority Floor Leader:
Senator Bob Hogue

Minority Policy Leader
Senator Paul Whalen

The President also announced the following standing committees of the Senate, their respective chairs and members:

COMMERCE, CONSUMER PROTECTION AND HOUSING

Senator Ron Menor, Chair
Senator Rosalyn H. Baker, Vice Chair
Senator Willie C. Espero
Senator David Y. Ige
Senator Donna Mercado Kim
Senator Norman Sakamoto
Senator Paul Whalen

ECONOMIC DEVELOPMENT

Senator Carol Fukunaga, Chair
Senator Melodie Williams Aduja, Vice Chair
Senator David Y. Ige
Senator Les Ihara, Jr.
Senator Brian Kanno
Senator Cal Kawamoto
Senator Gordon Trimble

EDUCATION

Senator Norman Sakamoto, Chair
Senator Gary L. Hooser, Vice Chair
Senator Suzanne Chun Oakland
Senator Cal Kawamoto
Senator Ron Menor
Senator Shan S. Tsutsui
Senator Bob Hogue

ENERGY AND ENVIRONMENT

Senator J. Kalani English, Chair
Senator Russell S. Kokubun, Vice Chair
Senator Rosalyn H. Baker
Senator Gary L. Hooser
Senator Brian Kanno
Senator Fred Hemmings

HEALTH

Senator Rosalyn H. Baker, Chair
Senator Suzanne Chun Oakland, Vice Chair
Senator Lorraine R. Inouye
Senator Russell S. Kokubun
Senator Shan S. Tsutsui
Senator Bob Hogue

HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair
Senator Lorraine R. Inouye, Vice Chair
Senator Carol Fukunaga
Senator Gary L. Hooser
Senator David Y. Ige
Senator Shan S. Tsutsui
Senator Gordon Trimble

JUDICIARY AND HAWAIIAN AFFAIRS

Senator Colleen Hanabusa, Chair
Senator Suzanne Chun Oakland, Vice Chair
Senator J. Kalani English
Senator Carol Fukunaga
Senator Les Ihara, Jr.
Senator Cal Kawamoto
Senator Bob Hogue

LABOR

Senator Brian Kanno, Chair
Senator Les Ihara, Jr., Vice Chair
Senator Cal Kawamoto
Senator Norman Sakamoto
Senator Brian T. Taniguchi
Senator Sam Slom

SCIENCE, ARTS, AND TECHNOLOGY

Senator David Y. Ige, Chair
Senator Melodie Williams Aduja, Vice Chair
Senator J. Kalani English
Senator Carol Fukunaga
Senator Fred Hemmings

TOURISM

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair
Senator Willie C. Espero
Senator Norman Sakamoto
Senator Brian T. Taniguchi
Senator Sam Slom

TRANSPORTATION, MILITARY AFFAIRS, AND GOVERNMENT OPERATIONS

Senator Cal Kawamoto, Chair

Senator Willie C. Espero, Vice Chair
 Senator Melodie Williams Aduja
 Senator Rosalyn H. Baker
 Senator Brian Kanno
 Senator Ron Menor
 Senator Paul Whalen

WATER, LAND, AND AGRICULTURE

Senator Lorraine R. Inouye, Chair
 Senator Willie C. Espero, Vice Chair
 Senator Melodie Williams Aduja
 Senator J. Kalani English
 Senator Paul Whalen

WAYS AND MEANS

Senator Brian T. Taniguchi, Chair
 Senator Russell S. Kokubun, Vice Chair
 Senator Melodie Williams Aduja
 Senator J. Kalani English
 Senator Willie C. Espero
 Senator Gary L. Hooser
 Senator Lorraine R. Inouye
 Senator Brian Kanno
 Senator Cal Kawamoto
 Senator Donna Mercado Kim
 Senator Norman Sakamoto
 Senator Shan S. Tsutsui
 Senator Fred Hemmings
 Senator Sam Slom
 Senator Gordon Trimble

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

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

“I take umbrage at a statement that was written in the media over the weekend by the plaintiff’s attorney, Mr. Seitz, regarding the Felix Investigative Committee, your Senate and House Committee. Mr. Seitz is saying ‘I told you so.’ And he said the investigating committee was a red herring and that there was no fraud involved and all of that.

“Coming from Mr. Seitz, who has personally benefited from the Felix legislation as well as a close personal member of his family has also personally benefited, I think rings very hollow. But Mr. President, it brings up the point that it is time to reconvene our Senate/House Investigating Committee. I understand there are a couple of vacancies on that Committee. I think they should be promptly filled.

“Last year when we last met, we had more than a dozen subpoenas that were ready to be issued. I think that we should get on with it because those of us on that Committee know that in fact Mr. Seitz is dead wrong, that there is fraud, and we’re going to be able to prove it. We need to reactivate the Investigating Committee.

“Thank you, Mr. President.”

At 9:50 o’clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 2, to receive the Governor’s State of the State Address.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, was called to order at 10:00 o’clock a.m. by the Honorable Calvin Say, Speaker of the House of Representatives.

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twenty-Second Legislature:

The Honorable James R. Aiona, Jr., Lieutenant Governor of Hawaii, and Mrs. Vivian Aiona. They were presented leis by Representative Brian Blundell and Senator Melodie Williams Aduja;

The Honorable Ronald T.Y. Moon, Chief Justice, Hawaii Supreme Court. He was presented a lei by Representative Maile Shimabukuro;

The Honorable Neil Abercrombie, United States House of Representatives. He was presented a lei by Senator Lorraine Inouye;

The Honorable Ed Case, United States House of Representatives, and Mrs. Audrey Case. They were presented leis by Representative Hermina Morita and Representative Marcus Oshiro;

Ms. Haunani Apoliona, Chair, Office of Hawaiian Affairs. She was presented a lei by Senator J. Kalani English;

The Honorable Paula A. Nakayama, Associate Justice, Hawaii State Supreme Court;

The Honorable Simeon R. Acoba, Associate Justice, Hawaii State Supreme Court;

The Honorable Steven H. Levinson, Associate Justice, Hawaii State Supreme Court;

The Honorable Jeremy Harris, Mayor of the City and County of Honolulu, and Mrs. Ramona Harris;

The Honorable Harry Kim, Mayor of the County of Hawaii;

The Honorable Alan M. Arakawa, Mayor of the County of Maui, and Mrs. Ann Arakawa;

Major General Ron Lowe, U.S. Pacific Command;

Rear Admiral Donna Crisp, U.S. Pacific Fleet;

Brigadier General Paul Fletcher, Pacific Air Forces;

Major General Craig Weldon, U.S. Army, Pacific;

Captain James Angert, U.S. Coast Guard, 14th Coast Guard District;

The Honorable William Paupe, Consul General of the Republic of Kiribati;

The Honorable John Henry Felix, Consul General of Portugal, representing the Consular Corps in Hawaii;

The Honorable Raymond Wang, Consul General of Taipei, Taipei Economic and Cultural Office;

The Honorable George Ariyoshi, former Governor of the State of Hawaii; and

The Honorable John Waihee, former Governor of the State of Hawaii, and Mrs. Lynne Waihee.

The Speaker then said:

“The Chair at this time would like to recognize one very special individual on the Floor with us today. This gentleman has devoted over four decades of his life to public service. And while he is employed in the Executive Office, he has always been available to assist the Legislature, in particular this chamber, to plan and organize special events. His knowledge of protocol, and ‘right way of doing things’ is legendary.

“I would like to recognize Mr. Frances Lum, the State’s Protocol Officer, who will be retiring at the end of this legislative session.

“Mahalo Frances for all your years of dedicated service.” (Mr. Lum was then presented with a lei.)

The Speaker then appointed Senators Donna Mercado Kim, Colleen Hanabusa and Fred Hemmings, on behalf of the Senate, and Representatives Sylvia Luke, Scott Saiki and Galen Fox, on behalf of the House of Representatives, to escort the Honorable Linda Lingle, Governor of the State of Hawaii, to the rostrum.

Senator Shan Tsutsui and Representative David Pendleton presented Governor Lingle with maile and ilima leis.

The Speaker then presented to the members of the Twenty-Second Legislature and guests the Honorable Linda Lingle, Governor of the State of Hawaii.

The Governor addressed the Joint Session as follows:

“Mr. President, Mr. Speaker, members of the Legislature, Lt. Governor Aiona, Chief Justice Moon, Congressmen Abercrombie and Case, Mayor Harris, Mayor Kim, and Mayor Arakawa, Governor Ariyoshi, Governor Waihee, members of the Consular Corps, distinguished guests, and to all the people of Hawaii – Aloha.

“As I stand before all of you assembled here today, as well as those watching on television and on the Internet, and listening on the radio, it is hard to believe that this is only my 50th day in office. The time has passed quickly . . . but much has been done, including the selection of my cabinet.

“Before introducing our new directors, I want to thank the 150 volunteers who served on our 13 search committees. These citizens studied thick stacks of resumes, conducted extensive interviews, and narrowed each search to a short list of candidates.

“As a result of their efforts, I have been able to assemble a cabinet filled with people of integrity, ability, accomplishment and vision. Please hold your applause as I name my new directors and their respective positions: Georgina Kawamura, Director, Department of Budget and Finance; Mark Bennett, Attorney General; Russ Saito, Comptroller, Department of Accounting and General Services; Sandra Kunimoto, Chair, Board of Agriculture; Ted Liu, Director, Department of Business, Economic Development and Tourism; Mark Recktenwald, Director, Department of Commerce and Consumer Affairs; General Bob Lee, Adjutant General, Department of Defense; Micah Kane, Chairman, Hawaiian Homes Commission; Dr. Chiyome Fukino, Director, Department of Health; Kathy Watanabe, Director, Department

of Human Resources Development; Lillian Koller, Director, Department of Human Services; Nelson Befitel, Director, Department of Labor and Industrial Relations; Peter Young, Chairman, Board of Land and Natural Resources; Rod Haraga, Director, Department of Transportation; and also interim Director Jim Propotnick, Department of Public Safety; and Deputy Director of Taxation, Kurt Kawafuchi.

“Ladies and Gentlemen, I present to you the most talented group of individuals I have ever had the pleasure to lead.

“It has been the tradition for legislators and others to applaud from time to time during the Governor’s State-of-the-State Address as you have so graciously done this morning. My request, however, is that you hold such applause to a minimum. Otherwise we might end up still being here live at 6:30 tonight after all.

“I am honored and very humbled to come before you today for this, my first State-of-the-State Address as Governor of our Great State of Hawaii.

“Mr. President, Mr. Speaker, I want to thank both of you for your promises of openness and cooperation last week during opening day ceremonies. Please know that I pledge the very same thing to you.

“We agree that the people of Hawaii have spoken loudly and clearly. They have stated in no uncertain terms that the status quo is no longer acceptable. They want a new beginning and that is exactly what we must give them.

“The people of Hawaii want better schools, with real alternatives for children who have not been able to thrive in a one-size-fits-all statewide system. They want a system that puts the interests of the children above those of anyone else, including unions and politicians. They want schools that prepare their children for a better life.

“The people of Hawaii also want a government they can trust to deal with people openly, honestly and fairly.

“They want an honest budget built on a solid foundation of fiscal discipline, a budget that is understandable and that reflects their priorities. And they want all of us to be accountable for what we deliver or for what we fail to deliver.

“Good schools, good jobs, good government – these are not unreasonable demands. But sadly, some of our people have already lost heart and have left Hawaii to go look for these things elsewhere.

“We cannot allow this to continue. The people of Hawaii want a new beginning that starts now and that includes them, their children, and their children’s children. So let us begin.

“First, let me state the obvious – our journey will be neither short nor easy.

“Let’s talk about the numbers. As you know, the prior administration submitted a financial plan that used the Hurricane Relief Fund to balance the budget in the upcoming biennium. This is something we must not do.

“Without exception, experts tell us, the question isn’t whether there will be another Iniki, but when. They also say it isn’t a question of whether or not our most populated areas will be hit, but when.

“We know from experience that insurance companies cannot be depended upon to write new policies in the aftermath. Too

much is at stake for us not to be ready to enter the reinsurance market when the next hurricane hits and to care for our people during the massive recovery that will surely follow. That is why I will not raid this fund under any circumstances.

“So right off the bat there is a shortfall of \$175 million in this budget, as originally submitted.

“And now we know that the State has an unfunded liability its retirement system that exceeds \$3 billion. The State does not have to contribute this entire amount immediately, but it will eventually. Besides the obvious legal obligation to do so, it would be morally wrong to push this debt onto the shoulders of the next generation.

“You can see that the road to restoring fiscal discipline and integrity will be long, and occasionally bumpy.

“Even so, we must begin this journey now. Accordingly, my legislative package does not propose a host of new, expensive programs, across-the-board pay raises for state workers, or substantial tax cuts.

“I would like to do all of these things, but that would be fiscally irresponsible under the present circumstances.

“Major new initiatives and substantial tax cuts must wait until fiscal discipline has been restored to state government and until our economy has expanded.

“Instead, I am proposing modest but significant, common-sense proposals that include changes to our tax system that will help those earning the least; tax credits to stimulate the economy in an area of chronically high unemployment; fairness in our financial relationship with the counties; help for families dealing with the high cost of long term care; and continued support for the use of alternative energy sources.

“In addition, I will offer proposals that encourage greater competition in the marketplace in order to improve the business climate and create new jobs.

“I plan to reinvigorate the public’s willingness to help, and I will motivate our state workers to perform at a higher level where their ideas and contributions are given proper recognition.

“We must put our house back in order . . . step by careful step . . . working together to create long term, fundamental, structural change. This will not just get us through the tough times, but it will allow us to prosper when the times are better.

“By working together we can recreate state government so that it is more trusted and efficient. We can revitalize our economy so Hawaii’s families can stay together and provide a good life for the generation that comes next.

“Together we can also fulfill our obligation to provide a good, solid education to every child in every community all across our State.

“I cannot do these things alone . . . and neither can you. We need each other, and we need each other to put aside any notion of partisanship.

“Let’s face it, one party rule, whether it was the Republicans 40 years ago or Democrats in recent times, has not served the people well.

“Hawaii is an island state, thousands of miles from anywhere. And this fact should affect the way we do things.

“It’s as if we are in a boat, caught in treacherous waters, we need to set sail for a better place. If I were to chart a course north, but you insisted on going south, then we would go nowhere. We would stay stuck exactly where we started.

“Like it or not, we are in this together, and the rest of the State is watching. The people expect us to settle on a course and then work together to get there.

“From this day forward, let us agree that the principle by which we will judge proposals for new policies, programs and laws will be whether or not they serve the best interests of all the people of Hawaii.

“It is by this standard that I am honored to present now my vision and concrete proposals for Hawaii’s future.

“Before a community can prosper, the people must believe in their leaders. They must know that at the core of every decision is careful planning, hard work, and unbending integrity rather than partisanship or self-gain. They must trust that the awesome power of government is not being abused.

“To begin the process of earning back the people’s confidence in public servants, I will be asking you to send a loud and clear message that any public official who abuses the public’s trust can expect harsh and certain consequences, including a mandatory prison sentence.

“And those who seek to influence public officials, they will be well advised to limit their efforts to persuasive argument. Large gifts to public officials, including exclusive golf outings and lavish entertainment, will be presumed attempts to bribe and will be treated as such.

“Whether such gratuities actually influence decisions is not the issue. Public trust is at stake and we must do whatever it takes to earn back that trust.

“I also will be taking steps to get politics out of government. Among other things, this means that no state worker should ever be required or pressured to attend a political fund-raiser or to hold a sign on the side of the road.

“Any state worker who ever feels pressured to engage in any kind of political activity should report it to my office immediately. In my administration there will be a zero tolerance for any such behavior.

“It is critically important that government conduct its elections and tally results in a nonpartisan, nonpolitical way so that the people can trust the outcome of the election when it is announced. I find it almost unbelievable that Hawaii law requires all precinct chairs to be members of the same political party as the governor. It has been this way for many, many years. And although my Party and I would now benefit if this law remains the same, it is wrong, and it must be changed to allow citizens, regardless of political party, to participate at all levels of the election process.

“I am also calling for mandatory posting of election results at each precinct, and mandatory recounts in especially close elections.

“The public also is rightly concerned about the large amounts of money contributed to political campaigns by businesses that then get millions of dollars in non-bid contracts. Accordingly, I ask that you enact a law prohibiting political contributions by anyone benefiting from non-bid contracts.

“This effectively will prevent many businesses from financially supporting the candidates of their choice, and that’s unfortunate. But the people have made clear their desire for this kind of campaign finance reform.

“Trust and integrity in government will be restored only when people know that their government is honest and fair. For them to make this judgment, government also must be open.

“I have already initiated a number of changes intended to make government more transparent. As I mentioned earlier, almost all of my directors were selected from short lists provided by volunteer selection committees.

“In putting together the committees I did not ask anyone about their own politics and I specifically instructed the committees not to ask any candidate what party they belonged to, if any, or how they voted in the last election. Each committee was instructed simply to provide a short list of the very best candidates in this State.

“The majority of people now serving in my cabinet are people that I met for the first time during their interview for the position.

“I believe with my whole heart that this is the way government has to operate if we are to regain the public’s trust. The old days of ‘who you know’ being more important than ‘what you know’ are pau.

“I am proposing an omnibus procurement bill that will bring much needed transparency into government contracting. The process will be honest, fair and totally merit-based. This bill is the result of recommendations made by a volunteer committee composed of government, industry and academic experts in the procurement field.

“This bill also includes a novel form of electronic bidding that we call a reverse version of Ebay. Companies wanting a particular contract will be able to bid the job via their computer terminal. The qualifying company with the lowest bid gets the work.

“The state employee who proposed this concept, Aaron Fujioka, has shared other ideas that we think have a lot of potential. My directors and I will work hard to establish the kind of trust and respect for state employees that will motivate and reward them for continuing to find ways to save money and improve services.

“Also in the spirit of making government more open, I have instructed my budget director to conduct a comprehensive audit of the State’s finances, and then to produce an understandable report that will explain where state revenues come from and how they are being spent. In the future, the report will include evaluations of each department.

“And finally, restoring trust in government means keeping government’s promises and commitments to Native Hawaiians.

“Next month my senior staff and various members of the Hawaiian community will accompany me to Washington D.C. where I will be meeting with members of the Bush Administration and testifying before Congress on the reasons why federal recognition of Native Hawaiians is so critically important to all the people of Hawaii.

“Here at home I will continue to work with you and with the Hawaiian community to resolve the ceded lands issue once and for all.

“Our joint decision to make the \$10.3 million payment is a good first step, but that is all it is. Like so many other issues we currently face, the ceded lands issue is one that did not occur overnight, and it will not be resolved overnight. It is as complicated as it is emotionally charged. But until we get it resolved, our community can never really come together as one.

“And make no mistake, my vision is that of one Hawaii.

“While working hard for a just resolution to the ceded lands issue, we must make absolutely sure that we do not inadvertently drive a wedge between the Hawaiian and non-Hawaiian communities.

“Let’s turn our attention now to public education.

“The public knows and we should not be afraid to say this – Hawaii’s public school system is broken. The people closest to the situation, the teachers and administrators themselves, reportedly send their own children to private schools at a rate dramatically higher than that of the general public. And I suspect the same could be said of business leaders and of politicians.

“There is nothing wrong with a parent’s decision to send his or her children to the school where they are most likely to thrive. What is wrong is that not every parent has this option.

“As currently structured, the public school system offers virtually no choice to parents. It’s a one-size-fits-all structure that has long outlived its value.

“It is like no other system in America, and it’s not working.

“When it comes to public education, the old way of thinking was that decisions were best made by a small group of well-intentioned people sitting in an office building in downtown Honolulu. Current thinking is that as many decisions as possible should be made by people directly affected by those decisions.

“In theory, Hawaii’s public school system has embraced this new thinking of local decision making. SCBM ‘School Community-Based Management’ it has been touted as a means by which parents, teachers and administrators can chart the destiny of their own schools. Unfortunately, it simply has not worked out that way. Let me give you just one example.

“Lahainaluna High School wants to change by exactly one week the date of this year’s graduation exercises. This manini change is supported by students, parents, teachers, administrators, and the school’s SCBM Council. They all want it. Everyone’s in agreement.

“But believe it or not, they have no control over the matter. The decision to change the date of any one school’s commencement can be made only by DOE administrators in Honolulu.

“When this same issue came up several years ago the DOE denied the same school’s request for the date change. That began a massive letter-writing campaign to the Board of Education and eventually the Board stepped in and reversed the DOE’s decision.

“Despite all the talk about SCBM, the concept of real local community control is foreign in Hawaii.

“The time has come to move resources and decision-making away from the DOE’s central office in Honolulu and to

empower local communities to think and to act in their own best interest.

"I believe this can best be done by replacing our current statewide system with seven, locally elected school boards.

"No other state, other than Hawaii, has a statewide school system. NONE. Not even one. The reason is because it doesn't work.

"Once local school districts are established, fair and equal funding would continue to be determined on a statewide basis, and certain basic standards would continue to be set and monitored by both the state and federal government. But the hiring and evaluating of principals would be done at the local level as would decisions, huge decisions, such as where to hold the graduation ceremony.

"I am convinced that the people of Hawaii want local school boards that are accountable to their own communities.

"That's why today I am proposing that you let the people of Hawaii decide the important issue of local school boards via a statewide ballot referendum. Let's ask the people of Hawaii if they want to amend their own constitution to allow for the creation of local school boards.

"The key to reforming public education in Hawaii is to give parents meaningful choices so they can find the right spot for their own child.

"Many children simply do not fit into the present one-size-fits-all system. And miserable themselves, they often become disruptive. Currently, there is no real alternative for these children within the DOE.

"I am determined to dramatically increase the number of choices available within the DOE.

"We can do this by encouraging and supporting schools within a school, magnet schools, e-schooling and home schooling as meaningful choices.

"For example, if parents decide that home schooling is best for their child, that child should not be prevented from taking advantage of extracurricular activities available to other public school students as is done now.

"The current practice of denying home-schooled kids an opportunity to participate in sports or in band, is mindless and it unfairly punishes the child. This is wrong and it must stop now. All children must have access to our schools.

"The best way to provide meaningful choice within the DOE is allowing more charter schools, and then nurturing them. The current DOE attitude toward charter schools is benign neglect at best and antagonistic at worst.

"The federal Department of Education's top charter school expert has described our current charter school system in Hawaii as having been designed to fail, functioning now only because of the passion of its proponents.

"With his help, and that of local educational experts, including our State Superintendent Pat Hamamoto, who I have tremendous confidence in, I am proposing changes that will redesign charter schools for success.

"First, the funding must change. Right now, the funding assumes that the value of services provided to the charter schools by the DOE is nearly as much as all the money going

into salaries of the teachers and principal, rent and other costs of operation. This is absurd.

"My proposal is to give the charter schools the full cost of educating a child and then let the principal of each charter school decide what, if any DOE services are worth paying for.

"Fair funding is just the beginning. Under my plan, charter schools would be free to make their own hiring decisions. The UPW would not have a lock on any jobs, nor would the HGEA or the HSTA. Once hired, teachers, secretaries and janitors would be free to form or join a union, but that would be their choice. Unlike the present arrangement, they would not be forced to belong and pay dues to any particular union.

"The role of a principal in any school – private, charter or traditional public school, is different from that of teachers and other school workers. Just about every study of individual school effectiveness has stressed the critical role played by the school principal.

"Hawaii is the only state in America in which principals belong to a union.

"Principals are a part of management. They have no place in a union. Sure, union leaders and many existing principals like it the way it is, but it has proven to be disastrous for the children.

"Ladies and gentlemen, if there are only three things that you do to improve public education during this legislative session, let the people of Hawaii decide whether to have local school boards, fully fund the charter schools and get the principals out of labor unions.

"I am also proposing new initiatives to empower teachers and principals to remove disruptive students from the classroom. Again, with so much at stake we cannot continue to allow a relative few to deny a good learning environment to the many.

"Too often, teachers have been given every incentive not to crack down on disruptive students. Those few teachers who take action often regret it because they feel and receive no support. That must change.

"These kinds of changes will provide real accountability. Teachers will be free to teach, principals to manage and local school boards to lead. Parents, teachers and taxpayers will know who to hold accountable, and for what.

"Until last week, I had not considered the issue of drug testing in our schools. But when Senator Bunda suggested that it might be time to consider drug testing as a constructive tool to help students and their families, it struck a chord with me and with Lt. Governor Aiona as well.

"I have asked the lieutenant governor to convene a gathering of all interested parties to outline a plan to implement a voluntary testing program in our schools that will provide help to those students involved with drugs.

"If a student voluntarily tests positive for drugs, he or she will not be arrested, expelled or even suspended. Nothing will be publicized. Instead, that student and their parents will be required to meet with a professional counselor and others who know and care about that student, and to plot out a strategy to effectively address the problem.

"Sure there are lots of issues to resolve with such a program, but the lives of our children are at stake, and the safety of our communities. Lt. Governor Aiona is a former family court

judge who is used to working with others to resolve difficult issues, and I have complete confidence that he will see this idea through.

"I want to thank Senator Bunda for this idea and invite him both to help in this effort and rightfully claim credit for the good that will surely come of it.

"One final issue involving young people that I'd like to talk about is the age of consent. Prior to 2001, the age of consent in Hawaii was 14 years old – the lowest in the nation and an embarrassment to all. You did the right thing by raising the age of consent to 16, but you included a sunset provision. I call upon you to finish your work and to make the current age of consent permanent.

"My friends, we know that we must expand and diversify our economy. We must do so in order for businesses to succeed and create new jobs. We must expand our economy in order to generate the public and private resources to provide for those in need.

"We need a strong economy in order to have the revenue to maintain our state park system. And, we must expand the economy in order to increase salaries for professors, teachers and other state workers who are often underpaid for the work we demand of them.

"The list of what we want to do for the people of Hawaii is long, but we might as well throw away that list if our economy remains as it is.

"While some will point out that there are economic factors beyond our control, and that's true, there are many factors within our control and those are the ones that we need to focus on.

"With clear principles, careful planning and flawless execution we can make a significant difference in our State's financial condition, but again, only if we work together.

"Hawaii has one of the highest tax burdens of all 50 states, and there are some aspects of it that simply aren't fair. People should not be taxed for being sick or when they are simply feeding their families. When the economy improves I will ask you to repeal the tax on food and medical services.

"But given the fiscal reality we face, the only tax relief I am asking for in this budget is to reduce the income taxes of those who earn the least. We do this by increasing the standard deduction with a goal of raising it to 50 percent of the federal standard deduction within three years, and eventually to 100 percent.

"Raising the standard deduction has several important benefits. First, it makes our tax system more progressive and equitable by providing tax relief directly to low-income taxpayers that as a group almost always rely on the standard deduction.

"Second, it simplifies government. If you support this increase in the standard deduction, immediately 18,000 people who currently file taxes will not have to file a state tax return and 44,000 residents who currently itemize their deductions will not have to do so.

"A third and important benefit of raising the standard deduction is that it acknowledges the hard work of the many experts who have served on state tax review commissions over the past 18 years. Raising the standard deduction to a higher percentage of the federal level has been a primary

recommendation of every single tax review commission from the very first one in 1984 to the most recent, which just submitted its report last month.

"Let me repeat that, every state tax review commission has included this proposal on the list of what was needed to make our tax system simpler and fairer – every single one.

"Even though this first step is not as big as I would like, on principle alone we must begin this tax-fairness journey now.

"But tax policy alone would not expand the economy to the extent needed, even if the proposed tax cut was much larger. We must also create an environment where existing businesses are able to grow and new investment is attracted to our State.

"We need a level playing field with rules that protect consumers and our fragile environment while providing businesses with the stability and consistency that they need.

"To that end, I have selected cabinet directors who fully understand that business, not government, creates prosperity, and that we must work hard to change Hawaii's anti-business reputation. From today forward, my entire cabinet will be looking for ways to help existing businesses grow and to attract new businesses and investment to Hawaii.

"I am introducing a number of specific bills that will increase competition among businesses because we believe that it works to the consumers' advantage. Simply put, competition results in better service and lower prices.

"I am proposing to level the playing field for private health insurance companies by eliminating the 4 percent general excise tax on their policies, thereby increasing dramatically the chances of new providers entering the market.

"I am also proposing that HMSA and Kaiser Permanente be prohibited in the future from sitting on the board that recommends which insurance companies can enter the market in Hawaii.

"HMSA and Kaiser have been good corporate citizens, but the reason they dominate the market in Hawaii has as much to do with structural flaws as it does with the price of their product or quality of their service. I believe with increased competition these companies will do an even better job and at an even better price. That's the nature of competition.

"As you may have read, physicians in various parts of the country have been complaining about the high cost of medical malpractice insurance. Rates in Hawaii recently were increased substantially. Some of the increase is due to frivolous lawsuits filed by people who see our court system as one giant slot machine.

"Don't misunderstand, doctors sometimes do make mistakes, and injured people should always be allowed to seek compensation for their injuries.

"I am proposing legislation that only affects lawsuits that are found by a panel of independent doctors and lawyers to be without merit. It will reduce the cost of malpractice insurance and help to hold down the cost of health care.

"Another proposal to improve our business image would allow employers to take personnel action against an employee who has done something wrong without fear of it leading to a worker's compensation claim.

"Recently, a worker was fired for stealing. The Hawaii Supreme Court ruled that he could receive compensation for the stress he felt from being fired for stealing.

"This is exactly the kind of nonsense that has caused businesses to steer clear of Hawaii.

"Again this year, I will be supporting the Ko Olina tax credit, but ONLY with the binding agreement with the developer to fund meaningful training for residents on the Leeward Coast.

"Viewed in the abstract, this credit can easily be criticized. But viewed in the context of our shameful, decades-long neglect of the Leeward community, it is a wonderful opportunity for all of us to really make a difference.

"The Weinberg Foundation owns land at Ko Olina and the foundation's trustees are enthused both about the resort's master plan and the potential for dramatically changing lives for the better.

"Already, the Ritz Carlton has signed a letter of intent to have a major presence in the development. In short, this is a big deal for the State, the construction industry, one of the country's largest charitable institutions, and especially a big deal for a community that has been so long neglected. These are the reasons I support this tax credit and why I will be working hard to gain your support again this year.

"There are several health care issues that we need to address in the current session. But first, let me address one that you attempted to deal with in last year's session.

"As you know, I have been critical of last year's legislation relating to prescription drugs primarily because it offered nothing in the way of IMMEDIATE help for people needing medication in order to maintain a decent quality of life. Even today, one year later, not one single person has been helped because of that legislation.

"Depending on a number of things, it may be that the existing legislation eventually will provide some relief. But, that's a big maybe. And to get the relief, that legislation required an increase in the size of government.

"In order to bring immediate relief, I have put together a public/private partnership that will provide free prescription drugs to our most vulnerable citizens. This unique program is possible because the Hawaii Medical Association has offered to mobilize the support of Hawaii's physician community, and fund a hotline so that help is readily available.

"The Department of Health and the state hospital system will be working closely with them.

"It is estimated that this program, which is already successfully working at the Maui Medical Center, will serve approximately 20,000 low-income individuals in its very first year. Local charities have expressed interest in funding this program. It's the kind of creative solution that is possible even in fiscally challenging times because members of our community step forward to help others.

"Hawaii's medical community deserves our thanks for their selfless service, not just in making this prescription-drug program possible, but for all that they do day to day in promoting public health.

"When it comes to long-term care, there has been a lot of talk, and a lot of worrying, but very little action. The problem

we are trying to solve is how to ensure long-term care without going broke.

"Long-term care insurance is readily available and often affordable, but relatively few people have availed themselves of this self-help remedy. To encourage the purchase of such insurance, I am proposing a 30 percent tax credit to be phased in over a three-year period.

"Another topic I feel strongly about is the need to restructure the relationship between the state and county governments. Some think the counties aren't ready to make their own decisions and chart their own course. These people believe the state must maintain control over the counties.

"But just as parents know that they must eventually allow their children to grow up and make their own way in the world if they are to reach their full potential, so must state government recognize that it is time for the counties to shoulder more of their own responsibilities. As a former mayor, I have kind of strong feelings about this.

"I am proposing that the counties should be allowed to establish their own civil service system and to chart their own course in collective bargaining.

"The counties also should be allowed to decide what fireworks, if any, to permit rather than the state developing a one-size-fits all law.

"What makes sense in urban Honolulu may not on the neighbor islands or even in rural Oahu. Let each county decide what works best for it when it comes to fireworks.

"I'm glad there are three mayors here today, and they may clap on this next section.

"Since uncontested traffic tickets are issued by county-paid police officers and county-equipped cars, the fines from those tickets should go directly to the counties. I have proposed to pay 100 percent of these unadjudicated fines to the counties over the next two years. The counties have waited too long for these funds. It is simply the fair thing for us to do.

"There are other issues I wanted to talk to you about today such as homeland security, public safety, real autonomy for the University of Hawaii and protecting the environment, but that would have taken me well into the next hour. Therefore, over the next few days I will continue to lay out our administration's initiatives in these and in other areas.

"Before I conclude, I want to make special mention and give thanks to the men and women in our armed forces who have shipped out in recent days to the Middle East. And, I want to ask the people of Hawaii to take every opportunity to give moral and other support to military families in the coming weeks and months. We in state government will find ways to do the same.

"Regardless of your opinion on the situation in the Middle East and what our response should be, please remember that the members of our armed forces are our own sons and daughters, mothers and fathers, and husbands and wives . . . and those of our neighbors. Please reach out to them at this difficult time. And, never forget that they are risking their lives to protect our way of life in America.

"As I said when I began this address, our journey for the next couple of years will not be easy. The challenges we face as a state are significant. And of course, we are living in very uncertain times. Homeland security issues, global conflict and

a worldwide economic slow down that will make our job that much more difficult.

“But I am up to the task and I expect that you in the Legislature are equally up to the task. In fact, I relish the challenge of working with you to meet the challenges that lie ahead.

“Without question, there will be tough decisions to make. But, I know we can do it if we come together and work as one ohana.

“Let us dedicate ourselves to rebuild our State and to strengthen our communities.

“Let us do this by honorably serving those who have entrusted us with their future, and by honoring the values of generations past – their dedication to family, concern for neighbors and respect for island tradition.

“Let us go forward, and let today be the day that all future generations will remember as the DAWN OF A NEW BEGINNING FOR HAWAII – a New Beginning that restored hope and opportunity to all the people of Hawaii.

“Mahalo.”

Senate President Bunda then rose and stated:

“Members of Senate and the House and the public wish Governor Lingle and her administration the very best in her endeavors.

“As I stated during the opening day of the Legislature, we remain committed to the people’s agenda. There has been much talk of cooperation and collaboration here at the Capitol recently. Our challenge is to have the courage to set forth an ambitious agenda, the wisdom to recognize what’s achievable, and the will to accomplish these goals.

“The Governor has made history today by being the first woman to address the Legislature. We congratulate her on this and other accomplishments thus far and let us strive for a joint record of accomplishment to match the significance of this new beginning.

“Aloha and mahalo.

“I declare this Joint Session adjourned.”

At 11:04 o’clock a.m., President Bunda declared the Joint Session adjourned.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o’clock p.m. In consequence thereof, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 875 “A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 876 “A BILL FOR AN ACT RELATING TO MEDICALLY ACCURATE SEX EDUCATION.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 877 “A BILL FOR AN ACT RELATING TO CORRECTIONS.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 878 “A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 879 “A BILL FOR AN ACT RELATING TO CHILD PROTECTION.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 880 “A BILL FOR AN ACT RELATING TO THE LEGISLATURE.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 881 “A BILL FOR AN ACT RELATING TO CHILD ABUSE.”

Introduced by: Senators Chun Oakland, Kawamoto, Hanabusa.

No. 882 “A BILL FOR AN ACT RELATING TO MULTI-PURPOSE SENIOR CENTERS.”

Introduced by: Senators Chun Oakland, Sakamoto, Fukunaga, Kokubun, English.

No. 883 “A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES.”

Introduced by: Senators Chun Oakland, Fukunaga, Kokubun, English, Sakamoto.

No. 884 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MEDICAID PROGRAMS.”

Introduced by: Senators Chun Oakland, Fukunaga, Kokubun, English.

No. 885 “A BILL FOR AN ACT RELATED TO INTEGRATED SOLID WASTE MANAGEMENT.”

Introduced by: Senators Chun Oakland, Fukunaga.

No. 886 “A BILL FOR AN ACT RELATING TO TAXATION.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga.

No. 887 “A BILL FOR AN ACT RELATING TO PARENTAL RIGHTS.”

Introduced by: Senator Chun Oakland, by request.

No. 888 “A BILL FOR AN ACT RELATING TO CHILD WELFARE.”

Introduced by: Senator Chun Oakland.

No. 889 “A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR.”

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 890 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR DENTAL SERVICES."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 891 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT DENTAL HEALTH SERVICES."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 892 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 893 "A BILL FOR AN ACT RELATING TO MANDATORY HEALTH COVERAGE FOR EXAMINATION FOR SEXUALLY TRANSMITTED DISEASES."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 894 "A BILL FOR AN ACT RELATING TO OSTEOPOROSIS."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 895 "A BILL FOR AN ACT RELATING TO SICK LEAVE FOR PUBLIC EMPLOYEES."

Introduced by: Senators Chun Oakland, Baker, Inouye, Fukunaga.

No. 896 "A BILL FOR AN ACT RELATING TO SICK LEAVE FOR EMPLOYEES IN THE PRIVATE SECTOR."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 897 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

Introduced by: Senators Slom, Ige, Hemmings, English.

No. 898 "A BILL FOR AN ACT RELATING TO BUSINESS INCUBATORS."

Introduced by: Senators Slom, Ige.

No. 899 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Slom, Hemmings.

No. 900 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Slom, Hemmings, Sakamoto.

No. 901 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Chun Oakland, Ige, Baker, Fukunaga, Slom, Hemmings, Sakamoto, Kim.

No. 902 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Sakamoto, Slom, Hemmings.

No. 903 "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASE CONTRACTS."

Introduced by: Senators Chun Oakland, Fukunaga, Sakamoto, Slom, Hemmings.

No. 904 "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Slom, Hemmings.

No. 905 "A BILL FOR AN ACT RELATING TO LEASEHOLD."

Introduced by: Senators Chun Oakland, Fukunaga, Ihara, Sakamoto, Bunda, Slom, Hemmings.

No. 906 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Sakamoto, Slom, Hemmings.

No. 907 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Sakamoto, Slom, Hemmings.

No. 908 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chun Oakland, Ige, Slom, Hemmings.

No. 909 "A BILL FOR AN ACT RELATING TO REQUIRED GREASE INTERCEPTORS."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Sakamoto, Slom, Hemmings.

No. 910 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chun Oakland, Ige, Fukunaga, Sakamoto, Slom, Hemmings.

No. 911 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Chun Oakland, Ige, Fukunaga.

No. 912 "A BILL FOR AN ACT RELATING TO THE STATE HEALTH INSURANCE PLAN."

Introduced by: Senator Chun Oakland.

No. 913 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM."

- Introduced by: Senator Chun Oakland.
- No. 914 "A BILL FOR AN ACT RELATING TO CELLULAR TELEPHONES."
- Introduced by: Senators Chun Oakland, Espero.
- No. 915 "A BILL FOR AN ACT AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS TO REPAIR AND MAINTAIN DOCK AND HARBOR FACILITIES STATEWIDE."
- Introduced by: Senators Chun Oakland, Kawamoto.
- No. 916 "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES."
- Introduced by: Senator Chun Oakland.
- No. 917 "A BILL FOR AN ACT RELATING TO CAPITAL LOAN PROGRAM."
- Introduced by: Senators Chun Oakland, Sakamoto, Fukunaga.
- No. 918 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS AND ORGANIZATIONS."
- Introduced by: Senator Chun Oakland.
- No. 919 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIOREMEDIATION RESEARCH."
- Introduced by: Senators Chun Oakland, Sakamoto, Kim, Fukunaga, Taniguchi.
- No. 920 "A BILL FOR AN ACT RELATING TO WATER."
- Introduced by: Senator Chun Oakland.
- No. 921 "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 922 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- Introduced by: Senator Chun Oakland.
- No. 923 "A BILL FOR AN ACT RELATING TO ELDERS."
- Introduced by: Senator Chun Oakland.
- No. 924 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- Introduced by: Senators Chun Oakland, Kawamoto, Hanabusa.
- No. 925 "A BILL FOR AN ACT RELATING TO DENTISTRY."
- Introduced by: Senators Chun Oakland, Baker.
- No. 926 "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES."
- Introduced by: Senator Chun Oakland.
- No. 927 "A BILL FOR AN ACT RELATING TO AGING."
- Introduced by: Senators Chun Oakland, Sakamoto.
- No. 928 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH."
- Introduced by: Senator Chun Oakland.
- No. 929 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS."
- Introduced by: Senator Chun Oakland.
- No. 930 "A BILL FOR AN ACT RELATING TO UNIFORM HEALTH CARE DECISION ACT."
- Introduced by: Senator Chun Oakland.
- No. 931 "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS LEAVE ACT."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 932 "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 933 "A BILL FOR AN ACT RELATING TO STALKING."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 934 "A BILL FOR AN ACT RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga.
- No. 935 "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 936 "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS' UNEMPLOYMENT BENEFITS ACT."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 937 "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 938 "A BILL FOR AN ACT RELATING TO REIMBURSEMENT FOR MEDICAID COVERED DENTAL SERVICES."

- Introduced by: Senators Chun Oakland, Baker, Inouye.
- No. 939 "A BILL FOR AN ACT RELATING TO RESPITE SERVICES."
- Introduced by: Senators Chun Oakland, Fukunaga, Ihara.
- No. 940 "A BILL FOR AN ACT RELATING TO ELDER ABUSE."
- Introduced by: Senators Chun Oakland, Fukunaga, Sakamoto, Kawamoto, Hanabusa.
- No. 941 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SENIOR HOUSING SECURITY."
- Introduced by: Senator Chun Oakland.
- No. 942 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."
- Introduced by: Senators Chun Oakland, Kim, Sakamoto, Kawamoto, Hanabusa.
- No. 943 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa.
- No. 944 "A BILL FOR AN ACT RELATING TO BAIL."
- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Inouye, Hanabusa.
- No. 945 "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Sakamoto, Espero, Hanabusa, Kawamoto, Aduja, Ige, Hemmings.
- No. 946 "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Kawamoto, Aduja, Ige, Hemmings.
- No. 947 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARENT-COMMUNITY NETWORKING CENTER PROGRAMS."
- Introduced by: Senators Chun Oakland, Kanno, Sakamoto, Kawamoto, Espero, Hanabusa.
- No. 948 "A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT LIABILITY."
- Introduced by: Senators Chun Oakland, Tsutsui, Sakamoto, Kawamoto, Aduja, Hemmings.
- No. 949 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Aduja, Ige, Hemmings, Kawamoto.
- No. 950 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Kawamoto, Aduja, Ige.
- No. 951 "A BILL FOR AN ACT RELATING TO FAMILY COURT."
- Introduced by: Senators Kanno, Chun Oakland, Aduja, Ige, Fukunaga.
- No. 952 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENTS."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Fukunaga, Aduja, Kawamoto.
- No. 953 "A BILL FOR AN ACT RELATING TO RESPITE CARE SERVICES."
- Introduced by: Senators Chun Oakland, Kanno, Aduja, Ige, Fukunaga.
- No. 954 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILIES FOR RESOURCES FOR EARLY ACCESS TO LEARNING."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige, Kawamoto.
- No. 955 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY INTERVENTION SERVICES."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige, Hemmings, Kawamoto.
- No. 956 "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Baker, Kawamoto, Aduja.
- No. 957 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HIRE PUBLIC HEALTH NURSES FOR EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS WITH SPECIAL NEEDS."
- Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Aduja, Sakamoto, Fukunaga, Kawamoto.
- No. 958 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY."
- Introduced by: Senators Chun Oakland, Fukunaga, Kawamoto, Baker.
- No. 959 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."
- Introduced by: Senators Chun Oakland, Kanno, Fukunaga, Aduja, Ige.
- No. 960 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Chun Oakland, Sakamoto, Fukunaga, Aduja, Ige.
- No. 961 "A BILL FOR AN ACT RELATING TO GOOD BEGINNINGS ALLIANCE."

Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Kawamoto, Aduja, Ige.

No. 962 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CHILDREN'S JUSTICE CENTER."

Introduced by: Senators Chun Oakland, Kanno, Sakamoto, Fukunaga, Ige, Espero, Hanabusa, Kawamoto, Aduja.

No. 963 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE POISON CENTER."

Introduced by: Senators Chun Oakland, Kanno, Fukunaga, Aduja, Ige.

No. 964 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TREATMENT SERVICES FOR CHILD VICTIMS OF INTRAFAMILIAL SEXUAL ABUSE."

Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Sakamoto, Fukunaga, Aduja, Espero, Hanabusa, Kawamoto.

No. 965 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF PRE-SCHOOL FACILITIES."

Introduced by: Senators Chun Oakland, Kanno, Espero, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige.

No. 966 "A BILL FOR AN ACT RELATING TO RESOURCE MAXIMIZATION."

Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige.

No. 967 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRANSITIONAL LIVING SERVICES FOR UNSERVED STREET YOUTH."

Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige, Hemmings.

No. 968 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILY CENTERS."

Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Kawamoto, Aduja, Ige.

No. 969 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BLUEPRINT FOR CHANGE PROJECT."

Introduced by: Senators Chun Oakland, Sakamoto, Aduja, Ige, Hanabusa, Fukunaga, Hemmings, Kawamoto.

No. 970 "A BILL FOR AN ACT MAKING AN APPROPRIATION RELATING TO ADOPTION OF CHILDREN UNDER THE CHILD PROTECTIVE ACT."

Introduced by: Senators Chun Oakland, Kanno, Sakamoto, Aduja, Ige, Fukunaga, Kawamoto.

No. 971 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOSTER CHILDREN."

Introduced by: Senators Chun Oakland, Kanno, Sakamoto, Fukunaga, Kawamoto, Aduja, Ige.

No. 972 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Senators Chun Oakland, Aduja.

No. 973 "A BILL FOR AN ACT RELATING TO COMMUNITY ORAL HEALTH."

Introduced by: Senators Chun Oakland, Kanno, Aduja, Hanabusa, Fukunaga.

No. 974 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOL OPEN DOORS PROGRAM."

Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige.

No. 975 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senators Chun Oakland, Sakamoto, Kawamoto, Aduja.

No. 976 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES."

Introduced by: Senators Chun Oakland, Kanno, Espero, Aduja, Hanabusa, Ige, Fukunaga, Sakamoto, Kawamoto.

No. 977 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Aduja, Ige.

No. 978 "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND."

Introduced by: Senators Chun Oakland, Kanno, Aduja, Ige.

No. 979 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Kawamoto.

No. 980 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NEEDS AND RIGHTS OF CHILDREN."

Introduced by: Senators Chun Oakland, Kanno, Hanabusa, Fukunaga, Aduja, Ige.

No. 981 "A BILL FOR AN ACT RELATING TO PSYCHIATRIC DRUGS FOR CHILDREN."

Introduced by: Senators Chun Oakland, Kanno, Fukunaga, Kawamoto, Aduja, Ige.

No. 982 "A BILL FOR AN ACT RELATING TO DIAGNOSIS OF INATTENTION AND HYPERACTIVITY IN STUDENTS."

Introduced by: Senators Chun Oakland, Kanno, Fukunaga, Aduja, Ige.

No. 983 "A BILL FOR AN ACT RELATING TO THE TOBACCO SETTLEMENT MONEYS."

Introduced by: Senators Chun Oakland, Aduja, Hemmings.

No. 984 "A BILL FOR AN ACT RELATING TO THE REGULATION OF TOBACCO PRODUCTS."

Introduced by: Senators Chun Oakland, Fukunaga, Aduja.

No. 985 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Chun Oakland, by request.

No. 986 "A BILL FOR AN ACT RELATING TO HEPATITIS B IMMUNIZATION."

Introduced by: Senators Chun Oakland, Aduja, Fukunaga.

No. 987 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES III AND V OF THE CONSTITUTION OF THE STATE OF HAWAII TO INCLUDE THE PROPER PRONUNCIATION OF WORDS IN THE HAWAIIAN AND ENGLISH LANGUAGES AS A REQUISITE QUALIFICATION FOR PERSONS SEEKING ELECTIVE EXECUTIVE AND LEGISLATIVE OFFICES."

Introduced by: Senators Chun Oakland, Fukunaga.

No. 988 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE STATE FUNDING TO ERADICATE THE MICONIA CALVESCENS PLANT."

Introduced by: Senators Chun Oakland, Fukunaga, Aduja, Ige, Hemmings.

No. 989 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Chun Oakland, Sakamoto, Kawamoto, Aduja, Ige.

No. 990 "A BILL FOR AN ACT RELATING TO INTERSCHOLASTIC ATHLETICS."

Introduced by: Senators Chun Oakland, Aduja, Espero, Hanabusa, Kawamoto, Ige.

No. 991 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS."

Introduced by: Senators Chun Oakland, Espero, Sakamoto, Fukunaga, Aduja, Ige, Kawamoto.

No. 992 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLAYGROUND EQUIPMENT."

Introduced by: Senators Chun Oakland, Kanno, Espero, Hanabusa, Ige, Sakamoto, Fukunaga, Kawamoto, Aduja.

No. 993 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Senators Chun Oakland, Ige, Hemmings.

No. 994 "A BILL FOR AN ACT RELATING TO PRINCIPALS AND VICE-PRINCIPALS."

Introduced by: Senators Chun Oakland, Fukunaga, Ige, Sakamoto.

No. 995 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, by request, Sakamoto.

No. 996 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY."

Introduced by: Senators Chun Oakland, Fukunaga, Ige, Sakamoto.

No. 997 "A BILL FOR AN ACT RELATING TO RIDING IN CARGO AREAS OF PICKUP TRUCKS."

Introduced by: Senator Chun Oakland, by request.

No. 998 "A BILL FOR AN ACT RELATING TO PSYCHIATRIC DRUGS FOR CHILDREN."

Introduced by: Senators Chun Oakland, Kanno, Fukunaga, Kawamoto, Aduja.

No. 999 "A BILL FOR AN ACT RELATING TO PSYCHIATRIC DRUGS FOR CHILDREN."

Introduced by: Senators Chun Oakland, Kanno, Aduja, Fukunaga, Kawamoto.

No. 1000 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Chun Oakland, Espero, Aduja.

No. 1001 "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC SCHOOLS BY PUBLIC EMPLOYEES."

Introduced by: Senators Chun Oakland, Aduja.

No. 1002 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE."

Introduced by: Senators Chun Oakland, Fukunaga, Sakamoto, Hanabusa, Aduja, Kawamoto.

No. 1003 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Senators Chun Oakland, Hemmings.

No. 1004 "A BILL FOR AN ACT RELATING TO TRAFFIC FINES."

Introduced by: Senator Chun Oakland.

No. 1005 "A BILL FOR AN ACT RELATING TO THE FILM INDUSTRY."

Introduced by: Senator Hanabusa.

No. 1006 "A BILL FOR AN ACT RELATING TO THE FILM INDUSTRY."

Introduced by: Senator Hanabusa.

No. 1007 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senator Hanabusa.

No. 1008 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senator Hanabusa.

No. 1009 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Senator Hanabusa.

No. 1010 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Senator Hanabusa.

No. 1011 "A BILL FOR AN ACT RELATING TO ECONOMIC PLANNING."

Introduced by: Senator Hanabusa.

No. 1012 "A BILL FOR AN ACT RELATING TO ECONOMIC PLANNING."

Introduced by: Senator Hanabusa.

No. 1013 "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

No. 1014 "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

No. 1015 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Hanabusa.

No. 1016 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Hanabusa.

No. 1017 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Chun Oakland.

No. 1018 "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES."

Introduced by: Senator Tsutsui.

No. 1019 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT OF MAUI PUBLIC SCHOOL CHILDREN'S PARTAKING IN EDUCATION PROGRAMS AT THE HAWAII NATURE CENTER IN IAO VALLEY."

Introduced by: Senator Tsutsui.

No. 1020 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senator Tsutsui.

No. 1021 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Taniguchi, by request.

No. 1022 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Espero.

No. 1023 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Espero.

No. 1024 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Espero.

No. 1025 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Espero.

No. 1026 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."

Introduced by: Senator Espero.

No. 1027 "A BILL FOR AN ACT RELATING TO THE USE OF PIER ONE ON THE KAKAAKO WATERFRONT."

Introduced by: Senators Trimble, Hemmings, Slom, Kawamoto, Espero.

No. 1028 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Trimble, Hemmings, Slom, Aduja, Kawamoto, Espero, English, Kokubun, Hanabusa.

No. 1029 "A BILL FOR AN ACT RELATING TO NOISE POLLUTION ABATEMENT WITHIN WAIKIKI."

Introduced by: Senators Trimble, Hemmings, Slom, Kawamoto, Espero, English, Kokubun, Hanabusa.

No. 1030 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Trimble, Hemmings, Slom, Aduja, Espero.

No. 1031 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FORM A TASK FORCE TO PLAN AND DEVELOP A NATIONAL TROPICAL RAIN FOREST AT PANAEWA ZOO."

Introduced by: Senator Inouye, by request.

No. 1032 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senators Inouye, Kokubun, Whalen.

No. 1033 "A BILL FOR AN ACT RELATING TO A COUNTY SALES TAX."

- Introduced by: Senators Inouye, Kokubun.
- No. 1034 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."
Introduced by: Senators Inouye, Whalen, Kokubun.
- No. 1035 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL, INC."
Introduced by: Senators Inouye, Kokubun, Whalen.
- No. 1036 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Senator Slom.
- No. 1037 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
Introduced by: Senator Slom.
- No. 1038 "A BILL FOR AN ACT RELATING TO WATER SUPPLY."
Introduced by: Senator Slom.
- No. 1039 "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL CONSTRUCTION AND REMODELING INCOME TAX CREDIT."
Introduced by: Senator Slom.
- No. 1040 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
Introduced by: Senator Hanabusa.
- No. 1041 "A BILL FOR AN ACT RELATING TO LIABILITY."
Introduced by: Senator Hanabusa.
- No. 1042 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senator Hanabusa.
- No. 1043 "A BILL FOR AN ACT RELATING TO HAWAII'S BALANCE OF TRADE."
Introduced by: Senator Ihara.
- No. 1044 "A BILL FOR AN ACT RELATING TO EXECUTIVE COMMUNICATIONS."
Introduced by: Senator Ihara.
- No. 1045 "A BILL FOR AN ACT RELATING TO INSTANT RUNOFF VOTING."
Introduced by: Senator Ihara.
- No. 1046 "A BILL FOR AN ACT RELATING TO ETHICS."
Introduced by: Senators Ihara, Ige, Fukunaga, Baker, Hooser, Chun Oakland.
- No. 1047 "A BILL FOR AN ACT RELATING TO THE USE OF SOCIAL SECURITY NUMBERS."
Introduced by: Senator Ihara, by request.
- No. 1048 "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."
Introduced by: Senators Kawamoto, by request, Kanno, Espero, Chun Oakland, Whalen.
- No. 1049 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
Introduced by: Senator Kawamoto, by request.
- No. 1050 "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS."
Introduced by: Senators Kawamoto, Espero, Kanno, Aduja, Baker, Whalen.
- No. 1051 "A BILL FOR AN ACT RELATING TO PERSONAL TRANSPORTATION."
Introduced by: Senators Kawamoto, Kanno, Espero, Aduja, Baker.
- No. 1052 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
Introduced by: Senators Tsutsui, Baker.
- No. 1053 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS FOR HE'EIA KEA BEACH PARK."
Introduced by: Senators Aduja, Kim, Tsutsui, Baker.
- No. 1054 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE PREVENTION EDUCATIONAL PROJECTS IN PUBLIC SCHOOLS."
Introduced by: Senators Aduja, Kim, Tsutsui, Baker.
- No. 1055 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
Introduced by: Senators Menor, Hemmings, Kawamoto, Inouye, Kokubun, English.
- No. 1056 "A BILL FOR AN ACT RELATING TO GOVERNMENT ETHICS."
Introduced by: Senators Menor, Hemmings, Inouye, Kokubun.
- No. 1057 "A BILL FOR AN ACT RELATING TO THE INSURANCE COMMISSIONER."
Introduced by: Senators Menor, Inouye, Hemmings, Kawamoto, Trimble, Kokubun, English, Hanabusa.
- No. 1058 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."
Introduced by: Senator Menor.
- No. 1059 "A BILL FOR AN ACT RELATING TO CHECK CASHING."

- Introduced by: Senator Menor, by request.
- No. 1060 "A BILL FOR AN ACT RELATING TO ALTERNATIVE EDUCATION."
Introduced by: Senators Baker, Tsutsui.
- No. 1061 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."
Introduced by: Senator Baker.
- No. 1062 "A BILL FOR AN ACT RELATING TO IMPROVING END-OF-LIFE CARE."
Introduced by: Senators Baker, Ige, Fukunaga, Hooser, Chun Oakland, Ihara.
- No. 1063 "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING."
Introduced by: Senator Baker, by request.
- No. 1064 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Baker, Tsutsui.
- No. 1065 "A BILL FOR AN ACT RELATING TO MANAGED COMPETITION."
Introduced by: Senator Tsutsui.
- No. 1066 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUEA CEMETERY."
Introduced by: Senator Chun Oakland.
- No. 1067 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
Introduced by: Senator Chun Oakland.
- No. 1068 "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES."
Introduced by: Senator Chun Oakland.
- No. 1069 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT."
Introduced by: Senators Kanno, Baker, English, Inouye, Aduja, Hanabusa, Menor, Ige, Tsutsui, Kim.
- No. 1070 "A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT."
Introduced by: Senator Kanno.
- No. 1071 "A BILL FOR AN ACT RELATING TO INDEPENDENT MEDICAL EXAMINATIONS."
Introduced by: Senator Kanno.
- No. 1072 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS."
Introduced by: Senator Kanno.
- No. 1073 "A BILL FOR AN ACT RELATING TO TEACHER SALARIES."
Introduced by: Senator Kanno.
- No. 1074 "A BILL FOR AN ACT RELATING TO BURIAL COUNCILS."
Introduced by: Senator Kokubun.
- No. 1075 "A BILL FOR AN ACT RELATING TO CONTESTED CASES."
Introduced by: Senators Kokubun, Inouye, Taniguchi.
- No. 1076 "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES SYSTEM."
Introduced by: Senators Kokubun, Inouye, Taniguchi.
- No. 1077 "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES."
Introduced by: Senator Fukunaga.
- No. 1078 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
Introduced by: Senators Fukunaga, Baker, English.
- No. 1079 "A BILL FOR AN ACT RELATING TO ELECTED OFFICIALS."
Introduced by: Senator English.
- No. 1080 "A BILL FOR AN ACT RELATING TO PENALTIES."
Introduced by: Senator English.
- No. 1081 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."
Introduced by: Senator English.
- No. 1082 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST THE MAUI COUNTY TASK FORCE ON INDIGENOUS HAWAIIAN ARCHITECTURE."
Introduced by: Senator English.
- No. 1083 "A BILL FOR AN ACT RELATING TO PHYSICAL FITNESS."
Introduced by: Senator English.
- No. 1084 "A BILL FOR AN ACT RELATING TO FIREWORKS."
Introduced by: Senator Bunda, by request.
- No. 1085 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."
Introduced by: Senator Bunda, by request.
- No. 1086 "A BILL FOR AN ACT RELATING TO JUVENILE COURT RECORDS."

Introduced by: Senators Bunda, Kawamoto, Kim, Inouye, Tsutsui.

IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI."

No. 1087 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Bunda, by request.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Wednesday, January 22, 2003.

Introduced by: Senators Bunda, Menor.

No. 1088 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Bunda, Chun Oakland.

Respectfully submitted,

No. 1089 "A BILL FOR AN ACT RELATING TO LANDOWNER'S LIABILITY."

Clerk of the Senate

Introduced by: Senator Bunda, by request.

No. 1090 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY FOR COUNTIES."

Approved:

Introduced by: Senator Bunda, by request.

President of the Senate

No. 1091 "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS."

Introduced by: Senator Bunda, by request.

No. 1092 "A BILL FOR AN ACT RELATING TO MASS MAILINGS BY LEGISLATORS."

Introduced by: Senator Bunda, by request.

No. 1093 "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE STATE ETHICS CODE."

Introduced by: Senator Bunda, by request.

No. 1094 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION."

Introduced by: Senator Bunda, by request.

No. 1095 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY PRACTICE."

Introduced by: Senator Bunda, by request.

No. 1096 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senator Bunda, by request.

No. 1097 "A BILL FOR AN ACT RELATING TO THE EXPENSES OF THE LEGISLATURE."

Introduced by: Senator Bunda, by request.

No. 1098 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR IMPROVEMENTS TO THE ANTONE VIDINHA STADIUM COMPLEX, WAIMEA HIGH SCHOOL DISTRICT SWIMMING POOL, AND WAILUA HOUSELOTS DRAINAGE FACILITIES."

Introduced by: Senator Bunda, by request.

No. 1099 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CAPITAL

FIFTH DAY

Wednesday, January 22, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 9:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Senior Pastor Derald Skinner, Calvary Chapel, Pearl Harbor, after which the Roll was called showing all Senators present with the exception Senators Ihara, Kanno and Sakamoto who were excused.

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

At 9:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:46 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 14) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 1, submitting for consideration and confirmation as Attorney General of the State of Hawai'i, the nomination of MARK J. BENNETT, term to expire December 4, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 2, submitting for consideration and confirmation as Director of the Department of Budget and Finance, the nomination of GEORGINA KAWAMURA, term to expire December 4, 2006, was referred to the Committee on Ways and Means.

Gov. Msg. No. 3, submitting for consideration and confirmation as Comptroller of the Department of Accounting and General Services, the nomination of RUSSELL SAITO, term to expire December 4, 2006, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 4, submitting for consideration and confirmation as Director of the Department of Commerce and Consumer Affairs, the nomination of MARK RECKTENWALD, term to expire December 4, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 5, submitting for consideration and confirmation as Chairman of the Department of Hawaiian Home Lands, the nomination of MICAH A. KANE, term to expire December 4, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 6, submitting for consideration and confirmation as Director of the Department of Labor and Industrial Relations, the nomination of NELSON BEFITEL, term to expire December 4, 2006, was referred to the Committee on Labor.

Gov. Msg. No. 7, submitting for consideration and confirmation as Chair of the Department of Agriculture, the nomination of SANDRA LEE KUNIMOTO, term to expire December 4, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 8, submitting for consideration and confirmation as Adjutant General and Director of Civil Defense, the nomination of BRIGADIER GENERAL ROBERT G.F. LEE, term to expire December 4, 2006, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 9, submitting for consideration and confirmation as Director of the Department of Health, the nomination of CHIYOME L. FUKINO, MD, term to expire December 4, 2006, was referred to the Committee on Health.

Gov. Msg. No. 10, submitting for consideration and confirmation as Director of the Department of Public Safety, the nomination of STEPHEN S. WATARAI, term to expire December 4, 2006, was placed on file.

Gov. Msg. No. 11, submitting for consideration and confirmation as Director of the Department of Human Services, the nomination of LILLIAN KOLLER, term to expire December 4, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 12, submitting for consideration and confirmation as Director of the Department of Land and Natural Resources, the nomination of PETER YOUNG, term to expire December 4, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 13, advising the Senate of the withdrawal of the nomination of STEPHEN S. WATARAI as Director of the Department of Public Safety, under Gov. Msg. No. 10, dated December 31, 2002, was placed on file.

In compliance with Gov. Msg. No. 13, the nomination listed under Gov. Msg. No. 10 was returned.

Gov. Msg. No. 14, submitting for consideration and confirmation as Director of the Department of Business, Economic Development and Tourism, the nomination of TED LIU, term to expire December 4, 2006, was referred jointly to the Committee on Economic Development and the Committee on Tourism.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 15, 2003; Thursday, January 16, 2003; and Friday, January 17, 2003:

Senate Bill	Referred to:
No. 1	Committee on Labor
No. 2	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture
No. 3	Committee on Health, then to the Committee on Ways and Means
No. 4	Committee on Water, Land, and Agriculture
No. 5	Committee on Energy and Environment, then to the Committee on Ways and Means

No. 6	Committee on Education, then to the Committee on Ways and Means	No. 28	Committee on Judiciary and Hawaiian Affairs
No. 7	Committee on Judiciary and Hawaiian Affairs	No. 29	Committee on Energy and Environment
No. 8	Committee on Transportation, Military Affairs, and Government Operations	No. 30	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means
No. 9	Jointly to the Committee on Education and the Committee on Economic Development	No. 31	Committee on Transportation, Military Affairs, and Government Operations
No. 10	Committee on Education, then to the Committee on Ways and Means	No. 32	Committee on Transportation, Military Affairs, and Government Operations
No. 11	Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations	No. 33	Committee on Tourism, then to the Committee on Ways and Means
No. 12	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education	No. 34	Committee on Ways and Means
No. 13	Committee on Education, then to the Committee on Ways and Means	No. 35	Committee on Labor
No. 14	Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means	No. 36	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 15	Committee on Education	No. 37	Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs
No. 16	Committee on Education, then to the Committee on Ways and Means	No. 38	Committee on Tourism, then to the Committee on Judiciary and Hawaiian Affairs
No. 17	Committee on Education	No. 39	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations
No. 18	Committee on Education, then to the Committee on Ways and Means	No. 40	Committee on Judiciary and Hawaiian Affairs
No. 19	Committee on Transportation, Military Affairs, and Government Operations	No. 41	Jointly to the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations
No. 20	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 42	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development
No. 21	Committee on Labor	No. 43	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 22	Committee on Education, then to the Committee on Ways and Means	No. 44	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 23	Committee on Education, then to the Committee on Ways and Means	No. 45	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 24	Committee on Education	No. 46	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations
No. 25	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 47	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 26	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 48	Committee on Labor
No. 27	Committee on Judiciary and Hawaiian Affairs	No. 49	Committee on Labor, then to the Committee on Ways and Means

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No. 50	Committee on Transportation, Military Affairs, and Government Operations	No. 73	Committee on Education, then to the Committee on Ways and Means
No. 51	Committee on Transportation, Military Affairs, and Government Operations	No. 74	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 52	Committee on Judiciary and Hawaiian Affairs	No. 75	Committee on Education, then to the Committee on Ways and Means
No. 53	Committee on Health, then to the Committee on Ways and Means	No. 76	Committee on Education, then to the Committee on Ways and Means
No. 54	Committee on Health, then to the Committee on Ways and Means	No. 77	Committee on Education
No. 55	Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means	No. 78	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 56	Committee on Education, then to the Committee on Ways and Means	No. 79	Committee on Human Services
No. 57	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs	No. 80	Committee on Education, then to the Committee on Ways and Means
No. 58	Committee on Education, then to the Committee on Ways and Means	No. 81	Committee on Commerce, Consumer Protection and Housing
No. 59	Committee on Education, then to the Committee on Ways and Means	No. 82	Committee on Economic Development, then to the Committee on Ways and Means
No. 60	Committee on Education, then to the Committee on Ways and Means	No. 83	Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs
No. 61	Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means	No. 84	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 62	Jointly to the Committee on Labor and the Committee on Education	No. 85	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 63	Jointly to the Committee on Education and the Committee on Labor	No. 86	Committee on Judiciary and Hawaiian Affairs
No. 64	Committee on Judiciary and Hawaiian Affairs	No. 87	Committee on Commerce, Consumer Protection and Housing
No. 65	Committee on Economic Development, then to the Committee on Ways and Means	No. 88	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Commerce, Consumer Protection and Housing
No. 66	Committee on Labor	No. 89	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 67	Committee on Education, then to the Committee on Ways and Means	No. 90	Committee on Judiciary and Hawaiian Affairs
No. 68	Committee on Education, then to the Committee on Ways and Means	No. 91	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 69	Committee on Education	No. 92	Committee on Labor, then to the Committee on Ways and Means
No. 70	Committee on Education, then to the Committee on Ways and Means	No. 93	Committee on Labor
No. 71	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 94	Committee on Labor
No. 72	Committee on Education, then to the Committee on Ways and Means	No. 95	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 96	Committee on Human Services, then to the Committee on Ways and Means	No. 120	Committee on Commerce, Consumer Protection and Housing
No. 97	Committee on Ways and Means	No. 121	Committee on Commerce, Consumer Protection and Housing
No. 98	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 122	Committee on Commerce, Consumer Protection and Housing
No. 99	Committee on Health, then to the Committee on Ways and Means	No. 123	Committee on Economic Development
No. 100	Committee on Commerce, Consumer Protection and Housing	No. 124	Committee on Economic Development
No. 101	Committee on Commerce, Consumer Protection and Housing	No. 125	Committee on Economic Development
No. 102	Committee on Commerce, Consumer Protection and Housing	No. 126	Committee on Economic Development
No. 103	Committee on Commerce, Consumer Protection and Housing	No. 127	Committee on Economic Development
No. 104	Committee on Commerce, Consumer Protection and Housing	No. 128	Committee on Economic Development
No. 105	Committee on Commerce, Consumer Protection and Housing	No. 129	Committee on Economic Development
No. 106	Committee on Commerce, Consumer Protection and Housing	No. 130	Committee on Economic Development
No. 107	Committee on Commerce, Consumer Protection and Housing	No. 131	Committee on Economic Development
No. 108	Committee on Commerce, Consumer Protection and Housing	No. 132	Committee on Economic Development
No. 109	Committee on Commerce, Consumer Protection and Housing	No. 133	Committee on Economic Development
No. 110	Committee on Commerce, Consumer Protection and Housing	No. 134	Committee on Economic Development
No. 111	Committee on Commerce, Consumer Protection and Housing	No. 135	Committee on Economic Development
No. 112	Committee on Commerce, Consumer Protection and Housing	No. 136	Committee on Education
No. 113	Committee on Commerce, Consumer Protection and Housing	No. 137	Committee on Education
No. 114	Committee on Commerce, Consumer Protection and Housing	No. 138	Committee on Education
No. 115	Committee on Commerce, Consumer Protection and Housing	No. 139	Committee on Education
No. 116	Committee on Commerce, Consumer Protection and Housing	No. 140	Committee on Education
No. 117	Committee on Commerce, Consumer Protection and Housing	No. 141	Committee on Education
No. 118	Committee on Commerce, Consumer Protection and Housing	No. 142	Committee on Education
No. 119	Committee on Commerce, Consumer Protection and Housing	No. 143	Committee on Education
		No. 144	Committee on Education
		No. 145	Committee on Energy and Environment
		No. 146	Committee on Energy and Environment
		No. 147	Committee on Energy and Environment
		No. 148	Committee on Energy and Environment
		No. 149	Committee on Energy and Environment
		No. 150	Committee on Energy and Environment
		No. 151	Committee on Energy and Environment
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		No. 153	Committee on Energy and Environment

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No. 155 Agriculture	Committee on Water, Land, and	No. 184 Affairs	Committee on Judiciary and Hawaiian
No. 156 Agriculture	Committee on Water, Land, and	No. 185 Affairs	Committee on Judiciary and Hawaiian
No. 157	Committee on Health	No. 186 Affairs	Committee on Judiciary and Hawaiian
No. 158	Committee on Health	No. 187 Affairs	Committee on Judiciary and Hawaiian
No. 159	Committee on Health	No. 188 Affairs	Committee on Judiciary and Hawaiian
No. 160	Committee on Health	No. 189 Affairs	Committee on Judiciary and Hawaiian
No. 161	Committee on Health	No. 190 Affairs	Committee on Judiciary and Hawaiian
No. 162	Committee on Human Services	No. 191 Affairs	Committee on Judiciary and Hawaiian
No. 163	Committee on Human Services	No. 192 Affairs	Committee on Judiciary and Hawaiian
No. 164	Committee on Human Services	No. 193 Affairs	Committee on Judiciary and Hawaiian
No. 165	Committee on Human Services	No. 194 Affairs	Committee on Judiciary and Hawaiian
No. 166	Committee on Human Services	No. 195 Affairs	Committee on Judiciary and Hawaiian
No. 167	Committee on Human Services	No. 196 Affairs	Committee on Judiciary and Hawaiian
No. 168	Committee on Human Services	No. 197 Affairs	Committee on Judiciary and Hawaiian
No. 169	Committee on Human Services	No. 198 Affairs	Committee on Judiciary and Hawaiian
No. 170	Committee on Human Services	No. 199 Affairs	Committee on Judiciary and Hawaiian
No. 171	Committee on Human Services	No. 200 Affairs	Committee on Judiciary and Hawaiian
No. 172	Committee on Human Services	No. 201 Affairs	Committee on Judiciary and Hawaiian
No. 173 Affairs	Committee on Judiciary and Hawaiian	No. 202 Affairs	Committee on Judiciary and Hawaiian
No. 174 Affairs	Committee on Judiciary and Hawaiian	No. 203 Affairs	Committee on Judiciary and Hawaiian
No. 175 Affairs	Committee on Judiciary and Hawaiian	No. 204	Committee on Labor
No. 176 Affairs	Committee on Judiciary and Hawaiian	No. 205	Committee on Labor
No. 177 Affairs	Committee on Judiciary and Hawaiian	No. 206	Committee on Labor
No. 178 Affairs	Committee on Judiciary and Hawaiian	No. 207	Committee on Labor
No. 179 Affairs	Committee on Judiciary and Hawaiian		
No. 180 Affairs	Committee on Judiciary and Hawaiian		
No. 181 Affairs	Committee on Judiciary and Hawaiian		
No. 182 Affairs	Committee on Judiciary and Hawaiian		

No. 208	Committee on Labor	No. 234	Committee on Transportation, Military Affairs, and Government Operations
No. 209	Committee on Labor	No. 235	Committee on Transportation, Military Affairs, and Government Operations
No. 210	Committee on Labor	No. 236	Committee on Transportation, Military Affairs, and Government Operations
No. 211	Committee on Labor	No. 237	Committee on Transportation, Military Affairs, and Government Operations
No. 212	Committee on Labor	No. 238	Committee on Transportation, Military Affairs, and Government Operations
No. 213	Committee on Labor	No. 239	Committee on Transportation, Military Affairs, and Government Operations
No. 214	Committee on Labor	No. 240	Committee on Transportation, Military Affairs, and Government Operations
No. 215 Technology	Committee on Science, Arts, and	No. 241	Committee on Transportation, Military Affairs, and Government Operations
No. 216 Technology	Committee on Science, Arts, and	No. 242	Committee on Transportation, Military Affairs, and Government Operations
No. 217 Technology	Committee on Science, Arts, and	No. 243	Committee on Transportation, Military Affairs, and Government Operations
No. 218 Technology	Committee on Science, Arts, and	No. 244	Committee on Transportation, Military Affairs, and Government Operations
No. 219 Technology	Committee on Science, Arts, and	No. 245	Committee on Transportation, Military Affairs, and Government Operations
No. 220 Technology	Committee on Science, Arts, and	No. 246	Committee on Transportation, Military Affairs, and Government Operations
No. 221 Technology	Committee on Science, Arts, and	No. 247	Committee on Transportation, Military Affairs, and Government Operations
No. 222 Technology	Committee on Science, Arts, and	No. 248	Committee on Tourism
No. 223 Technology	Committee on Science, Arts, and	No. 249	Committee on Tourism
No. 224 Technology	Committee on Science, Arts, and	No. 250	Committee on Tourism
No. 225 Technology	Committee on Science, Arts, and	No. 251	Committee on Tourism
No. 226 Technology	Committee on Science, Arts, and	No. 252	Committee on Tourism
No. 227	Committee on Transportation, Military Affairs, and Government Operations	No. 253	Committee on Water, Land, and Agriculture
No. 228	Committee on Transportation, Military Affairs, and Government Operations	No. 254	Committee on Water, Land, and Agriculture
No. 229	Committee on Transportation, Military Affairs, and Government Operations	No. 255	Committee on Water, Land, and Agriculture
No. 230	Committee on Transportation, Military Affairs, and Government Operations	No. 256	Committee on Water, Land, and Agriculture
No. 231	Committee on Transportation, Military Affairs, and Government Operations	No. 257	Committee on Water, Land, and Agriculture
No. 232	Committee on Transportation, Military Affairs, and Government Operations	No. 258	Committee on Water, Land, and Agriculture
No. 233	Committee on Transportation, Military Affairs, and Government Operations		

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No. 259 Agriculture	Committee on Water, Land, and	No. 289	Committee on Ways and Means
No. 260 Agriculture	Committee on Water, Land, and	No. 290	Committee on Ways and Means
No. 261 Agriculture	Committee on Water, Land, and	No. 291	Committee on Education
No. 262 Agriculture	Committee on Water, Land, and	No. 292	Committee on Education, then to the Committee on Ways and Means
No. 263 Agriculture	Committee on Water, Land, and	No. 293	Committee on Commerce, Consumer Protection and Housing
No. 264 Agriculture	Committee on Water, Land, and	No. 294	Committee on Transportation, Military Affairs, and Government Operations
No. 265 Agriculture	Committee on Water, Land, and	No. 295	Committee on Commerce, Consumer Protection and Housing
No. 266 Agriculture	Committee on Water, Land, and	No. 296	Committee on Transportation, Military Affairs, and Government Operations
No. 267 Agriculture	Committee on Water, Land, and	No. 297	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 268 Agriculture	Committee on Water, Land, and	No. 298	Committee on Transportation, Military Affairs, and Government Operations
No. 269 Agriculture	Committee on Water, Land, and	No. 299	Committee on Transportation, Military Affairs, and Government Operations
No. 270	Committee on Ways and Means	No. 300	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 271	Committee on Ways and Means	No. 301	Committee on Transportation, Military Affairs, and Government Operations
No. 272	Committee on Ways and Means	No. 302	Committee on Transportation, Military Affairs, and Government Operations
No. 273	Committee on Ways and Means	No. 303	Committee on Transportation, Military Affairs, and Government Operations
No. 274	Committee on Ways and Means	No. 304	Committee on Judiciary and Hawaiian Affairs
No. 275	Committee on Ways and Means	No. 305	Committee on Commerce, Consumer Protection and Housing
No. 276	Committee on Ways and Means	No. 306	Committee on Commerce, Consumer Protection and Housing
No. 277	Committee on Ways and Means	No. 307	Committee on Commerce, Consumer Protection and Housing
No. 278	Committee on Ways and Means	No. 308	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 279	Committee on Ways and Means	No. 309	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 280	Committee on Ways and Means	No. 310	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 281	Committee on Ways and Means	No. 311	Committee on Commerce, Consumer Protection and Housing
No. 282	Committee on Ways and Means		
No. 283	Committee on Ways and Means		
No. 284	Committee on Ways and Means		
No. 285	Committee on Ways and Means		
No. 286	Committee on Ways and Means		
No. 287	Committee on Ways and Means		
No. 288	Committee on Ways and Means		

No. 312	Committee on Labor, then to the Committee on Ways and Means	No. 332	Committee on Transportation, Military Affairs, and Government Operations
No. 313	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 333	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 314	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 334	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 315	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 335	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 316	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 336	Committee on Ways and Means
No. 317	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 337	Committee on Education, then to the Committee on Ways and Means
No. 318	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Labor	No. 338	Committee on Education, then to the Committee on Ways and Means
No. 319	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 339	Committee on Education, then to the Committee on Ways and Means
No. 320	Jointly to the Committee on Tourism and the Committee on Water, Land, and Agriculture	No. 340	Jointly to the Committee on Labor and the Committee on Education
No. 321	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means	No. 341	Committee on Education, then to the Committee on Ways and Means
No. 322	Committee on Health, then to the Committee on Ways and Means	No. 342	Committee on Education, then to the Committee on Ways and Means
No. 323	Committee on Economic Development, then to the Committee on Ways and Means	No. 343	Committee on Education, then to the Committee on Ways and Means
No. 324	Committee on Transportation, Military Affairs, and Government Operations	No. 344	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 325	Committee on Health, then to the Committee on Ways and Means	No. 345	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 326	Committee on Transportation, Military Affairs, and Government Operations	No. 346	Committee on Transportation, Military Affairs, and Government Operations
No. 327	Committee on Transportation, Military Affairs, and Government Operations	No. 347	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 328	Committee on Judiciary and Hawaiian Affairs	No. 348	Committee on Judiciary and Hawaiian Affairs
No. 329	Committee on Transportation, Military Affairs, and Government Operations	No. 349	Jointly to the Committee on Education and the Committee on Science, Arts, and Technology
No. 330	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing	No. 350	Committee on Education, then to the Committee on Ways and Means
No. 331	Committee on Education, then to the Committee on Ways and Means	No. 351	Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means
		No. 352	Committee on Education, then to the Committee on Ways and Means
		No. 353	Committee on Education, then to the Committee on Ways and Means

No. 354	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 376	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
No. 355	Committee on Ways and Means	No. 377	Committee on Tourism, then to the Committee on Ways and Means
No. 356	Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing	No. 378	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 357	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 379	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 358	Committee on Economic Development, then to the Committee on Ways and Means	No. 380	Committee on Health, then to the Committee on Ways and Means
No. 359	Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 381	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 360	Committee on Education, then to the Committee on Ways and Means	No. 382	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 361	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 383	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 362	Committee on Ways and Means	No. 384	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 363	Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations	No. 385	Committee on Education
No. 364	Committee on Labor	No. 386	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 365	Committee on Education, then to the Committee on Ways and Means	No. 387	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 366	Committee on Education, then to the Committee on Ways and Means	No. 388	Committee on Commerce, Consumer Protection and Housing
No. 367	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 389	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 368	Committee on Judiciary and Hawaiian Affairs	No. 390	Committee on Judiciary and Hawaiian Affairs
No. 369	Committee on Judiciary and Hawaiian Affairs	No. 391	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 370	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing	No. 392	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 371	Committee on Judiciary and Hawaiian Affairs	No. 393	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 372	Committee on Commerce, Consumer Protection and Housing	No. 394	Committee on Commerce, Consumer Protection and Housing
No. 373	Committee on Commerce, Consumer Protection and Housing	No. 395	Committee on Education, then to the Committee on Ways and Means
No. 374	Committee on Commerce, Consumer Protection and Housing	No. 396	Committee on Education
No. 375	Committee on Economic Development, then to the Committee on Ways and Means	No. 397	Committee on Education, then to the Committee on Ways and Means
		No. 398	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 399 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 400 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 401 Committee on Human Services, then to the Committee on Education

No. 402 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Ways and Means

No. 403 Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations

No. 404 Committee on Judiciary and Hawaiian Affairs

No. 405 Committee on Judiciary and Hawaiian Affairs

No. 406 Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 407 Committee on Judiciary and Hawaiian Affairs

No. 408 Committee on Water, Land, and Agriculture

No. 409 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 410 Committee on Ways and Means

No. 411 Committee on Labor, then to the Committee on Ways and Means

No. 412 Committee on Education, then to the Committee on Ways and Means

No. 413 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 414 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations

No. 415 Committee on Judiciary and Hawaiian Affairs

No. 416 Committee on Ways and Means

No. 417 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 418 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 419 Committee on Education, then to the Committee on Ways and Means

No. 420 Committee on Ways and Means

No. 421 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 422 Committee on Education

No. 423 Committee on Education, then to the Committee on Ways and Means

No. 424 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 425 Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 426 Committee on Science, Arts, and Technology

No. 427 Jointly to the Committee on Science, Arts, and Technology and the Committee on Judiciary and Hawaiian Affairs

No. 428 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 429 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education, then to the Committee on Ways and Means

No. 430 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 431 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, then to the Committee on Ways and Means

No. 432 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 433 Committee on Commerce, Consumer Protection and Housing

No. 434 Committee on Labor, then to the Committee on Ways and Means

No. 435 Committee on Labor, then to the Committee on Ways and Means

No. 436 Committee on Education, then to the Committee on Ways and Means

No. 437 Committee on Labor

No. 438 Committee on Labor, then to the Committee on Ways and Means

No. 439 Committee on Judiciary and Hawaiian Affairs

No. 440	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 462	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 441	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 463	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 442	Committee on Judiciary and Hawaiian Affairs	No. 464	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 443	Committee on Judiciary and Hawaiian Affairs	No. 465	Committee on Judiciary and Hawaiian Affairs
No. 444	Committee on Judiciary and Hawaiian Affairs	No. 466	Committee on Economic Development, then to the Committee on Ways and Means
No. 445	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 467	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 446	Committee on Judiciary and Hawaiian Affairs	No. 468	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations
No. 447	Committee on Transportation, Military Affairs, and Government Operations	No. 469	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 448	Committee on Judiciary and Hawaiian Affairs	No. 470	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 449	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 471	Committee on Judiciary and Hawaiian Affairs
No. 450	Committee on Transportation, Military Affairs, and Government Operations	No. 472	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 451	Committee on Health	No. 473	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 452	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 474	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education
No. 453	Committee on Labor, then to the Committee on Ways and Means	No. 475	Committee on Judiciary and Hawaiian Affairs
No. 454	Committee on Transportation, Military Affairs, and Government Operations	No. 476	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 455	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 477	Committee on Judiciary and Hawaiian Affairs
No. 456	Committee on Judiciary and Hawaiian Affairs	No. 478	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 457	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 479	Committee on Judiciary and Hawaiian Affairs
No. 458	Committee on Transportation, Military Affairs, and Government Operations	No. 480	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 459	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations	No. 481	Committee on Commerce, Consumer Protection and Housing
No. 460	Committee on Transportation, Military Affairs, and Government Operations		
No. 461	Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means		

No. 482	Committee on Commerce, Consumer Protection and Housing	No. 502	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 483	Committee on Judiciary and Hawaiian Affairs	No. 503	Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
No. 484	Committee on Human Services, then to the Committee on Ways and Means	No. 504	Committee on Human Services, then to the Committee on Ways and Means
No. 485	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, then to the Committee on Ways and Means	No. 505	Jointly to the Committee on Energy and Environment and the Committee on Labor, then to the Committee on Ways and Means
No. 486	Committee on Human Services, then to the Committee on Ways and Means	No. 506	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 487	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 507	Committee on Economic Development, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 488	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations	No. 508	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 489	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 509	Committee on Economic Development, then to the Committee on Ways and Means
No. 490	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 510	Committee on Judiciary and Hawaiian Affairs
No. 491	Committee on Health, then to the Committee on Ways and Means	No. 511	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 492	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 512	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 493	Committee on Commerce, Consumer Protection and Housing	No. 513	Committee on Ways and Means
No. 494	Committee on Human Services, then to the Committee on Ways and Means	No. 514	Committee on Human Services, then to the Committee on Ways and Means
No. 495	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 515	Committee on Health, then to the Committee on Ways and Means
No. 496	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 516	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 497	Committee on Health, then to the Committee on Energy and Environment	No. 517	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 498	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology	No. 518	Committee on Transportation, Military Affairs, and Government Operations
No. 499	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 519	Committee on Economic Development, then to the Committee on Ways and Means
No. 500	Committee on Labor, then to the Committee on Ways and Means	No. 520	Jointly to the Committee on Energy and Environment and the Committee on Economic Development, then to the Committee on Ways and Means
No. 501	Committee on Health, then to the Committee on Ways and Means	No. 521	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
		No. 522	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
		No. 523	Committee on Transportation, Military Affairs, and Government Operations

- No. 524 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 525 Jointly to the Committee on Tourism and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 526 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 527 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 528 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 529 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 530 Committee on Water, Land, and Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 531 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 532 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 533 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 534 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Education, then to the Committee on Ways and Means
- No. 535 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 536 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 537 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 538 Committee on Water, Land, and Agriculture
- No. 539 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 540 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 541 Committee on Judiciary and Hawaiian Affairs
- No. 542 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 543 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 544 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 545 Committee on Energy and Environment, then to the Committee on Ways and Means
- No. 546 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 547 Jointly to the Committee on Education and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 548 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 549 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations
- No. 550 Committee on Water, Land, and Agriculture, then to the Committee on Commerce, Consumer Protection and Housing
- No. 551 Committee on Energy and Environment, then to the Committee on Ways and Means
- No. 552 Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
- No. 553 Committee on Water, Land, and Agriculture
- No. 554 Committee on Water, Land, and Agriculture
- No. 555 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 556 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture
- No. 557 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 558 Committee on Energy and Environment, then to the Committee on Ways and Means
- No. 559 Jointly to the Committee on Education and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 560 Committee on Economic Development, then to the Committee on Ways and Means
- No. 561 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 562	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing	No. 585	Committee on Ways and Means
No. 563	Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations	No. 586	Committee on Ways and Means
No. 564	Committee on Economic Development, then to the Committee on Ways and Means	No. 587	Committee on Ways and Means
No. 565	Committee on Labor	No. 588	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing
No. 566	Committee on Economic Development, then to the Committee on Commerce, Consumer Protection and Housing	No. 589	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means
No. 567	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 590	Committee on Commerce, Consumer Protection and Housing
No. 568	Committee on Judiciary and Hawaiian Affairs	No. 591	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 569	Committee on Judiciary and Hawaiian Affairs	No. 592	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 570	Committee on Judiciary and Hawaiian Affairs	No. 593	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 571	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 594	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 572	Jointly to the Committee on Energy and Environment and the Committee on Health	No. 595	Committee on Energy and Environment
No. 573	Committee on Transportation, Military Affairs, and Government Operations	No. 596	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 574	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 597	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 575	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 598	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing
No. 576	Committee on Education, then to the Committee on Ways and Means	No. 599	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means
No. 577	Committee on Labor, then to the Committee on Ways and Means	No. 600	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Education, then to the Committee on Ways and Means
No. 578	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 601	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Science, Arts, and Technology, then to the Committee on Judiciary and Hawaiian Affairs
No. 579	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 602	Committee on Water, Land, and Agriculture, then to the Committee on Energy and Environment
No. 580	Committee on Ways and Means	No. 603	Committee on Economic Development, then to the Committee on Energy and Environment
No. 581	Committee on Ways and Means	No. 604	Committee on Energy and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 582	Committee on Ways and Means		
No. 583	Committee on Ways and Means		
No. 584	Committee on Ways and Means		

No. 605	Committee on Energy and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations	No. 628	Committee on Labor, then to the Committee on Ways and Means
No. 606	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 629	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 607	Committee on Health, then to the Committee on Ways and Means	No. 630	Committee on Judiciary and Hawaiian Affairs
No. 608	Committee on Labor, then to the Committee on Ways and Means	No. 631	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 609	Committee on Ways and Means	No. 632	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 610	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 633	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 611	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 634	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 612	Committee on Commerce, Consumer Protection and Housing	No. 635	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 613	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing	No. 636	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means
No. 614	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 637	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 615	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 638	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 616	Committee on Judiciary and Hawaiian Affairs	No. 639	Committee on Judiciary and Hawaiian Affairs
No. 617	Committee on Judiciary and Hawaiian Affairs	No. 640	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means
No. 618	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 641	Committee on Science, Arts, and Technology, then to the Committee on Commerce, Consumer Protection and Housing
No. 619	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 642	Committee on Judiciary and Hawaiian Affairs
No. 620	Committee on Judiciary and Hawaiian Affairs	No. 643	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 621	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 644	Committee on Labor
No. 622	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 645	Committee on Labor
No. 623	Committee on Commerce, Consumer Protection and Housing	No. 646	Committee on Health
No. 624	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 647	Committee on Transportation, Military Affairs, and Government Operations
No. 625	Committee on Commerce, Consumer Protection and Housing	No. 648	Committee on Labor
No. 626	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 649	Committee on Labor
No. 627	Committee on Judiciary and Hawaiian Affairs	No. 650	Committee on Labor

No. 651	Committee on Tourism, then to the Committee on Ways and Means	No. 673	Committee on Tourism, then to the Committee on Ways and Means
No. 652	Committee on Transportation, Military Affairs, and Government Operations	No. 674	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 653	Committee on Ways and Means	No. 675	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 654	Committee on Judiciary and Hawaiian Affairs	No. 676	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 655	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Education	No. 677	Committee on Water, Land, and Agriculture
No. 656	Committee on Education, then to the Committee on Ways and Means	No. 678	Committee on Commerce, Consumer Protection and Housing
No. 657	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means	No. 679	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 658	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 680	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 659	Committee on Economic Development, then to the Committee on Ways and Means	No. 681	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 660	Committee on Education, then to the Committee on Economic Development	No. 682	Committee on Transportation, Military Affairs, and Government Operations
No. 661	Committee on Health, then to the Committee on Ways and Means	No. 683	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 662	Committee on Labor, then to the Committee on Ways and Means	No. 684	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services, then to the Committee on Ways and Means
No. 663	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 685	Committee on Judiciary and Hawaiian Affairs
No. 664	Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 686	Committee on Transportation, Military Affairs, and Government Operations
No. 665	Committee on Labor	No. 687	Committee on Labor
No. 666	Committee on Education, then to the Committee on Ways and Means	No. 688	Committee on Economic Development, then to the Committee on Ways and Means
No. 667	Committee on Education, then to the Committee on Ways and Means	No. 689	Committee on Transportation, Military Affairs, and Government Operations
No. 668	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means	No. 690	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Science, Arts, and Technology, then to the Committee on Judiciary and Hawaiian Affairs
No. 669	Committee on Commerce, Consumer Protection and Housing	No. 691	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 670	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs	No. 692	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 671	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Education		
No. 672	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs		

No. 693	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Science, Arts, and Technology	No. 713	Committee on Energy and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 694	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 714	Committee on Health, then to the Committee on Ways and Means
No. 695	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 715	Committee on Judiciary and Hawaiian Affairs
No. 696	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 716	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 697	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 717	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 698	Committee on Judiciary and Hawaiian Affairs	No. 718	Committee on Water, Land, and Agriculture
No. 699	Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means	No. 719	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 700	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 720	Committee on Education, then to the Committee on Ways and Means
No. 701	Committee on Education, then to the Committee on Ways and Means	No. 721	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
No. 702	Committee on Education, then to the Committee on Ways and Means	No. 722	Committee on Energy and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 703	Committee on Water, Land, and Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations	No. 723	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 704	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 724	Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
No. 705	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 725	Jointly to the Committee on Economic Development and the Committee on Health, then to the Committee on Ways and Means
No. 706	Committee on Water, Land, and Agriculture	No. 726	Committee on Science, Arts, and Technology, then to the Committee on Economic Development
No. 707	Committee on Water, Land, and Agriculture	No. 727	Committee on Health, then to the Committee on Ways and Means
No. 708	Committee on Energy and Environment	No. 728	Committee on Education, then to the Committee on Ways and Means
No. 709	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 729	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 710	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 730	Committee on Education, then to the Committee on Ways and Means
No. 711	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 731	Committee on Education, then to the Committee on Ways and Means
No. 712	Committee on Judiciary and Hawaiian Affairs	No. 732	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 733	Committee on Water, Land, and Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations	Government Operations, then to the Committee on Ways and Means	
No. 734	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 754	Committee on Labor
No. 735	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 755	Committee on Labor, then to the Committee on Ways and Means
No. 736	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 756	Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations
No. 737	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 757	Committee on Labor, then to the Committee on Ways and Means
No. 738	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 758	Committee on Labor, then to the Committee on Ways and Means
No. 739	Committee on Health, then to the Committee on Ways and Means	No. 759	Committee on Labor, then to the Committee on Ways and Means
No. 740	Committee on Health, then to the Committee on Ways and Means	No. 760	Committee on Labor, then to the Committee on Ways and Means
No. 741	Committee on Health, then to the Committee on Ways and Means	No. 761	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 742	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means	No. 762	Committee on Labor, then to the Committee on Ways and Means
No. 743	Committee on Human Services, then to the Committee on Ways and Means	No. 763	Committee on Labor, then to the Committee on Ways and Means
No. 744	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 764	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 745	Committee on Health, then to the Committee on Ways and Means	No. 765	Committee on Labor, then to the Committee on Ways and Means
No. 746	Committee on Human Services, then to the Committee on Ways and Means	No. 766	Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 747	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 767	Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 748	Committee on Education, then to the Committee on Ways and Means	No. 768	Committee on Labor, then to the Committee on Ways and Means
No. 749	Committee on Education, then to the Committee on Ways and Means	No. 769	Committee on Education, then to the Committee on Ways and Means
No. 750	Committee on Education, then to the Committee on Ways and Means	No. 770	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 751	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 771	Committee on Labor, then to the Committee on Ways and Means
No. 752	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs	No. 772	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 753	Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and	No. 773	Committee on Labor, then to the Committee on Ways and Means
		No. 774	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

- No. 775 Committee on Commerce, Consumer Protection and Housing
- No. 776 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing
- No. 777 Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 778 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
- No. 779 Committee on Labor, then to the Committee on Ways and Means
- No. 780 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
- No. 781 Committee on Labor, then to the Committee on Ways and Means
- No. 782 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 783 Committee on Labor, then to the Committee on Ways and Means
- No. 784 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 785 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 786 Committee on Human Services, then to the Committee on Ways and Means
- No. 787 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 788 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations
- No. 789 Committee on Labor, then to the Committee on Ways and Means
- No. 790 Committee on Health, then to the Committee on Labor
- No. 791 Committee on Health, then to the Committee on Labor
- No. 792 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 793 Committee on Education, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
- No. 794 Committee on Science, Arts, and Technology, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 795 Committee on Labor, then to the Committee on Ways and Means
- No. 796 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 797 Committee on Labor, then to the Committee on Ways and Means
- No. 798 Committee on Ways and Means
- No. 799 Committee on Labor, then to the Committee on Ways and Means
- No. 800 Committee on Health, then to the Committee on Ways and Means
- No. 801 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 802 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 803 Committee on Economic Development, then to the Committee on Ways and Means
- No. 804 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 805 Committee on Science, Arts, and Technology
- No. 806 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 807 Committee on Transportation, Military Affairs, and Government Operations
- No. 808 Committee on Labor, then to the Committee on Ways and Means
- No. 809 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 810 Committee on Judiciary and Hawaiian Affairs
- No. 811 Committee on Economic Development, then to the Committee on Tourism
- No. 812 Committee on Economic Development, then to the Committee on Ways and Means
- No. 813 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 814 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 815 Committee on Energy and Environment
- No. 816 Committee on Education, then to the Committee on Ways and Means
- No. 817 Committee on Education, then to the Committee on Ways and Means
- No. 818 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 819	Committee on Energy and Environment, then to the Committee on Water, Land, and Agriculture	No. 841	Committee on Energy and Environment
No. 820	Committee on Judiciary and Hawaiian Affairs	No. 842	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 821	Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations	No. 843	Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
No. 822	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 844	Committee on Health, then to the Committee on Ways and Means
No. 823	Committee on Human Services, then to the Committee on Ways and Means	No. 845	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment, then to the Committee on Ways and Means
No. 824	Committee on Judiciary and Hawaiian Affairs	No. 846	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 825	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 847	Committee on Commerce, Consumer Protection and Housing
No. 826	Committee on Tourism, then to the Committee on Commerce, Consumer Protection and Housing	No. 848	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 827	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 849	Committee on Economic Development, then to the Committee on Ways and Means
No. 828	Committee on Tourism, then to the Committee on Commerce, Consumer Protection and Housing	No. 850	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 829	Committee on Health, then to the Committee on Ways and Means	No. 851	Committee on Human Services, then to the Committee on Ways and Means
No. 830	Committee on Judiciary and Hawaiian Affairs	No. 852	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 831	Committee on Judiciary and Hawaiian Affairs	No. 853	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 832	Committee on Education, then to the Committee on Ways and Means	No. 854	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, then to the Committee on Ways and Means
No. 833	Committee on Judiciary and Hawaiian Affairs	No. 855	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 834	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 856	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 835	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 857	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 836	Committee on Economic Development, then to the Committee on Ways and Means	No. 858	Committee on Labor, then to the Committee on Ways and Means
No. 837	Jointly to the Committee on Economic Development and the Committee on Labor	No. 859	Committee on Human Services, then to the Committee on Ways and Means
No. 838	Committee on Health, then to the Committee on Ways and Means	No. 860	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 839	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 861	Jointly to the Committee on Health and the Committee on Human Services
No. 840	Committee on Energy and Environment		

- No. 862 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 863 Committee on Judiciary and Hawaiian Affairs
- No. 864 Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
- No. 865 Committee on Human Services, then to the Committee on Ways and Means
- No. 866 Committee on Ways and Means
- No. 867 Committee on Human Services, then to the Committee on Ways and Means
- No. 868 Committee on Ways and Means
- No. 869 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 870 Jointly to the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 871 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 872 Committee on Economic Development, then to the Committee on Ways and Means
- No. 873 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 874 Committee on Health, then to the Committee on Ways and Means

MISCELLANEOUS BUSINESS

Pursuant to Senate Rule 45, the following Senator was added as a co-sponsor to the following bills:

- | | |
|-------------|-------------|
| Senate Bill | Co-sponsor: |
| No. 50 | Senator Kim |
| No. 294 | Senator Kim |
| No. 335 | Senator Kim |

At 9:48 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with Senate Concurrent Resolution No. 1, to receive the Chief Justice's State of the Judiciary Address.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, was called to order at 10:14 o'clock a.m. by the Honorable Robert Bunda, President of the Senate.

At this time, Senate President Bunda welcomed and introduced the following distinguished guests to the members of the Twenty-Second Legislature:

The Honorable Linda Lingle, Governor of the State of Hawaii. She was presented a lei by Senator Bob Hogue;

The Honorable James R. Aiona, Jr., Lieutenant Governor of Hawaii, and Mrs. Vivian Aiona. They were presented leis by Senator Cal Kawamoto and Representative Barbara Marumoto;

Mrs. Stella Moon, wife of Chief Justice Moon. She was presented a lei by Representative Glenn Wakai;

Mrs. Mary Han and Mr. Joseph Han, mother and stepfather of Chief Justice Moon. They were presented leis by Senator Melodie Williams Aduja and Representative Blake Oshiro; and

The Honorable William S. Richardson, former Chief Justice of the Hawaii Supreme Court.

The President then appointed Senators Colleen Hanabusa, Suzanne Chun Oakland and Fred Hemmings, on behalf of the Senate, and Representatives Marilyn Lee, Scott Saiki and Galen Fox, on behalf of the House of Representatives, to escort the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the rostrum.

Senator Donna Mercado Kim presented Chief Justice Moon with a maile and ilima lei.

Senate President Bunda then presented the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the members of the Twenty-Second Legislature.

The Chief Justice addressed the Joint Session as follows:

"Before I begin, I would like to also introduce good friends of mine who are here today. They are now residents of Hawaii, former Chief Justice of the Supreme Court of Washington State, Richard Guy, and his wife, Lynn. Thank you for being here.

"Being invited here today to talk about the state of the Judiciary reminds me of the CEO who was scheduled to speak at an important convention. He asked one of his employees to write for him a stirring 20-minute speech. When the CEO returned from the big event, he was furious. He called the employee who had written the speech into his office. 'What's the idea of writing me an hour long speech,' he demanded, 'half the audience walked out before I finished.' The employee was baffled. 'I wrote you a 20-minute speech,' he replied, 'and I also gave you the two extra copies you asked for.' (Laughter.)

"You'll be happy to know that I did not bring with me two extra copies. (More laughter.)

"Governor Lingle, Speaker Say, President Bunda, Lieutenant Governor Aiona, distinguished members of the Twenty-Second Legislature, fellow judges and Judiciary employees, distinguished members of the federal bench, my fellow members of the Royal Order of Kamehameha I, other special guests, family, and friends:

"It is indeed my pleasure and privilege to be here today to address a Joint Session of the Hawaii State Legislature. Before I proceed, I would like to extend a special aloha to our new Governor, Linda Lingle, and our new Lieutenant Governor – and former colleague – Duke Aiona: Governor Lingle and Lieutenant Governor Aiona we, in the Judiciary, look forward

to working collaboratively with you and your administration. I thank you for being here today.

“We also look forward to continuing to work together with the many returning Legislators, as well as the seven newly-elected Senators and thirteen newly-elected Representatives of the Twenty-Second Legislature. I sincerely appreciate your kind invitation to speak about the state of the Judiciary.

“Ladies and gentlemen – the state of the Judiciary remains sound due in large part to the efforts of our hard-working Judiciary employees and volunteers. I, therefore, take this opportunity to publicly thank each and every one of our judges and other Judiciary employees for their continuing commitment, dedication, and outstanding work in helping to promote the effective, efficient, and fair administration of justice. To the many volunteers who give unselfishly of their time and talents to help our overburdened staff, we say ‘mahalo’ for your service. Would you please help me acknowledge these hard-working Judiciary employees and volunteers, many of whom are here today, by giving them a round of applause?

“Although the state of the Judiciary is sound, I remain concerned about the public’s perception of our justice system. Judging from the results of numerous public opinion polls and surveys, the perception of much of the public seems to be that the justice system is broken. I want to assure you that it is not; however, I recognize that reality is what the public thinks is real. And, often times, the public thinks that the justice system could be ‘fixed’ if judges would just do what the people want. Such thinking, however, speaks volumes about the need to continue to educate the public about the critical role the Judiciary plays in our democratic form of government.

“During the Constitutional Convention in 1787, James Madison expressed the view that, ‘If it be essential to the preservation of liberty that the Legislative, Executive, and Judiciary powers be separate, it is essential to a maintenance of the separation that they be independent of each other.’ Indeed, our nation’s struggle for independence was based on the vision of our founding fathers to establish the principle of ‘separate, independent, and equal branches of government.’ However, because of the system of checks and balances, each branch is not totally independent of each other. Nevertheless, the judiciary must remain independent in the area of deciding cases.

“In the decision-making arena, an independent judiciary means that its judges must make decisions based solely on the facts of a case and the applicable law, not on popular opinion polls or surveys, or the views of special interest groups. An independent judiciary enables judges to protect and enforce the rights of the people, without regard to the race, creed, or the social and economic status of the individuals or entities involved, and without fear of reprisal. Our system of government will surely be placed in serious jeopardy if judges are perceived as formulating their decisions in response to political pressure or the perceived majority opinion of the moment.

“The importance of preserving an independent judiciary cannot be overstated. One need only examine the efforts of any foreign country seeking to establish a democracy. In many instances, the judiciaries in these countries are controlled by the executive branch and the outcome of cases is controlled not by the facts of the case and the applicable law, but by the powers that be. I visited China in November 1999 and have interacted closely with lawyers and judges from China and other parts of the world who come to study the court systems in Hawaii and on the mainland. Significantly, the aspect of our democracy that they admire and desire the most is the concept of an honest, independent judge.

“Today, due to the advancements in technology and communication, the judiciary and its operations are far more visible and subject to greater public scrutiny than in the past. Controversial issues garner attention much faster and provoke comment more quickly than when the founding fathers envisioned our tripartite government. In a world saturated with media coverage, inaccurate information about judges and judicial decisions often serve as the catalyst for unwarranted and unfair attacks on judges. Please don’t misunderstand me – I do not mean to infer that judges are above criticism or that it is wrong to disagree with a court’s ruling. To the contrary, we welcome and respect informed criticism, which is part of our great American legal tradition. What causes great concern is the type of uninformed, emotionally- or politically-based criticisms that we read in letters to the editor, editorials, columns and news stories or hear about on radio and television talk shows.

“To enhance the public’s perception of our justice system, it is critical that, first, we in the Judiciary, make decisions in accordance with the facts of the case and the applicable law and, second, that the Judiciary, the Executive, and Legislature work together to address popular misconceptions of the courts. Without public confidence in an independent Judiciary, court orders and judgments would be rendered meaningless, legislative intent would be undermined, chaos would reign, and our system of government will surely deteriorate.

“With all due respect, I wish to take a moment to clarify a reference made by Governor Lingle in her state of the State address yesterday regarding a Supreme Court decision because the Governor’s comment underscores just what I have been talking about. Governor Lingle, referring to an employer’s fear of taking personnel action against an employee who has done something wrong because it may lead to a workers’ compensation claim, stated:

‘Recently, a worker was fired for stealing. The Hawaii Supreme Court ruled that he could receive compensation for the stress he felt from getting fired for stealing. This is exactly the kind of nonsense that has caused so many businesses to steer clear of Hawaii.’

“Unfortunately, whoever provided the Governor with the information regarding the Supreme Court’s ruling was totally wrong. And, to the extent that the reference undermined the Legislature, which crafted our workers’ compensation statutes, or the Supreme Court, which interprets those laws, I know – based on my telephone call to Governor Lingle last evening – that was never her intent. I informed her – and she acknowledged – that the Supreme Court has never ruled that an employee fired for stealing can receive workers’ compensation for the stress related to being fired for stealing. I also informed her that the 1998 Legislature specifically declared – through its amendment to the workers’ compensation statute – that a claim for mental stress resulting solely from disciplinary action taken in good faith by an employer shall not be allowed and that the Supreme Court has consistently held such claims to be non-compensatory.

“Governor Lingle understands that I mean no ill-will towards her by taking this time to clarify the erroneous reference made in her address yesterday. She graciously acknowledged the error and indicated that she felt badly if her reference impugned the Judiciary in any way. I sincerely thank her for her candor and professionalism. This recent incident – even though unintended – illustrates the importance of the public receiving accurate information in order to avoid formulating misconceptions about our justice system.

“Addressing misconceptions of the courts begins with focusing on helping our citizens develop a more informed awareness and understanding of the concept of an independent judiciary, which I believe is the key to engendering a more favorable public perception of our justice system. However, the public’s perception of the Judiciary is not always gleaned from court rulings and judicial decisions. Sometimes, public perception is based very simply on who they meet when they come into contact with the courts. We have one such person with us here today.

“When you see him or hear his name, you may not associate him with the Judiciary – for his original claim to fame is that of being a star member of the famed Chaminade basketball team that, on December 23, 1982, achieved one of the greatest upsets in college basketball history by defeating the University of Virginia, then the number one collegiate basketball team in the nation. Leading the underdog-Silverswords to victory was six-foot-six TONY RANDOLPH, who had the awesome task of guarding Virginia’s seven-foot-four All-American Ralph Sampson.

“Twenty-years later, Tony is still a champion of the underdog. Today, however, Tony’s ‘guarding’ duties center around Hawaii’s youth. As a juvenile detention worker at Hale Ho’omalulu for nine years and a Family Court juvenile counselor at Home Maluhia for five years, Tony is a powerful role model with a gift for building rapport with troubled youth. Drawing from his own life experiences, Tony is able to effectively communicate with his kids because they know he’s ‘for real.’

“Tony lost both his parents within a year of each other at the age of eleven and is the first to admit that he struggled with his hardships during his youth. Of the children he counsels, Tony says, ‘I tend to see a lot of myself in them, in their challenges and their adversity.’ He helps them identify their strengths and to focus on the positives. He encourages them to obtain a good education and instills in them the importance of good manners, productive work, honest relationships, and civic involvement. And, when they succeed, Tony says, ‘That’s the fulfillment and joy in doing the counseling.’ In addition to his counseling job at the family court, Tony volunteers as a basketball coach at Palolo Elementary’s A-Plus Program, where the kids adore him.

“Ladies and gentlemen – I am pleased to introduce to you an individual that makes a positive contribution towards the public’s perception of the courts on a daily basis – Mr. Tony Randolph.

“The public’s perception of the Judiciary is also affected by whether the public believes the courts are helping our citizenry in concrete ways. As you know, substance abuse, mental illness, and other social problems are closely bound to the problems of crime and community safety. Recognizing that offenders who experience these problems will ultimately return to our communities, we began exploring ways to effectively address those problems by combining court supervision with the application of treatment and other resources as alternatives to incarceration – practices that are sometimes referred to as intermediate sanctions.

“Over the past five years, the Judiciary has achieved great success and learned important lessons regarding the effective use of intermediate sanctions through its drug court initiative. Based on the success of Oahu’s Adult Drug Court Program and with your assistance, we have now implemented adult drug court programs on Maui and the Big Island. Efforts are underway to begin a program on Kauai. Hawaii’s drug court program has successfully treated hundreds of non-violent offenders addicted to drugs. These programs have restored individuals to full, productive lives and, at the same time, saved

the State the considerable expense that would have been incurred had these individuals been incarcerated, including the added expense of likely re-incarceration without drug court intervention. We are proud of the Hawaii drug court program’s recidivism rate, which is markedly below the reported national average of 30 percent.

“Hawaii is also one of the few states that has a family drug court program. Our Family Drug Court Program began accepting clients in May of last year, working closely with families whose parents are at risk of losing their children due to their substance abuse problems. Operationally, the program provides a coherent, integrated response to help parents break the cycle of addiction and child abuse through close monitoring by the court and child protective services case managers. We are grateful for the Legislature’s assistance in helping us establish our Family Drug Court Program.

“The success of our adult drug court programs has paved the way for the creation of a drug court program for juvenile offenders. This past September, the Hawaii Juvenile Drug Court Program held its first commencement ceremony for eight juvenile offenders. And, although I wish I could say that every single one of them has remained drug free, I recognize – as I’m sure you can too – that the real world of a former drug user is filled with significant challenges on a daily basis. At times, in spite of everyone’s best efforts, drug court graduates succumb to the temptation – albeit with less frequency than those who did not have the benefit of a treatment program. Drug court clients and their families are prepared for this possibility, but recognize that a momentary set back does not negate or minimize the great strides they have made. In fact, a momentary set back often becomes a significant step forward because it instills a deeper commitment and greater motivation to remain drug free.

“One such graduate was admitted to the juvenile drug court program one year prior to the commencement ceremony. Before entering the program, she had a history of offenses ranging from being a runaway to using drugs. She began smoking marijuana up to four times a day, but her drug use soon escalated to ecstasy and then to crystal methamphetamine.

“She was first arrested at the age of twelve, and, since the age of fifteen, had received probationary, mental health, and outpatient substance abuse services before coming to drug court. But, she continued to test positive on drug screenings. Prior to entering the program, her grade point average had dipped as low as 1.0, and she had difficulty attending school on a regular basis.

“After admission into the drug court program and for nearly one year, she and her family received in-house multi-systemic therapy, intensive probationary services, direct and frequent contact with the juvenile drug court judge, graduated incentives, and – when needed – sanctions. While in the program, she had no arrests and passed every drug screening test. By the time of her drug court graduation, she was attending school on a regular basis, had been promoted to the next grade, and had received mainly A’s in her classes. Major positive changes have occurred in her family as well.

“After graduating from drug court, she had a momentary set back; however, she is more determined than ever to remain drug free. She continues to be a productive high school student and is now closer than ever to her mother. Our drug court staff continues to provide the support and encouragement necessary to optimize her efforts to remain a productive citizen free from drug use.

"I am proud to introduce to you juvenile drug court graduate Ms. Kay Raley and her mother, Patricia Raley. Will you please join me in acknowledging their tremendous courage and accomplishments.

"The effectiveness of treatment interventions coupled with court supervision, such as we have experienced with our various drug court programs, has served as the catalyst for the Judiciary's exploration of other intermediate sanction strategies. Because of the growing number of cases involving defendants suffering from a mental illness or disability, we want to establish a mental health court in Hawaii. Therefore, the Judiciary recently submitted a grant proposal application to the Bureau of Justice Assistance, seeking funds to initiate a demonstration project to establish a mental health court within the existing framework of the district, family, and circuit court and will not require special legislation. We are awaiting word from Washington, D.C. regarding our request and remain optimistic that a favorable response will allow us to expand the use of intermediate sanctions.

"Also, after two years of planning and input from the criminal justice system and community stakeholders, I appointed the Interagency Council on Intermediate Sanctions in January of last year. The Council represents the statewide criminal justice system, the Department of Health, and other entities, all of which are committed to reducing the adult offender recidivism rate by 30 percent. A five-year plan that involves treatment providers, community agencies, families, and all elements of the corrections system has improved how we assess offenders and what information we use to change offender behavior. We are grateful for the commitment and continuing assistance of the National Institute of Corrections, which provides important technical assistance, training, and other resources to state and local criminal justice systems.

"It is our hope that the Legislature and the public are pleased with the processes we have implemented in our efforts to establish 'problem-solving' courts while still maintaining the traditional trial courts for appropriate cases. However, if the Judiciary is to truly serve the people, it must also be technologically sound. At the core of our strategic technological vision is an integrated case management system, which we refer to as the Judiciary Information Management System, or JIMS. The objective of our JIMS project is to implement a modern, integrated computer-based case management system that will facilitate communications, eliminate duplication, and provide information-sharing on a statewide basis. JIMS will replace all of the current disparate case management systems, as well as all of the various trust fund fiscal systems which should be, but are not, tied to the current case management system. Our court technology committee has been working diligently over the past year on this very important project. Ultimately, the benefits reaped through the new system will translate into improved public safety, increased efficiency in court operations, and better service to the public. We respectfully ask for the Legislature's support in financing this absolutely critical initiative.

"Notwithstanding all of the projects and initiatives I've mentioned thus far, we recognize that, if our citizenry is to develop a full appreciation and understanding of the workings of the court, we need to be more open and communicative about the work of the court. To that end, the Judiciary has initiated reforms intended to let the sun shine in. For example, we established court concierge stations at our busiest district and family courts to answer questions from court users. The Judiciary also continues with its education and outreach efforts to inform the public about the critical role of the Judiciary in our democratic society. We are proud of the work of the King Kamehameha the Fifth Judiciary History Center. As state

coordinator for programs of the National Center for Civic Education, such as Project Citizen and We the People, the Judiciary's History Center, over the past two years, has provided specialized civics education training to 46 teachers from 32 schools, including 12 schools on the neighbor islands. I've received numerous letters of appreciation from teachers who have completed the training, echoing the sentiments of Mr. Dean Kajihiro, a teacher at Waianae High School, who wrote:

"[The *We the People* curriculum] addresses the essential pillars upon which our country stands, and the students need to learn it. They need to know about the founding principles of our government beyond just how it functions. They need to know it and believe in it if our nation is to carry on as a democracy.

". . . [The curriculum] is outstanding compared to the other textbooks I've seen, and it fulfilled a critical component of what I thought was needed by future U.S. citizens. . . . [O]ne [student] is [now] thinking of becoming a lawyer or a law maker in the future; another had a total change of heart from "that evil government" to "Wow, the people really have the power in our government!" and "We have a lot of freedom, don't we?" Such comments are music to my ears.'

"It is estimated that these teachers have already taught the concepts and principles learned through this training to over 5,000 students. We hope that these students will reflect the kinds of results seen in studies conducted by the Center for Civic Education. Results indicate that *We the People* students were more knowledgeable across virtually every measured aspect of civic education than were other national samples of high school seniors, college freshmen, and adults. They were less cynical about politics and public officials and participate in politics at a higher rate than did their peers.

"We are also proud of the Judiciary's creation of a prototype lesson plan that was presented to Department of Education Superintendent Patricia Hamamoto during Law Week activities this past year. The lesson plan is designed to help teachers educate students about separation of powers and the importance of a fair, impartial, and independent judiciary. In addition, we presented to the Hawai'i State Bar Association a speaker's kit that will assist lawyers in informing the public about the critical role the Judiciary plays in our justice system. We are grateful that the Bar has agreed to join the judges in their ongoing educational efforts.

"Both the lesson plan and the speaker's kit incorporate the use of a video, entitled *Broken Scales: Justice Under Influence*, which was produced by the Hawaii Chapter of the American Board of Trial Advocates and presented to the Judiciary to utilize in its ongoing outreach efforts. Through a role-playing scenario, the video depicts a man's journey through a nightmare world where one of the cornerstones of democracy – judicial independence – has crumbled. He awakens to a new understanding of and greater appreciation for an independent judiciary. We are pleased that the video and lesson plans have now been distributed to all public and private intermediate and senior high schools throughout the State for use by civics and social studies teachers.

"Our efforts, however, mean nothing if people do not have trust in the Judiciary. And, we understand that trust is based, in part, on an open Judiciary, which means it must have some degree of transparency. I, therefore, also want to announce today that, this year, we will co-sponsor – with the Hawaii State Bar Association – a bench/bar/media conference on transparency. The Conference will identify the main areas where more openness is needed and how we can best achieve

this result within the limits of existing law and applicable ethical rules.

“This morning, I started my address by discussing the importance of the Judiciary remaining independent. I want to end by acknowledging our inter-connectivity. Although each branch of government is separate and independent, we are also connected in that we share a mutual quest for excellence in government. In that regard, when the State faces a challenge, the Judiciary must do its part in helping to meet that challenge – which today is our current economic situation. I pledge to you that we will be taking a hard look at the Judiciary’s current budget situation with a serious eye towards restricting monies from our current budget as well as withdrawing some of our biennium budget requests. Clearly, separate and independent does not mean uncooperative and – together – I believe we will meet the challenge.

“Ladies and gentlemen – We are all partners in this great enterprise of representative government and are all journeying on the same path. Our roles and responsibilities are different, but our goals are similar. In one particular case, our goal is identical – and, that is, to serve the people of this great state to the best of our ability. We, in the Judiciary, remain committed to applying the rule of law through impartial and independent decision-making.

“On behalf of all of the dedicated employees of the Judiciary, we pledge our continued support and look forward to working collaboratively with each of you. I thank you very much for having me and for your attention.”

Speaker Say then rose and stated:

“Chief Justice Moon, distinguished guests, ending on a very jovial note, I believe the CJ read 2½ copies. (Laughter.)

“Now, on a more serious note, CJ Moon, on behalf of the State Senate, the State House, and the general public at large, thank you very much for a very eloquent and educational address in stating what the Judiciary Branch is all about.

“Yes, your independency is a tremendous part of what we have here in the State of Hawaii. Yes, the success stories of these two young individuals, Mr. Randolph and Ms. Raley, it is these types of programs that the Judiciary initiates that the Legislature and the public should be very, very proud.

“If there is no other business at this time, I declare this Joint Session adjourned.”

At 10:58 o’clock a.m., Speaker Say declared the Joint Session adjourned.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 o’clock p.m. In consequence thereof, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1100 “A BILL FOR AN ACT RELATING TO LANDOWNER’S LIABILITY.”

Introduced by: Senator Bunda, by request.

No. 1101 “A BILL FOR AN ACT RELATING TO LIMITED LIABILITY FOR COUNTIES.”

Introduced by: Senator Bunda, by request.

No. 1102 “A BILL FOR AN ACT RELATING TO THE PENAL CODE.”

Introduced by: Senator Bunda, by request.

No. 1103 “A BILL FOR AN ACT RELATING TO JUVENILES.”

Introduced by: Senator Bunda, by request.

No. 1104 “A BILL FOR AN ACT RELATING TO SENTENCING.”

Introduced by: Senator Bunda, by request.

No. 1105 “A BILL FOR AN ACT RELATING TO CHAPTER 291E.”

Introduced by: Senator Bunda, by request.

No. 1106 “A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS.”

Introduced by: Senator Bunda, by request.

No. 1107 “A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES.”

Introduced by: Senator Bunda, by request.

No. 1108 “A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE XVII OF THE HAWAII CONSTITUTION.”

Introduced by: Senator Bunda, by request.

No. 1109 “A BILL FOR AN ACT RELATING TO DEPENDENT ADULTS.”

Introduced by: Senator Bunda, by request.

No. 1110 “A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE.”

Introduced by: Senator Bunda, by request.

No. 1111 “A BILL FOR AN ACT RELATING TO FIREARMS.”

Introduced by: Senator Bunda, by request.

No. 1112 “A BILL FOR AN ACT RELATING TO GAMBLING OFFENSES.”

Introduced by: Senator Bunda, by request.

No. 1113 “A BILL FOR AN ACT RELATING TO BURGLARY IN THE FIRST DEGREE.”

Introduced by: Senator Bunda, by request.

No. 1114 “A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE.”

Introduced by: Senator Bunda, by request.

No. 1115 "A BILL FOR AN ACT RELATING MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda, by request.

No. 1116 "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."

Introduced by: Senator Bunda, by request.

No. 1117 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Bunda, by request.

No. 1118 "A BILL FOR AN ACT RELATING TO FIRING RANGES."

Introduced by: Senator Bunda, by request.

No. 1119 "A BILL FOR AN ACT RELATING TO POSSESSION OF STOLEN PROPERTY."

Introduced by: Senator Bunda, by request.

No. 1120 "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE."

Introduced by: Senator Bunda, by request.

No. 1121 "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURE ON ARREST."

Introduced by: Senator Bunda, by request.

No. 1122 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Bunda, by request.

No. 1123 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF EMPLOYMENT INFORMATION."

Introduced by: Senator Bunda, by request.

No. 1124 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Bunda, by request.

No. 1125 "A BILL FOR AN ACT RELATING TO SUBPOENAS."

Introduced by: Senator Bunda, by request.

No. 1126 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."

Introduced by: Senator Bunda, by request.

No. 1127 "A BILL FOR AN ACT RELATING TO E911 AND 311 TELEPHONE SURCHARGES."

Introduced by: Senator Bunda, by request.

No. 1128 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Bunda, by request.

No. 1129 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Bunda, by request.

No. 1130 "A BILL FOR AN ACT RELATING TO THE COURTS."

Introduced by: Senator Bunda, by request.

No. 1131 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Senator Bunda, by request.

No. 1132 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."

Introduced by: Senator Bunda, by request.

No. 1133 "A BILL FOR AN ACT RELATING TO RULES OF COURT."

Introduced by: Senator Bunda, by request.

No. 1134 "A BILL FOR AN ACT RELATING TO COURT COSTS."

Introduced by: Senator Bunda, by request.

No. 1135 "A BILL FOR AN ACT RELATING TO COURT FEES."

Introduced by: Senator Bunda, by request.

No. 1136 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION."

Introduced by: Senator Bunda, by request.

No. 1137 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Bunda, by request.

No. 1138 "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS."

Introduced by: Senator Bunda, by request.

No. 1139 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Senator Bunda, by request.

No. 1140 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Bunda, by request.

No. 1141 "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS."

Introduced by: Senator Bunda, by request.

No. 1142 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senator Bunda, by request.

No. 1143 "A BILL FOR AN ACT RELATING TO VOTING RIGHTS OF FELONS."

Introduced by: Senator Bunda, by request.

No. 1144 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senator Bunda, by request.

No. 1145 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."

Introduced by: Senator Bunda, by request.

No. 1146 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING RECORDS."

Introduced by: Senator Bunda, by request.

No. 1147 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Bunda, by request.

No. 1148 "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING."

Introduced by: Senator Bunda, by request.

No. 1149 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Senator Bunda, by request.

No. 1150 "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1151 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1152 "A BILL FOR AN ACT RELATING TO THE REPRESENTATION OF THE OFFICE OF HAWAIIAN AFFAIRS ON BOARDS, COMMISSIONS, AND ADVISORY BODIES."

Introduced by: Senator Bunda, by request.

No. 1153 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1154 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1155 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1156 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1157 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1158 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Bunda, by request.

No. 1159 "A BILL FOR AN ACT RELATED TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Bunda, by request.

No. 1160 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 1161 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senator Bunda, by request.

No. 1162 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING AND PUBLIC EMPLOYMENT."

Introduced by: Senator Bunda, by request.

No. 1163 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Bunda, by request.

No. 1164 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Bunda, by request.

No. 1165 "A BILL FOR AN ACT RELATING TO BONDS."

Introduced by: Senator Bunda, by request.

No. 1166 "A BILL FOR AN ACT RELATING TO BONDS."

Introduced by: Senator Bunda, by request.

No. 1167 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Bunda, by request.

No. 1168 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Bunda, by request.

No. 1169 "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM GENERAL EXCISE TAX."

Introduced by: Senator Bunda, by request.

No. 1170 "A BILL FOR AN ACT RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE."

Introduced by: Senator Bunda, by request.

No. 1171 "A BILL FOR AN ACT RELATING TO FRANCHISE TAX."

Introduced by: Senator Bunda, by request.

No. 1172 "A BILL FOR AN ACT RELATING TO AIRLINES."

Introduced by: Senator Kim.

No. 1173 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Espero.

No. 1174 "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT."

Introduced by: Senators Espero, Kanno, Kawamoto, Aduja, Bunda, Tsutsui.

No. 1175 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE."

Introduced by: Senators Hemmings, Kawamoto, Hogue, Trimble, Whalen, Aduja, Tsutsui, English, Slom, Chun Oakland.

No. 1176 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Senators Hemmings, Hogue, Trimble, Slom.

No. 1177 "A BILL FOR AN ACT RELATING TO STADIUMS."

Introduced by: Senators Hemmings, Hogue, Slom, Whalen.

No. 1178 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Hemmings, Slom, Hogue, Trimble, Taniguchi, Whalen.

No. 1179 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Hemmings, Whalen, Slom, Hogue, Trimble.

No. 1180 "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURES ON ARREST."

Introduced by: Senator Espero.

No. 1181 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senator Bunda.

No. 1182 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

Introduced by: Senators Hooser, English, Chun Oakland, Hemmings, Ige.

No. 1183 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL."

Introduced by: Senator Hooser, by request.

No. 1184 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Hooser, Fukunaga, Ige, Ihara, Chun Oakland, Hemmings, Kim.

No. 1185 "A BILL FOR AN ACT RELATING TO IMPOSITION OF A SURCHARGE ON TRAFFIC FINES TO BE PAID TO THE COUNTIES."

Introduced by: Senators Hooser, Ige, Baker, Espero, English, Hemmings, Tsutsui, Kanno, Ihara, Chun Oakland, Kim.

No. 1186 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAILUA HIGH SCHOOL ACCESS ROAD."

Introduced by: Senators Hogue, Hemmings.

No. 1187 "A BILL FOR AN ACT RELATING TO LITTER."

Introduced by: Senators Hogue, Hemmings.

No. 1188 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Senator Slom.

No. 1189 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senators Slom, Kanno.

No. 1190 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senator Slom.

No. 1191 "A BILL FOR AN ACT RELATING TO ASSOCIATION BOARD OF DIRECTORS MEETINGS."

Introduced by: Senator Slom.

No. 1192 "A BILL FOR AN ACT RELATING TO PROXIES."

Introduced by: Senator Slom.

No. 1193 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Whalen.

No. 1194 "A BILL FOR AN ACT RELATING TO FINANCIAL INTEREST DISCLOSURES."

Introduced by: Senator Whalen.

No. 1195 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."

Introduced by: Senator Whalen.

No. 1196 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Senators Trimble, Inouye, Espero, Chun Oakland, Ihara, Kim, English, Ige.

No. 1197 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Senators Trimble, Inouye, Espero, Kim, Ihara, Ige, English, Chun Oakland.

No. 1198 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Trimble.

No. 1199 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Trimble.

No. 1200 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Senator Menor.

No. 1201 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES."

Introduced by: Senator Menor.

No. 1202 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

Introduced by: Senators Menor, Kanno, Espero, Baker.

No. 1203 "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE."

Introduced by: Senators Menor, Chun Oakland, Hemmings, Inouye, Tsutsui, Kanno, Espero, Taniguchi, Baker.

No. 1204 "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE."

Introduced by: Senator Menor.

No. 1205 "A BILL FOR AN ACT ESTABLISHING A CRUISE SHIP PASSENGER SURCHARGE."

Introduced by: Senators English, Chun Oakland, Baker.

No. 1206 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators English, Aduja, Menor, Ige.

No. 1207 "A BILL FOR AN ACT AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR MANELE SMALL BOAT HARBOR."

Introduced by: Senator English.

No. 1208 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE."

Introduced by: Senator English.

No. 1209 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR HANA SMALL BOAT HARBORS."

Introduced by: Senator English.

No. 1210 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senators Kim, Espero, Kokubun, Hanabusa, English, Whalen, Slom, Taniguchi.

No. 1211 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING ENTERPRISES."

Introduced by: Senators Inouye, Fukunaga.

No. 1212 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Senators Inouye, Ihara.

No. 1213 "A BILL FOR AN ACT RELATING TO HISTORIC SITES."

Introduced by: Senator Inouye.

No. 1214 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HISTORIC SITES."

Introduced by: Senator Inouye.

No. 1215 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Inouye.

No. 1216 "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE."

Introduced by: Senator Kawamoto.

No. 1217 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EIGHTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Kawamoto.

No. 1218 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Kawamoto, by request.

No. 1219 "A BILL FOR AN ACT RELATING TO PROCUREMENT CODE."

Introduced by: Senator Kawamoto.

No. 1220 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kawamoto, Espero, Aduja.

No. 1221 "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES."

Introduced by: Senators Kokubun, Taniguchi, English, Kim, Inouye.

No. 1222 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Senator Kanno.

No. 1223 "A BILL FOR AN ACT RELATING TO OBSTRUCTION OF INGRESS AND EGRESS."

Introduced by: Senator Kanno.

No. 1224 "A BILL FOR AN ACT RELATING TO THE WEEKLY UNEMPLOYMENT BENEFIT."

Introduced by: Senator Kanno.

No. 1225 "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS."

Introduced by: Senators Kanno, Baker, English, Inouye, Aduja, Kim, Menor, Ige, Hanabusa, Tsutsui.

No. 1226 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Kanno, Baker.

No. 1227 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Hanabusa, Kim.

No. 1228 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senator Tsutsui.

No. 1229 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."

Introduced by: Senators Ihara, Hooser, Fukunaga, Ige, Chun Oakland, Baker.

No. 1230 "A BILL FOR AN ACT RELATING TO INSTANT RUNOFF VOTING."

Introduced by: Senators Ihara, Hooser, Fukunaga, Chun Oakland, Ige, Baker.

No. 1231 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, Hooser, Fukunaga, Ige, Baker.

No. 1232 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Senators Ihara, Hooser, Fukunaga, Ige, Chun Oakland, Baker.

No. 1233 "A BILL FOR AN ACT RELATING TO LEGISLATIVE ACCOUNTABILITY."

Introduced by: Senator Ihara.

No. 1234 "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES."

Introduced by: Senator Chun Oakland.

No. 1235 "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH."

Introduced by: Senator Chun Oakland.

No. 1236 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH."

Introduced by: Senator Chun Oakland.

No. 1237 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Chun Oakland.

No. 1238 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Chun Oakland.

No. 1239 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators Baker, English, Ihara, Ige, Chun Oakland, Fukunaga.

No. 1240 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Senators Baker, Chun Oakland.

No. 1241 "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS."

Introduced by: Senators Baker, Inouye, Hanabusa, Chun Oakland, Fukunaga, Kim.

No. 1242 "A BILL FOR AN ACT RELATING TO FAIR ACCESS FOR STATE GOVERNMENT."

Introduced by: Senators Baker, Hooser, Chun Oakland, Ihara, Fukunaga, Ige.

No. 1243 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRIMARY HEALTH CARE FOR THE UNINSURED."

Introduced by: Senators Baker, Chun Oakland, Fukunaga.

No. 1244 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FOURTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Kim.

No. 1245 "A BILL FOR AN ACT RELATING TO THE EVALUATION OF TEACHERS."

Introduced by: Senators Ige, Hooser, Chun Oakland, Ihara, Baker, Hemmings, Aduja, Trimble, Fukunaga.

No. 1246 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO REQUIRE THE GOVERNOR TO APPOINT A PUBLIC HIGH SCHOOL STUDENT TO SERVE AS A VOTING MEMBER ON THE BOARD OF EDUCATION."

Introduced by: Senators Ige, Ihara, Chun Oakland, Baker, Hemmings, Kim, Aduja, Trimble, Fukunaga.

No. 1247 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Ige, Fukunaga, Hooser, Chun Oakland, Ihara, English, Baker.

No. 1248 "A BILL FOR AN ACT RELATING TO SCHOOL/COMMUNITY-BASED MANAGEMENT."

Introduced by: Senators Ige, Hooser, Ihara, Trimble, Aduja, Hemmings, Chun Oakland, Baker, Fukunaga, Kim.

No. 1249 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TECHNOLOGY TRANSFER GRANTS."

Introduced by: Senators Ige, Hooser, Chun Oakland, Baker, Fukunaga, Ihara, Hemmings, Kim, English, Aduja.

No. 1250 "A BILL FOR AN ACT RELATING TO NEW ECONOMY WORKFORCE DEVELOPMENT."

Introduced by: Senators Fukunaga, Ige, English, Ihara.

No. 1251 "A BILL FOR AN ACT RELATING TO A STATE CHIEF INFORMATION OFFICER."

Introduced by: Senators Fukunaga, Ige, Kawamoto, Ihara.

No. 1252 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Fukunaga, Hooser, Ige, Chun Oakland, Baker, Ihara.

No. 1253 "A BILL FOR AN ACT RELATING TO ECONOMIC DATA."

Introduced by: Senators Fukunaga, Ige, Kawamoto, English, Ihara.

No. 1254 "A BILL FOR AN ACT RELATING TO INTERNATIONAL RELATIONS."

Introduced by: Senators Fukunaga, Ige, Kawamoto, English, Ihara.

No. 1255 "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS."

Introduced by: Senator Bunda, by request.

No. 1256 "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN."

Introduced by: Senator Bunda, by request.

No. 1257 "A BILL FOR AN ACT RELATING TO THE IRRIGATION WATER DEVELOPMENT SPECIAL FUND."

Introduced by: Senator Bunda, by request.

No. 1258 "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION."

Introduced by: Senator Bunda, by request.

No. 1259 "A BILL FOR AN ACT RELATING TO THE DELEGATION OF ALLOCATION AUTHORITY UNDER THE STATE WATER CODE."

Introduced by: Senator Bunda, by request.

No. 1260 "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT."

Introduced by: Senator Bunda, by request.

No. 1261 "A BILL FOR AN ACT RELATING TO PROCUREMENT CARD PAYMENTS."

Introduced by: Senator Bunda, by request.

No. 1262 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Bunda, by request.

No. 1263 "A BILL FOR AN ACT RELATING TO ELECTRONIC PROCUREMENT."

Introduced by: Senator Bunda, by request.

No. 1264 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Introduced by: Senator Bunda, by request.

No. 1265 "A BILL FOR AN ACT RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES."

Introduced by: Senator Bunda, by request.

No. 1266 "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES."

Introduced by: Senator Bunda, by request.

No. 1267 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senator Bunda, by request.

No. 1268 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Senator Bunda, by request.

No. 1269 "A BILL FOR AN ACT RELATING TO COURTS."

Introduced by: Senator Bunda, by request.

No. 1270 "A BILL FOR AN ACT RELATING TO ANTITRUST."

Introduced by: Senator Bunda, by request.

No. 1271 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF SEXUAL CONDUCT."

Introduced by: Senator Bunda, by request.

No. 1272 "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES."

Introduced by: Senator Bunda, by request.

No. 1273 "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE."

- Introduced by: Senator Bunda, by request.
- No. 1274 "A BILL FOR AN ACT RELATING TO MANSLAUGHTER."
- Introduced by: Senator Bunda, by request.
- No. 1275 "A BILL FOR AN ACT RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS."
- Introduced by: Senator Bunda, by request.
- No. 1276 "A BILL FOR AN ACT RELATING TO TERRORISM."
- Introduced by: Senator Bunda, by request.
- No. 1277 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."
- Introduced by: Senator Bunda, by request.
- No. 1278 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."
- Introduced by: Senator Bunda, by request.
- No. 1279 "A BILL FOR AN ACT RELATING TO TOBACCO."
- Introduced by: Senator Bunda, by request.
- No. 1280 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."
- Introduced by: Senator Bunda, by request.
- No. 1281 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."
- Introduced by: Senator Bunda, by request.
- No. 1282 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- Introduced by: Senator Bunda, by request.
- No. 1283 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- Introduced by: Senator Bunda, by request.
- No. 1284 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT."
- Introduced by: Senator Bunda, by request.
- No. 1285 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Bunda, by request.
- No. 1286 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- Introduced by: Senator Bunda, by request.
- No. 1287 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT."
- Introduced by: Senator Bunda, by request.
- No. 1288 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."
- Introduced by: Senator Bunda, by request.
- No. 1289 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY."
- Introduced by: Senator Bunda, by request.
- No. 1290 "A BILL FOR AN ACT RELATING TO PRODUCT PROCUREMENT PREFERENCES BY STATE AGENCIES."
- Introduced by: Senator Bunda, by request.
- No. 1291 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Bunda, by request.
- No. 1292 "A BILL FOR AN ACT RELATING TO THE ENERGY CONSERVATION INCOME TAX CREDIT."
- Introduced by: Senator Bunda, by request.
- No. 1293 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senator Bunda, by request.
- No. 1294 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senator Bunda, by request.
- No. 1295 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
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- No. 1296 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senator Bunda, by request.
- No. 1297 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senator Bunda, by request.
- No. 1298 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senator Bunda, by request.
- No. 1299 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 1300 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 1301 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 1302 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 1303 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 1304 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 1305 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Bunda, by request.

No. 1306 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES."

Introduced by: Senator Bunda, by request.

No. 1307 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Senator Bunda, by request.

No. 1308 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Senator Bunda, by request.

No. 1309 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 1310 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 1311 "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS."

Introduced by: Senator Bunda, by request.

No. 1312 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 1313 "A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT."

Introduced by: Senator Bunda, by request.

No. 1314 "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS."

Introduced by: Senator Bunda, by request.

No. 1315 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Senator Bunda, by request.

No. 1316 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."

Introduced by: Senator Bunda, by request.

No. 1317 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 1318 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Senator Bunda, by request.

No. 1319 "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT."

Introduced by: Senator Bunda, by request.

No. 1320 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."

Introduced by: Senator Bunda, by request.

No. 1321 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Bunda, by request.

No. 1322 "A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS."

Introduced by: Senator Bunda, by request.

No. 1323 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 1324 "A BILL FOR AN ACT RELATING TO CONCILIATION PANELS."

Introduced by: Senator Bunda, by request.

No. 1325 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT."

Introduced by: Senator Bunda, by request.

No. 1326 "A BILL FOR AN ACT RELATING TO EDUCATION."

- Introduced by: Senator Bunda, by request.
- No. 1327 "A BILL FOR AN ACT RELATING TO SUBSTITUTE TEACHER PER DIEM RATE IN THE DEPARTMENT OF EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1328 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1329 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1330 "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR."
- Introduced by: Senator Bunda, by request.
- No. 1331 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."
- Introduced by: Senator Bunda, by request.
- No. 1332 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT."
- Introduced by: Senator Bunda, by request.
- No. 1333 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT."
- Introduced by: Senator Bunda, by request.
- No. 1334 "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL."
- Introduced by: Senator Bunda, by request.
- No. 1335 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTIONS 2 AND 3 OF THE HAWAII CONSTITUTION TO CREATE ELECTED DISTRICT SCHOOL BOARDS."
- Introduced by: Senator Bunda, by request.
- No. 1336 "A BILL FOR AN ACT RELATING TO EDUCATION GOVERNANCE."
- Introduced by: Senator Bunda, by request.
- No. 1337 "A BILL FOR AN ACT RELATING TO PRINCIPALS."
- Introduced by: Senator Bunda, by request.
- No. 1338 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
- Introduced by: Senator Bunda, by request.
- No. 1339 "A BILL FOR AN ACT RELATING TO SPECIAL PAY FOR TEACHERS."
- Introduced by: Senator Bunda, by request.
- No. 1340 "A BILL FOR AN ACT RELATING TO TEACHER STANDARDS."
- Introduced by: Senator Bunda, by request.
- No. 1341 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1342 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1343 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1344 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1345 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1346 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."
- Introduced by: Senator Bunda, by request.
- No. 1347 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- Introduced by: Senator Bunda, by request.
- No. 1348 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
- Introduced by: Senator Bunda, by request.
- No. 1349 "A BILL FOR AN ACT RELATING TO FORFEITURE OF BENEFITS FOR CONVICTED FELONS."
- Introduced by: Senator Bunda, by request.
- No. 1350 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."
- Introduced by: Senator Bunda, by request.
- No. 1351 "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS FOR ADULT SERVICES PROGRAMS."
- Introduced by: Senator Bunda.
- No. 1352 "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED SERVICES."
- Introduced by: Senator Bunda.
- No. 1353 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID."

- Introduced by: Senator Bunda.
- No. 1354 "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES."
- Introduced by: Senator Bunda.
- No. 1355 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."
- Introduced by: Senator Bunda, by request.
- No. 1356 "A BILL FOR AN ACT RELATING TO REGISTRATION OF VITAL STATISTICS."
- Introduced by: Senator Bunda.
- No. 1357 "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION DISTRICTS."
- Introduced by: Senator Bunda, by request.
- No. 1358 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) COMPLIANCE."
- Introduced by: Senator Bunda, by request.
- No. 1359 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."
- Introduced by: Senator Bunda, by request.
- No. 1360 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."
- Introduced by: Senator Bunda, by request.
- No. 1361 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."
- Introduced by: Senator Bunda, by request.
- No. 1362 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
- Introduced by: Senator Bunda, by request.
- No. 1363 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY OF DEFENDANTS COURT-ORDERED TO THE DIRECTOR OF HEALTH."
- Introduced by: Senator Bunda, by request.
- No. 1364 "A BILL FOR AN ACT RELATING TO PSYCHIATRIC FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1365 "A BILL FOR AN ACT RELATING TO THE SEPARATION OF FITNESS EXAMS FROM PENAL RESPONSIBILITY EXAMINATIONS."
- Introduced by: Senator Bunda, by request.
- No. 1366 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
- Introduced by: Senator Bunda, by request.
- No. 1367 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
- Introduced by: Senator Bunda, by request.
- No. 1368 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."
- Introduced by: Senator Bunda, by request.
- No. 1369 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."
- Introduced by: Senator Bunda, by request.
- No. 1370 "A BILL FOR AN ACT RELATING TO CHILD LABOR."
- Introduced by: Senator Bunda, by request.
- No. 1371 "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF CONSULTATION REPORTS."
- Introduced by: Senator Bunda, by request.
- No. 1372 "A BILL FOR AN ACT RELATING TO EXPLOSIVES."
- Introduced by: Senator Bunda, by request.
- No. 1373 "A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS."
- Introduced by: Senator Bunda, by request.
- No. 1374 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."
- Introduced by: Senator Bunda, by request.
- No. 1375 "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMITTEES TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS."
- Introduced by: Senator Bunda, by request.
- No. 1376 "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."
- Introduced by: Senator Bunda, by request.
- No. 1377 "A BILL FOR AN ACT RELATING TO THE PREPAID HEALTH CARE ADVISORY COUNCIL."
- Introduced by: Senator Bunda, by request.
- No. 1378 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Bunda, by request.
- No. 1379 "A BILL FOR AN ACT RELATING TO THE ELECTION OF JURY TRIALS IN HAWAII CIVIL RIGHTS COMMISSION MATTERS."
- Introduced by: Senator Bunda, by request.
- No. 1380 "A BILL FOR AN ACT RELATING TO FIREWORKS."

- Introduced by: Senator Bunda, by request.
- No. 1381 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."
- Introduced by: Senator Bunda.
- No. 1382 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT."
- Introduced by: Senator Bunda, by request.
- No. 1383 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT."
- Introduced by: Senator Bunda, by request.
- No. 1384 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT."
- Introduced by: Senator Bunda, by request.
- No. 1385 "A BILL FOR AN ACT RELATING TO THE OPEN MEETINGS LAW."
- Introduced by: Senator Bunda, by request.
- No. 1386 "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS."
- Introduced by: Senator Bunda, by request.
- No. 1387 "A BILL FOR AN ACT RELATING TO HEALTH CARE FOR PRISONERS."
- Introduced by: Senator Bunda, by request.
- No. 1388 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senator Bunda, by request.
- No. 1389 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senator Bunda, by request.
- No. 1390 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senator Bunda, by request.
- No. 1391 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."
- Introduced by: Senator Bunda, by request.
- No. 1392 "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS."
- Introduced by: Senator Bunda, by request.
- No. 1393 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT."
- Introduced by: Senator Bunda, by request.
- No. 1394 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."
- Introduced by: Senator Bunda, by request.
- No. 1395 "A BILL FOR AN ACT RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS."
- Introduced by: Senator Bunda, by request.
- No. 1396 "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES."
- Introduced by: Senator Bunda, by request.
- No. 1397 "A BILL FOR AN ACT RELATING TO SIMPLIFIED TAX ADMINISTRATION."
- Introduced by: Senator Bunda, by request.
- No. 1398 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAX."
- Introduced by: Senator Bunda, by request.
- No. 1399 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."
- Introduced by: Senator Bunda, by request.
- No. 1400 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."
- Introduced by: Senator Bunda, by request.
- No. 1401 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
- Introduced by: Senator Bunda, by request.
- No. 1402 "A BILL FOR AN ACT RELATING TO THE IN-BOND CONCESSION AT STATE AIRPORTS."
- Introduced by: Senator Bunda, by request.
- No. 1403 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME-RELATED USES."
- Introduced by: Senator Bunda, by request.
- No. 1404 "A BILL FOR AN ACT RELATING TO IMPACT FEES."
- Introduced by: Senator Bunda, by request.
- No. 1405 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."
- Introduced by: Senator Bunda, by request.
- No. 1406 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."
- Introduced by: Senator Bunda, by request.
- No. 1407 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."
- Introduced by: Senator Bunda, by request.

No. 1408 "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSPORTATION PLANNING."

Introduced by: Senator Bunda, by request.

Respectfully submitted,

No. 1409 "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND PURPOSES."

Introduced by: Senator Bunda, by request.

Clerk of the Senate

Approved:

No. 1410 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR."

Introduced by: Senator Bunda, by request.

President of the Senate

No. 1411 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RISK MANAGEMENT SPECIAL FUND."

Introduced by: Senator Bunda, by request.

No. 1412 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 1413 "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA."

Introduced by: Senator Bunda, by request.

No. 1414 "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS."

Introduced by: Senator Bunda, by request.

No. 1415 "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT."

Introduced by: Senator Bunda, by request.

No. 1416 "A BILL FOR AN ACT RELATING TO LAND EXCHANGES."

Introduced by: Senator Bunda, by request.

No. 1417 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Bunda, by request.

No. 1418 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY."

Introduced by: Senator Bunda, by request.

No. 1419 "A BILL FOR AN ACT RELATING TO ELIMINATING THE CERTIFICATE OF NEED."

Introduced by: Senator Bunda, by request.

ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 24, 2003.

SIXTH DAY

Friday, January 24, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Bob Hogue, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senator Sakamoto who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 15 to 103) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 15, dated August 9, 2002, transmitting the 1999-2001 Annual Report to the Governor for the Community Economic Development Program, prepared by the Department of Business, Economic Development, and Tourism, was placed on file.

Gov. Msg. No. 16, dated November 8, 2002, transmitting the Report on Administratively Established Appropriations From July 1, 2002 to October 31, 2002, prepared by the Department of Agriculture pursuant to Act 178, SLH 2002, was placed on file.

Gov. Msg. No. 17, dated October 28, 2002, transmitting the Department of Taxation Annual Report for Fiscal Year Ending June 30, 2002, was placed on file.

Gov. Msg. No. 18, dated October 25, 2002, transmitting the Monthly Report for September on Expenditures for the Felix Consent Decree, Felix Special Monitor, and Felix Monitoring Project, prepared by the Department of Education pursuant to Act 259, Section 53, SLH 2001, was placed on file.

Gov. Msg. No. 19, dated September 23, 2002, transmitting the Department of Business, Economic Development, and Tourism 2001 Annual Report pursuant to Section 201-10, HRS, was placed on file.

Gov. Msg. No. 20, dated September 16, 2002, transmitting the December 2001 Report on Prescription Drugs for Fee-for-Service Clients Including Mental Health Treatment, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Act 259, Section 39, SLH 2001, was placed on file.

Gov. Msg. No. 21, dated September 16, 2002, transmitting the Monthly Reports for May, June, July and August on Expenditures for the Felix Consent Decree, Felix Special Monitor, and Felix Monitoring Project, prepared by the Department of Education pursuant to Act 259, Section 53, SLH 2001, was placed on file.

Gov. Msg. No. 22, dated December 3, 2002, transmitting a report prepared by the Department of Accounting and General Services pursuant to S.C.R. No. 39 (2002), requesting a review of the Performance Information Procurement System (PIPS), was placed on file.

Gov. Msg. No. 23, dated August 30, 2002, transmitting the Monthly Reports for March and April on Expenditures for the

Felix Consent Decree, Felix Special Monitor, and Felix Monitoring Project, prepared by the Department of Education pursuant to Act 259, Section 53, SLH 2001, was placed on file.

Gov. Msg. No. 24, dated August 21, 2002, transmitting the Barbers Point Naval Air Station Redevelopment Commission Annual Report for Fiscal Year 2002, was placed on file.

Gov. Msg. No. 25, dated August 19, 2002, transmitting a report, "2000 Hawaii Income Patterns - Individuals," prepared by the Department of Taxation, was placed on file.

Gov. Msg. No. 26, dated August 19, 2002, transmitting a report, "2000 Hawaii Income Patterns - Businesses," prepared by the Department of Taxation, was placed on file.

Gov. Msg. No. 27, dated August 9, 2002, transmitting the Report on Legislation Affecting Hawaii's Older Adults - 2002, prepared by the Executive Office on Aging, was placed on file.

Gov. Msg. No. 28, dated July 26, 2002, transmitting a report, "Tax Credits Claimed by Hawaii Individuals and Corporations - 2000," prepared by the Department of Taxation, was placed on file.

Gov. Msg. No. 29, dated July 2, 2002, transmitting the 2001 Annual Report on Special Purpose Revenue Bond Financing of Electric and Gas Utility Capital Improvement Programs, prepared by the Department of Budget and Finance, Public Utilities Commission, pursuant to Act 262, SLH 1998, and Act 257, SLH 1999, was placed on file.

Gov. Msg. No. 30, dated May 24, 2002, transmitting the Department of Transportation's Annual Report for Fiscal Year Ending June 30, 2001, was placed on file.

Gov. Msg. No. 31, dated May 22, 2002, transmitting the 2002 Reports on Hawaii Workforce Development, prepared by the Department of Labor and Industrial Relations, Workforce Development Council, pursuant to Section 202-8(8), HRS, was placed on file.

Gov. Msg. No. 32, dated April 30, 2002, transmitting a report prepared by the Department of Business, Economic Development and Tourism, Housing and Community Development Corporation of Hawaii, in response to H.C.R. No. 71, S.D. 1 (2001), recognizing and commending the work of island tenants on the rise for their continuing efforts to bring low-income people into active participation in the democratic process, was placed on file.

Gov. Msg. No. 33, dated November 29, 2002, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of July 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001, was placed on file.

Gov. Msg. No. 34, dated November 29, 2002, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of June 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001, was placed on file.

Gov. Msg. No. 35, dated November 29, 2002, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of May 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001, was placed on file.

Gov. Msg. No. 36, dated November 29, 2002, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of April 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001, was placed on file.

Gov. Msg. No. 37, dated November 29, 2002, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of March 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001, was placed on file.

Gov. Msg. No. 38, dated November 29, 2002, transmitting the Annual Report on the Status of the Kaho'olawe Rehabilitation Trust Fund, prepared by the Kaho'olawe Island Reserve Commission pursuant to Section 6K-9.5e, HRS, was placed on file.

Gov. Msg. No. 39, dated November 29, 2002, transmitting the Expenditure Report for Kupuna Care and Elder Abuse Response Services, FY 2002-03, prepared by the Department of Health, Executive Office on Aging, pursuant to Act 259, Section 42, SLH 2001, was placed on file.

Gov. Msg. No. 40, dated November 29, 2002, transmitting the Hawaii Real Estate Commission Annual Report for Fiscal Year Ending June 30, 2002, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Real Estate Branch, was placed on file.

Gov. Msg. No. 41, dated November 29, 2002, transmitting the Hawaii Olmstead Plan pursuant to H.C.R. No. 196 (2000), requesting the Governor to develop a comprehensive statewide plan for placing qualified persons with disabilities in the most integrated setting possible and to keep waiting lists that move at a reasonable pace, was placed on file.

Gov. Msg. No. 42, dated November 29, 2002, transmitting the Child and Adolescent Mental Health Services Strategic Plan 2003-2006, prepared by the Department of Health, Child and Adolescent Mental Health Division, was placed on file.

Gov. Msg. No. 43, dated November 29, 2002, transmitting the Annual Report on Geothermal Royalties and Geothermal and Cable Development Activities, prepared by the Department of Land and Natural Resources pursuant to Sections 182-18 and 196D-11, HRS, was placed on file.

Gov. Msg. No. 44, dated November 29, 2002, transmitting the Report on Prescription Drugs for Fee-for-Service Clients Including Mental Health Treatment, prepared by the Department of Human Services, Med-Quest Division pursuant to Act 259, Section 39, SLH 2001, was placed on file.

Gov. Msg. No. 45, dated November 29, 2002, transmitting the Annual Report on the North Shore Paukauila Streambank Erosion and Riparian Area Community Project, prepared by the Department of Land and Natural Resources pursuant to S.C.R. No. 223 (1995), was placed on file.

Gov. Msg. No. 46, dated November 29, 2002, transmitting the Report on Mental Health Services From the Child and Adolescent Mental Health Division, prepared by the Department of Health pursuant to Act 259, Section 33, SLH 2001, was placed on file.

Gov. Msg. No. 47, dated November 29, 2002, transmitting the Report of the Temporary Board of Trustees of the Hawaii Long-Term Care Financing Program, prepared by the

Department of Health, Executive Office on Aging, pursuant to Act 245, SLH 2002, was placed on file.

Gov. Msg. No. 48, dated November 27, 2002, transmitting the Hawaii Employer-Union Health Benefits Trust Fund Annual Report for Fiscal Year 2001-2002, was placed on file.

Gov. Msg. No. 49, dated November 27, 2002, transmitting the Hawaii State Public Library Systems' Annual Report for Fiscal Year Ending June 30, 2002, was placed on file.

Gov. Msg. No. 50, dated November 25, 2002, transmitting the Biennium Report on Benchmarks and Performance Indicators at the University of Hawaii, prepared by the University of Hawaii pursuant to Section 304.4-5, HRS, was placed on file.

Gov. Msg. No. 51, dated November 25, 2002, transmitting the Annual Report on Goals, Objectives/Policies, Action Plan and Performance Measures at the University of Hawaii, prepared by the University of Hawaii pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 52, dated November 25, 2002, transmitting a report prepared by the University of Hawaii pursuant to H.R. No. 87 (2002), requesting the University of Hawaii to study the feasibility of permitting certain immigrant students who have not yet attained legal permanent resident status attend the University of Hawaii at the resident tuition rate, was placed on file.

Gov. Msg. No. 53, dated November 22, 2002, transmitting the Energy Efficiency Policy Task Force Report, prepared by the Department of Business, Economic Development, and Tourism pursuant to Act 163, SLH 1998, was placed on file.

Gov. Msg. No. 54, dated November 22, 2002, transmitting the Annual Report on the Hawaii Historic Preservation Special Fund for Fiscal Year 2001-2002, prepared by the Department of Land and Natural Resources pursuant to Section 6E-3, HRS, was placed on file.

Gov. Msg. No. 55, dated November 22, 2002, transmitting the Monthly Report for October on Expenditures for the Felix Consent Decree, Felix Special Monitor, and Felix Monitoring Project, prepared by the Department of Education pursuant to Act 259, Section 53, SLH 2001, was placed on file.

Gov. Msg. No. 56, dated November 18, 2002, transmitting a report prepared by the Department of Health, the Department of Agriculture and the Department of Education pursuant to H.C.R. No. 151 (2001), on the progress made in promoting increased awareness of the importance of eating five or more fruits and vegetables per day, was placed on file.

Gov. Msg. No. 57, dated November 13, 2002, transmitting the Hawaii Tourism Response and Recovery Program Final Report, pursuant to Act 2, SLH 2001, Third Special Session, was placed on file.

Gov. Msg. No. 58, dated December 30, 2002, transmitting the Report of the Temporary Advisory Commission on Computer Crimes Laws, prepared by the Department of the Attorney General pursuant to Act 33, SLH 2001, was placed on file.

Gov. Msg. No. 59, dated December 30, 2002, transmitting the 2002 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General, was placed on file.

Gov. Msg. No. 60, dated December 30, 2002, transmitting the Office of Information Practices' Annual Report for Fiscal Year Ending June 30, 2002, was placed on file.

Gov. Msg. No. 61, dated December 26, 2002, transmitting the Report of the Age of Consent Task Force, prepared by the Department of the Attorney General pursuant to Act 1, SLH 2001, Second Special Session, was placed on file.

Gov. Msg. No. 62, dated December 26, 2002, transmitting the Hawaii Tourism Authority's 2002 Annual Report, was placed on file.

Gov. Msg. No. 63, dated December 18, 2002, transmitting the Department of Labor and Industrial Relations, Hawaii Occupational Safety and Health Division's Annual Reports for Fiscal Year Ending June 30, 2002, was placed on file.

Gov. Msg. No. 64, dated December 26, 2002, transmitting the Report on the Overall Strategy, Policy and Plan to Award Tourism Product Enrichment and Diversification Grants, prepared by the Hawaii Tourism Authority pursuant H.C.R. No. 72 (2002), was placed on file.

Gov. Msg. No. 65, dated December 26, 2002, transmitting the Report on the New Contract Provisions Designed to Significantly Increase MCI Marketing for the State of Hawaii, prepared by the Hawaii Tourism Authority pursuant to S.R. No. 11 (2002), was placed on file.

Gov. Msg. No. 66, dated December 24, 2002, transmitting the Criminal History Record Checks Report, prepared by the Department of the Attorney General, Hawaii Criminal Justice Data Center, pursuant to Act 231, SLH 2001, was placed on file.

Gov. Msg. No. 67, dated December 24, 2002, transmitting the Antitrust Trust Fund Report on Receipts and Expenditures for the Year Ending December 31, 2002, prepared by the Department of the Attorney General pursuant to Section 28-13, HRS, was placed on file.

Gov. Msg. No. 68, dated December 24, 2002, transmitting the 2002 Annual Report on Recommendations for Denial of Claims Filed Under the Legislative Relief Act, prepared by the Department of the Attorney General pursuant to Section 37-77, HRS, was placed on file.

Gov. Msg. No. 69, dated December 24, 2002, transmitting the Annual Report of the Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act for Fiscal Year 2002, prepared by the Department of the Attorney General pursuant to Section 712A-16(6), HRS, was placed on file.

Gov. Msg. No. 70, dated December 24, 2002, transmitting the Report on the Department of the Attorney General's 2003 Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999, was placed on file.

Gov. Msg. No. 71, dated December 24, 2002, transmitting the Department of Defense's Report Relating to Government Operations, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 72, dated December 23, 2002, transmitting the Department of the Attorney General Tobacco Enforcement Unit's Annual Report for the Fiscal Year Ending June 30, 2002, pursuant to Act 249, SLH 2000, and Act 270, SLH 2001, was placed on file.

Gov. Msg. No. 73, dated December 24, 2002, transmitting a report prepared by the State Foundation of Culture and the Arts

pursuant to H.R. No. 100 (2002), on the progress in complying with the recommendations made by the Auditor in the 1999 Audit of the Foundation, was placed on file.

Gov. Msg. No. 74, dated December 23, 2002, transmitting the "Annual Report on the Research and Training Revolving Fund 2001-2002," prepared by the University of Hawaii pursuant to Section 304-8.1, HRS, was placed on file.

Gov. Msg. No. 75, dated December 23, 2002, transmitting the "Annual Report of Uncollectible Delinquent Fines," prepared by the University of Hawaii pursuant to Act 243, SLH 2001, was placed on file.

Gov. Msg. No. 76, dated December 23, 2002, transmitting a Report on the Establishment of Sister-State Educational, Cultural, and Economic Exchanges Between the State of Hawai'i and the Province of Ilocos Sur of the Republic of the Philippines, prepared by the University of Hawaii pursuant to H.C.R. No. 48 (2002), was placed on file.

Gov. Msg. No. 77, dated December 21, 2002, transmitting the Department of Human Resources Development's Itemized Expenditure Report for Fiscal Year Ending June 30, 2002, pursuant to Act 259, Section 82, SLH 2001, was placed on file.

Gov. Msg. No. 78, dated December 19, 2002, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Fund, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-126.5, HRS, was placed on file.

Gov. Msg. No. 79, dated December 18, 2002, transmitting the Hoisting Machine Operators' Advisory Board Annual Report for Fiscal Year 2001-2002, was placed on file.

Gov. Msg. No. 80, dated December 18, 2002, transmitting the 2002 Annual Report of the Employment and Training Fund Program, prepared by the Department of Labor and Industrial Relations, Workforce Development Division, pursuant to Section 383-128, HRS, was placed on file.

Gov. Msg. No. 81, dated December 16, 2002, transmitting the Annual Report of the Stadium Authority Stadium Special Fund Statement of Receipts, Expenditures and Transfers for Fiscal Year Ended June 30, 2002, prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS, was placed on file.

Gov. Msg. No. 82, dated December 16, 2002, transmitting the Department of Accounting and General Services' Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 2001-2002, was placed on file.

Gov. Msg. No. 83, dated December 16, 2002, transmitting the Annual Report of the State Educational Facilities Improvement Special Fund for Fiscal Year 2001-2002, prepared by the Department of Accounting and General Services, was placed on file.

Gov. Msg. No. 84, dated December 16, 2002, transmitting the Annual Report of the Interagency Federal Revenue Maximization Revolving Fund for Fiscal Year 2001-2002, prepared by the Department of Accounting and General Services, was placed on file.

Gov. Msg. No. 85, dated December 16, 2002, transmitting the Action Plan and Progress Report Regarding the Implementation of the Hui `Imi Recommendations, prepared by

the Hui `Imi Advisory Council for Hawaiian Services pursuant to Act 376, SLH 1997, was placed on file.

Gov. Msg. No. 86, dated December 13, 2002, transmitting a report prepared by the Public Utilities Commission's pursuant to S.C.R. No. 98 (2002), requesting a consideration of the feasibility of opening a public utilities commission docket relating to standby charges and customer retention discounts, was placed on file.

Gov. Msg. No. 87, dated December 13, 2002, transmitting the Annual Report of the Public Utilities Commission for Fiscal Year 2001-02, pursuant to Section 269-5, HRS, was placed on file.

Gov. Msg. No. 88, dated December 13, 2002, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives - January 2003, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 89, dated December 13, 2002, transmitting the Department of Budget and Finance's Plan of Action for Implementation of Goals and Objectives, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 90, letter dated December 6, 2002, listing the savings from the various departments that were transferred to the Office of Elections to fund the costs of the two special elections that were held after the death of Congresswoman Patsy Mink, was placed on file.

Gov. Msg. No. 91, dated November 29, 2002, transmitting the Expenditure Report for Kupuna Care and Elder Abuse Response Services, FY 2002-03, prepared by the Department of Health, Executive Office on Aging, pursuant to Act 259, Section 42, SLH 2001, was placed on file.

Gov. Msg. No. 92, dated November 29, 2002, transmitting a report "Actuarial Analysis of the Utilization and Rate Impacts of Reinstating Naturopathy Among the Personal Injury Protection Benefits in Motor Vehicle Insurance," prepared by the Department of Commerce and Consumer Affairs, Insurance Division, and Martin M. Simons, Public Actuarial Consultant, in accordance with H.C.R. No. 131 (2002), was placed on file.

Gov. Msg. No. 93, dated November 29, 2002, transmitting the Report of the Insurance Commissioner of Hawaii 2002, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 431:2-211, HRS, was placed on file.

Gov. Msg. No. 94, dated November 29, 2002, transmitting the Annual External Review Report for Fiscal Year Ending June 30, 2002, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 432E-13, HRS, was placed on file.

Gov. Msg. No. 95, dated December 13, 2002, transmitting the Project-Funded Staff Services Budget Report for the Period July 1, 2002 to June 30, 2003, prepared by the Department of Accounting and General Services pursuant to Act 259, Section 105, SLH 2001, was placed on file.

Gov. Msg. No. 96, dated December 13, 2002, transmitting the Report of the Task Force to Resolve Issues Related to Court-Appointed Counsel in Hawaii, pursuant to H.C.R. No. 171 (2002), was placed on file.

Gov. Msg. No. 97, dated December 13, 2002, transmitting the Public Utilities Commission Special Fund Report for Fiscal Year Ending June 30, 2002, pursuant to Section 269-33, HRS, was placed on file.

Gov. Msg. No. 98, dated December 17, 2002, transmitting the Annual Report of the Hawaii Civil Rights Commission for Fiscal Year Ending June 30, 2002, was placed on file.

Gov. Msg. No. 99, dated December 18, 2002, transmitting the 2002 Annual Compliance Resolution Fund Report, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 26-9, HRS, was placed on file.

Gov. Msg. No. 100, dated December 18, 2002, transmitting the 2003 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, pursuant to Sections 672-12 and 671-20, HRS, was placed on file.

Gov. Msg. No. 101, submitting for consideration and confirmation as Director of the Department of Human Resource Development, the nomination of KATHLEEN WATANABE, term to expire December 4, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 102, submitting for consideration and confirmation as Director of the Department of Transportation, the nomination of RODNEY HARAGA, term to expire December 4, 2006, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 103, submitting for consideration and confirmation to the Board of Directors, Housing and Community Development Corporation of Hawaii, the nominations of: CHARLES KING and TRAVIS THOMPSON, terms to expire June 30, 2004; CHARLES STED, term to expire June 30, 2005; FRANK JUNG and TAIAPO TUIMALEALIFANO, terms to expire June 30, 2006; and STEPHANIE AVEIRO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, January 21, 2003:

- | | |
|-------------|---|
| Senate Bill | Referred to: |
| No. 875 | Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs |
| No. 876 | Jointly to the Committee on Human Services and the Committee on Education |
| No. 877 | Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services, then to the Committee on Ways and Means |
| No. 878 | Committee on Labor, then to the Committee on Ways and Means |
| No. 879 | Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs |
| No. 880 | Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means |
| No. 881 | Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs |

No. 882	Committee on Human Services, then to the Committee on Ways and Means	Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	
No. 883	Committee on Human Services, then to the Committee on Ways and Means	No. 904	Committee on Economic Development, then to the Committee on Commerce, Consumer Protection and Housing
No. 884	Committee on Human Services, then to the Committee on Ways and Means	No. 905	Committee on Commerce, Consumer Protection and Housing
No. 885	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 906	Committee on Economic Development, then to the Committee on Ways and Means
No. 886	Committee on Ways and Means	No. 907	Committee on Economic Development, then to the Committee on Ways and Means
No. 887	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 908	Committee on Ways and Means
No. 888	Committee on Human Services, then to the Committee on Ways and Means	No. 909	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 889	Jointly to the Committee on Human Services and the Committee on Transportation, Military Affairs, and Government Operations	No. 910	Committee on Economic Development, then to the Committee on Ways and Means
No. 890	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 911	Committee on Economic Development, then to the Committee on Ways and Means
No. 891	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 912	Committee on Labor, then to the Committee on Ways and Means
No. 892	Committee on Human Services, then to the Committee on Ways and Means	No. 913	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 893	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 914	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 894	Committee on Health, then to the Committee on Ways and Means	No. 915	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 895	Committee on Labor, then to the Committee on Ways and Means	No. 916	Committee on Commerce, Consumer Protection and Housing
No. 896	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 917	Jointly to the Committee on Economic Development and the Committee on Human Services, then to the Committee on Ways and Means
No. 897	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 918	Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing
No. 898	Committee on Economic Development, then to the Committee on Ways and Means	No. 919	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 899	Committee on Economic Development, then to the Committee on Ways and Means	No. 920	Committee on Water, Land, and Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 900	Committee on Economic Development, then to the Committee on Ways and Means	No. 921	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 901	Committee on Economic Development, then to the Committee on Commerce, Consumer Protection and Housing	No. 922	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 902	Committee on Economic Development, then to the Committee on Ways and Means	No. 923	Committee on Human Services, then to the Committee on Ways and Means
No. 903	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on		

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No. 924	Committee on Judiciary and Hawaiian Affairs	No. 946	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 925	Committee on Commerce, Consumer Protection and Housing	No. 947	Committee on Education, then to the Committee on Ways and Means
No. 926	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 948	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 927	Jointly to the Committee on Human Services and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 949	Committee on Commerce, Consumer Protection and Housing
No. 928	Jointly to the Committee on Energy and Environment and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 950	Committee on Human Services, then to the Committee on Ways and Means
No. 929	Committee on Education, then to the Committee on Ways and Means	No. 951	Committee on Judiciary and Hawaiian Affairs
No. 930	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 952	Committee on Commerce, Consumer Protection and Housing
No. 931	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 953	Committee on Human Services, then to the Committee on Ways and Means
No. 932	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 954	Committee on Education, then to the Committee on Ways and Means
No. 933	Committee on Judiciary and Hawaiian Affairs	No. 955	Committee on Human Services, then to the Committee on Ways and Means
No. 934	Committee on Judiciary and Hawaiian Affairs	No. 956	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 935	Committee on Judiciary and Hawaiian Affairs	No. 957	Committee on Human Services, then to the Committee on Ways and Means
No. 936	Committee on Labor, then to the Committee on Ways and Means	No. 958	Committee on Commerce, Consumer Protection and Housing
No. 937	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 959	Committee on Human Services, then to the Committee on Ways and Means
No. 938	Committee on Human Services, then to the Committee on Ways and Means	No. 960	Committee on Human Services, then to the Committee on Ways and Means
No. 939	Committee on Human Services, then to the Committee on Ways and Means	No. 961	Jointly to the Committee on Human Services and the Committee on Education, then to the Committee on Ways and Means
No. 940	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 962	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 941	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, then to the Committee on Ways and Means	No. 963	Committee on Health, then to the Committee on Ways and Means
No. 942	Committee on Judiciary and Hawaiian Affairs	No. 964	Committee on Human Services, then to the Committee on Ways and Means
No. 943	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 965	Committee on Education, then to the Committee on Ways and Means
No. 944	Committee on Judiciary and Hawaiian Affairs	No. 966	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 945	Committee on Human Services, then to the Committee on Ways and Means	No. 967	Committee on Human Services, then to the Committee on Ways and Means

No. 968	Committee on Human Services, then to the Committee on Ways and Means	No. 990	Committee on Education, then to the Committee on Ways and Means
No. 969	Committee on Human Services, then to the Committee on Ways and Means	No. 991	Committee on Education, then to the Committee on Ways and Means
No. 970	Committee on Human Services, then to the Committee on Ways and Means	No. 992	Committee on Education, then to the Committee on Ways and Means
No. 971	Committee on Human Services, then to the Committee on Ways and Means	No. 993	Committee on Health
No. 972	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 994	Committee on Education, then to the Committee on Ways and Means
No. 973	Committee on Education, then to the Committee on Commerce, Consumer Protection and Housing	No. 995	Committee on Education, then to the Committee on Ways and Means
No. 974	Committee on Human Services, then to the Committee on Ways and Means	No. 996	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 975	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 997	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 976	Committee on Human Services, then to the Committee on Ways and Means	No. 998	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 977	Committee on Health, then to the Committee on Ways and Means	No. 999	Committee on Health
No. 978	Committee on Health, then to the Committee on Ways and Means	No. 1000	Committee on Judiciary and Hawaiian Affairs
No. 979	Committee on Human Services, then to the Committee on Ways and Means	No. 1001	Jointly to the Committee on Labor and the Committee on Education
No. 980	Committee on Human Services, then to the Committee on Ways and Means	No. 1002	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 981	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means	No. 1003	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 982	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means	No. 1004	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 983	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 1005	Committee on Economic Development
No. 984	Committee on Health	No. 1006	Committee on Economic Development
No. 985	Committee on Judiciary and Hawaiian Affairs	No. 1007	Committee on Economic Development
No. 986	Jointly to the Committee on Health and the Committee on Education	No. 1008	Committee on Economic Development
No. 987	Committee on Judiciary and Hawaiian Affairs	No. 1009	Committee on Economic Development
No. 988	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 1010	Committee on Economic Development
No. 989	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1011	Committee on Economic Development
		No. 1012	Committee on Economic Development
		No. 1013	Committee on Water, Land, and Agriculture
		No. 1014	Committee on Water, Land, and Agriculture
		No. 1015	Committee on Water, Land, and Agriculture

No. 1016 Committee on Water, Land, and Agriculture

No. 1017 Committee on Education, then to the Committee on Ways and Means

No. 1018 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1019 Committee on Education, then to the Committee on Ways and Means

No. 1020 Committee on Human Services, then to the Committee on Ways and Means

No. 1021 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs

No. 1022 Committee on Human Services

No. 1023 Committee on Human Services, then to the Committee on Ways and Means

No. 1024 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1025 Committee on Judiciary and Hawaiian Affairs

No. 1026 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1027 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Water, Land, and Agriculture

No. 1028 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1029 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 1030 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1031 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1032 Committee on Health, then to the Committee on Ways and Means

No. 1033 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1034 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1035 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1036 Committee on Transportation, Military Affairs, and Government Operations

No. 1037 Committee on Economic Development, then to the Committee on Ways and Means

No. 1038 Committee on Water, Land, and Agriculture

No. 1039 Committee on Economic Development, then to the Committee on Ways and Means

No. 1040 Committee on Tourism, then to the Committee on Ways and Means

No. 1041 Committee on Judiciary and Hawaiian Affairs

No. 1042 Committee on Labor, then to the Committee on Ways and Means

No. 1043 Committee on Economic Development

No. 1044 Committee on Judiciary and Hawaiian Affairs

No. 1045 Committee on Judiciary and Hawaiian Affairs

No. 1046 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1047 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1048 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1049 Committee on Commerce, Consumer Protection and Housing

No. 1050 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 7 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services

No. 83 Jointly to the Committee on Economic Development and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 90 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations

No. 93 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing

No. 399 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Science, Arts, and Technology and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 493 Committee on Science, Arts, and Technology, then to the Committee on Commerce, Consumer Protection and Housing

No. 847 Committee on Science, Arts, and Technology, then to the Committee on Commerce, Consumer Protection and Housing

MISCELLANEOUS BUSINESS

Pursuant to Senate Rule 45, the following Senators were added as co-sponsors to the following bills:

Senate Bill	Co-sponsor:
No. 2	Senator Aduja
No. 4	Senator Aduja
No. 5	Senator Aduja
No. 8	Senator Espero
No. 52	Senator Aduja
No. 77	Senator Espero
No. 80	Senator Aduja
No. 292	Senator Aduja
No. 316	Senator Aduja
No. 317	Senator Kim
No. 320	Senator Aduja
No. 323	Senator Baker
No. 358	Senator Baker
No. 359	Senator Baker
No. 360	Senator Aduja
No. 361	Senator Aduja
No. 373	Senator Espero
No. 386	Senator Baker
No. 394	Senator Espero
No. 406	Senator Baker
No. 425	Senator Baker
No. 426	Senator Baker
No. 427	Senator Baker
No. 431	Senator Baker
No. 508	Senator Baker
No. 560	Senator Baker
No. 659	Senator Aduja
No. 660	Senator Aduja
No. 664	Senator Aduja
No. 675	Senator Aduja
No. 799	Senator Menor
No. 839	Senator Baker
No. 844	Senator Baker
No. 848	Senator Baker

There being no objections, the Chair waived Senate Rule 45, and the deadline to submit requests to be added as co-sponsors was extended until 4:30 o'clock p.m. on Monday, January 27, 2003.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 12:05 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill
 No. 1420 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE DESIGN AND

CONSTRUCTION OF THE NORTH-SOUTH ROAD IN EWA, OAHU."

Introduced by: Senator Espero.

No. 1421 "A BILL FOR AN ACT RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION."

Introduced by: Senator Espero.

No. 1422 "A BILL FOR AN ACT RELATING TO ECONOMIC RECOVERY."

Introduced by: Senators Kanno, Inouye, Kawamoto.

No. 1423 "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD."

Introduced by: Senators Kanno, Chun Oakland.

No. 1424 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Kanno, Chun Oakland.

No. 1425 "A BILL FOR AN ACT RELATING TO BUSINESS MENTORING OF YOUTH AND YOUNG ADULTS."

Introduced by: Senators Kanno, Kawamoto, Ige, Fukunaga.

No. 1426 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Kanno.

No. 1427 "A BILL FOR AN ACT RELATING TO RELAY SERVICES FOR DEAF, HARD-OF-HEARING, AND SPEECH-IMPAIRED PERSONS."

Introduced by: Senator Chun Oakland.

No. 1428 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Senator Chun Oakland.

No. 1429 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Chun Oakland.

No. 1430 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Chun Oakland.

No. 1431 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senator Chun Oakland.

No. 1432 "A BILL FOR AN ACT RELATING TO DIVERSIFIED AGRICULTURE."

Introduced by: Senator Hooser.

No. 1433 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAREER AND TECHNICAL

EDUCATION PROGRAMS WITHIN THE DEPARTMENT OF EDUCATION.”

Introduced by: Senators Hooser, Aduja, Chun Oakland, Hogue, Espero, Kim, Ige.

No. 1434 “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAUAI TROPICAL FRUIT DISINFESTATION FACILITY.”

Introduced by: Senators Hooser, Kim, Fukunaga, Hogue, Kawamoto, Aduja, Espero, Trimble, Chun Oakland, Ige.

No. 1435 “A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS.”

Introduced by: Senators Hooser, Hogue, Kawamoto, Aduja, Espero, Kim, Ige, Chun Oakland.

No. 1436 “A BILL FOR AN ACT RELATING TO REGULATION OF FARM PRODUCE.”

Introduced by: Senators Hooser, Fukunaga, Espero, Trimble, Chun Oakland.

No. 1437 “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS.”

Introduced by: Senator Bunda, by request.

No. 1438 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.”

Introduced by: Senator Bunda.

No. 1439 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES.”

Introduced by: Senator Bunda.

No. 1440 “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS.”

Introduced by: Senator Bunda.

No. 1441 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.”

Introduced by: Senator Bunda.

No. 1442 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.”

Introduced by: Senator Bunda.

No. 1443 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.”

Introduced by: Senator Bunda.

No. 1444 “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.”

Introduced by: Senator Bunda.

No. 1445 “A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS.”

Introduced by: Senator Bunda.

No. 1446 “A BILL FOR AN ACT RELATING TO TECHNOLOGY.”

Introduced by: Senators Ige, Chun Oakland, Aduja, Baker, Hooser, Kawamoto, Fukunaga.

No. 1447 “A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS.”

Introduced by: Senator Ige.

No. 1448 “A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS.”

Introduced by: Senator Ige.

No. 1449 “A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS.”

Introduced by: Senator Ige.

No. 1450 “A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES.”

Introduced by: Senators Ige, Fukunaga, Baker, Ihara, Aduja.

No. 1451 “A BILL FOR AN ACT RELATING TO ELECTIONS.”

Introduced by: Senators Hanabusa, Chun Oakland, Espero, Kawamoto, English, Trimble.

No. 1452 “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JAPANESE AMERICAN CITIZENS LEAGUE 75TH ANNIVERSARY NATIONAL CONVENTION.”

Introduced by: Senators Hanabusa, Espero, Taniguchi, Hooser, Baker, Aduja, Hemmings, Ige, Kokubun.

No. 1453 “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS.”

Introduced by: Senators Hanabusa, Taniguchi, Hooser, Aduja, Espero, Slom, Baker, Ige, Kokubun.

No. 1454 “A BILL FOR AN ACT RELATING TO CONDOMINIUMS.”

Introduced by: Senator Menor, by request.

No. 1455 “A BILL FOR AN ACT RELATING TO CAPITOL IMPROVEMENT PROJECTS FOR THE BENEFITS OF THE SEVENTEENTH AND TWENTY-SECOND SENATE DISTRICTS.”

Introduced by: Senators Menor, Bunda.

No. 1456 “A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS.”

Introduced by: Senators Menor, Kanno, Aduja, Baker, Ige, Fukunaga, Hooser.

No. 1457 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators Menor, Espero, Kanno, Kawamoto, Baker, Ige, Chun Oakland, Fukunaga, Hooser, Taniguchi.

No. 1458 "A BILL FOR AN ACT RELATING TO SPECIAL LICENSE PLATES."

Introduced by: Senators Menor, English, Kanno, Aduja, Kawamoto, Fukunaga, Chun Oakland, Ige, Hanabusa, Baker, Espero, Hooser.

No. 1459 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSING."

Introduced by: Senator Espero.

No. 1460 "A BILL FOR AN ACT RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY."

Introduced by: Senators Kim, Slom, Ige, Kawamoto, Aduja, Hemmings, Taniguchi, English, Hanabusa, Kanno, Espero, Kokubun, Bunda, Whalen.

No. 1461 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senators Kim, Espero, Kokubun, Hanabusa, English, Fukunaga, Kawamoto, Kanno, Hemmings, Ige, Taniguchi, Aduja, Bunda.

No. 1462 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senators Kim, Espero, Fukunaga, Whalen, Slom, Ige, Hogue, Kanno, Kawamoto, Kokubun, Hanabusa, Hemmings, Taniguchi, Bunda, English.

No. 1463 "A BILL FOR AN ACT RELATING TO NURSING."

Introduced by: Senator Kim.

No. 1464 "A BILL FOR AN ACT RELATING TO THE COUNTIES' EMINENT DOMAIN POWERS."

Introduced by: Senator Taniguchi, by request.

No. 1465 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS."

Introduced by: Senator Taniguchi.

No. 1466 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT OF DESIGN PROFESSIONAL SERVICES."

Introduced by: Senator Taniguchi.

No. 1467 "A BILL FOR AN ACT RELATING TO THE COUNTIES' EMINENT DOMAIN POWERS."

Introduced by: Senator Taniguchi, by request.

No. 1468 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senator Taniguchi, by request.

No. 1469 "A BILL FOR AN ACT RELATING TO PEER SUPPORT COUNSELING SESSIONS."

Introduced by: Senator Bunda.

No. 1470 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senator Bunda, by request.

No. 1471 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senators Bunda, Kim, Tsutsui.

No. 1472 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NATIONAL KOREAN WAR MUSEUM IN HAWAII."

Introduced by: Senator Bunda.

No. 1473 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Bunda.

No. 1474 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Trimble, Slom, Ige, Kim, Hemmings, Espero, Aduja, English.

No. 1475 "A BILL FOR AN ACT RELATING TO WINDFALL PROFITS EARNED BY OIL COMPANIES."

Introduced by: Senators Trimble, Kokubun, Taniguchi, Hooser, Hanabusa, Chun Oakland, Aduja, Espero, Kim, Ige, English.

No. 1476 "A BILL FOR AN ACT RELATING TO DISPOSAL OF HAZARDOUS WASTES."

Introduced by: Senators Trimble, Chun Oakland, Espero, Ige, Hemmings, English, Kawamoto.

No. 1477 "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES."

Introduced by: Senator Kawamoto, by request.

No. 1478 "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONAIRES."

Introduced by: Senator Kawamoto, by request.

No. 1479 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES."

Introduced by: Senators Kawamoto, Espero, Aduja, Whalen.

No. 1480 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Kawamoto, by request.

No. 1481 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Baker, English.
 No. 1482 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Baker, English.
 No. 1483 "A BILL FOR AN ACT RELATING TO TRANSFERRING JURISDICTION OVER STATE HIGHWAYS TO THE COUNTIES."

Introduced by: Senators Baker, English.
 No. 1484 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS."

Introduced by: Senator Baker.
 No. 1485 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'PROJECT EAST' INITIATIVE IN HAWAII PUBLIC SCHOOLS."

Introduced by: Senators Baker, English, Fukunaga, Ige, Chun Oakland, Hooser, Ihara.

No. 1486 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
 Introduced by: Senators Slom, Hemmings, Whalen, Chun Oakland, Espero, Kawamoto, Aduja.

No. 1487 "A BILL FOR AN ACT RELATING TO CONSERVATION."
 Introduced by: Senators Slom, Hemmings, Whalen, Chun Oakland, Espero, Kawamoto, Aduja.

No. 1488 "A BILL FOR AN ACT RELATING TO ATTORNEYS."
 Introduced by: Senators Slom, Hemmings, Chun Oakland, Kawamoto.

No. 1489 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
 Introduced by: Senators Fukunaga, Ige, Ihara, Aduja, Hooser, English, Baker, Chun Oakland, Inouye, Kawamoto.

No. 1490 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
 Introduced by: Senators Fukunaga, English, Aduja, Ige, Baker, Ihara, Hooser, Chun Oakland, Hemmings, Kawamoto, Inouye.

No. 1491 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
 Introduced by: Senators Fukunaga, English, Ige, Baker, Chun Oakland, Hooser, Ihara, Kawamoto, Hemmings, Trimble, Inouye.

No. 1492 "A BILL FOR AN ACT RELATING TO ASSISTED LIVING FACILITIES."
 Introduced by: Senator Fukunaga.

No. 1493 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Inouye.
 No. 1494 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Inouye.
 No. 1495 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII DROUGHT PLAN."

Introduced by: Senator Inouye.
 No. 1496 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye.
 No. 1497 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."

Introduced by: Senators Inouye, Kokubun.
 No. 1498 "A BILL FOR AN ACT RELATING TO WORKS OF ART."

Introduced by: Senator Ihara.
 No. 1499 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."

Introduced by: Senator Ihara.
 No. 1500 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Ihara.
 No. 1501 "A BILL FOR AN ACT RELATING TO PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS."

Introduced by: Senator Ihara.
 No. 1502 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION TO ESTABLISH A CITIZEN'S RIGHT TO VOTE."

Introduced by: Senator Ihara.
 No. 1503 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE."

Introduced by: Senators Kokubun, Hooser, Kawamoto.
 No. 1504 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE STATE FUNDING TO ERADICATE THE MICONIA CALVESESCENS PLANT."

Introduced by: Senators Kokubun, Hooser, English, Kawamoto, Espero.

No. 1505 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."
 Introduced by: Senators Kokubun, Hooser, English, Baker, Espero, Kawamoto.

No. 1506 "A BILL FOR AN ACT RELATING TO GASOLINE."

Introduced by: Senator Whalen.

No. 1507 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE THIRD SENATORIAL DISTRICT."

Introduced by: Senator Whalen.

No. 1508 "A BILL FOR AN ACT RELATING TO CRIMES AGAINST UNBORN CHILDREN."

Introduced by: Senators Aduja, Hemmings, Whalen, Slom, Kawamoto.

No. 1509 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO KAHUKU HOSPITAL."

Introduced by: Senators Aduja, Baker, Hemmings, Espero, Whalen, Trimble, Hooser, Slom, Ige, Menor, Chun Oakland, Kawamoto.

No. 1510 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WINDWARD COMMUNITY COLLEGE."

Introduced by: Senators Aduja, Slom, Hooser, Chun Oakland, Kawamoto.

No. 1511 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Aduja, Espero, Hemmings, Trimble.

No. 1512 "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF LAND IN KAHUKU, OAHU."

Introduced by: Senators Aduja, Slom, Chun Oakland.

No. 1513 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Senator Hanabusa.

No. 1514 "A BILL FOR AN ACT RELATING TO FORFEITURES."

Introduced by: Senator Hanabusa.

No. 1515 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Senators English, Chun Oakland, Kokubun, Baker, Espero, Aduja, Kawamoto, Hooser, Taniguchi.

No. 1516 "A BILL FOR AN ACT RELATING TO DENTAL HEALTH."

Introduced by: Senators English, Menor, Baker, Espero, Aduja, Chun Oakland, Kokubun, Hooser, Taniguchi.

No. 1517 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senators English, Chun Oakland, Kokubun, Hooser, Menor, Baker, Espero, Aduja, Kawamoto, Taniguchi.

No. 1518 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE."

Introduced by: Senators English, Menor, Baker, Espero, Aduja, Kawamoto, Chun Oakland, Kokubun, Hooser, Taniguchi.

No. 1519 "A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS."

Introduced by: Senators English, Chun Oakland, Kokubun, Hooser, Menor, Baker, Espero, Aduja, Kawamoto, Taniguchi.

No. 1520 "A BILL FOR AN ACT RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT."

Introduced by: Senator Fukunaga.

No. 1521 "A BILL FOR AN ACT RELATING TO THE COUNTIES' EMINENT DOMAIN POWERS."

Introduced by: Senators Kim, Espero, Slom, Ige, Hogue, Trimble, Kanno, Kokubun, Hanabusa, Bunda, Hemmings, Inouye, Tsutsui.

No. 1522 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senators Hogue, English, Trimble, Slom, Hemmings, Aduja, Baker, Whalen, Ihara, Tsutsui.

No. 1523 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS"

Introduced by: Senators Hogue, Trimble, Whalen, Slom, Hemmings, Aduja, Ihara, Baker.

No. 1524 "A BILL FOR AN ACT RELATING TO SCHOOL-LEVEL MINOR REPAIRS AND MAINTENANCE ACCOUNTS."

Introduced by: Senators Hogue, English, Hooser, Whalen, Ihara, Taniguchi, Kim, Trimble, Slom, Hemmings, Kanno, Baker.

No. 1525 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senators Hogue, English, Hooser, Ihara, Kim, Trimble, Whalen, Slom, Hemmings, Aduja, Tsutsui, Baker.

No. 1526 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Hogue, Kanno.

No. 1527 "A BILL FOR AN ACT RELATING TO A CONSTRUCTION RESOURCES RESEARCH CENTER."

Introduced by: Senator Hogue, by request.

No. 1528 "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN UP THE KAILUA WATERWAY SYSTEM."

Introduced by: Senators Hogue, Aduja, English, Hemmings, Tsutsui, Hanabusa, Ige, Whalen, Ihara, Slom, Chun Oakland, Espero.

No. 1529 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII STATE CONSTITUTION TO ABOLISH THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Hemmings, Whalen, Slom.

No. 1530 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Hemmings, Slom, Trimble, Whalen.

No. 1531 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE."

Introduced by: Senators Hemmings, Hogue, Whalen, Slom, English, Trimble.

No. 1532 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Senator Bunda.

No. 1533 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Bunda.

No. 1534 "A BILL FOR AN ACT RELATING TO THE MEMBERS OF THE BOARD OF EDUCATION."

Introduced by: Senator Bunda.

No. 1535 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTIETH SENATORIAL DISTRICT."

Introduced by: Senator Espero.

No. 1536 "A BILL FOR AN ACT RELATING TO NEW FUEL EFFICIENT VEHICLES."

Introduced by: Senators Espero, English, Chun Oakland, Baker, Ihara.

No. 1537 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Senators Trimble, Hogue.

No. 1538 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senators Trimble, Espero, Slom, Kokubun, English, Hooser, Taniguchi, Fukunaga, Hanabusa, Whalen, Ihara, Hogue, Baker, Kawamoto.

No. 1539 "A BILL FOR AN ACT RELATING TO WATER CARRIERS."

Introduced by: Senators Trimble, Whalen, Hogue, Hooser, Chun Oakland, Fukunaga, Espero, Ihara.

No. 1540 "A BILL FOR AN ACT RELATING TO THE HOMELESS."

Introduced by: Senators Trimble, Whalen, Fukunaga, Kawamoto, Espero.

No. 1541 "A BILL FOR AN ACT RELATING TO MUNICIPALITIES."

Introduced by: Senators Whalen, Kawamoto, Espero.

No. 1542 "A BILL FOR AN ACT RELATING TO SYMPATHETIC DYSTROPHY/COMPLEX REGIONAL PAIN SYNDROME."

Introduced by: Senator Whalen.

No. 1543 "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION."

Introduced by: Senator Whalen.

No. 1544 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator Whalen.

No. 1545 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Senator Whalen.

No. 1546 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Whalen.

No. 1547 "A BILL FOR AN ACT RELATING TO MARINE ACTIVITIES."

Introduced by: Senators Whalen, Inouye.

No. 1548 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Whalen.

No. 1549 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senator Baker.

No. 1550 "A BILL FOR AN ACT RELATING TO DISCLOSURES BY ASSISTED LIVING FACILITIES."

Introduced by: Senator Baker.

No. 1551 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE FIFTH SENATORIAL DISTRICT."

Introduced by: Senator Baker.

No. 1552 "A BILL FOR AN ACT RELATING TO ADOPTION."

Introduced by: Senator Baker.

No. 1553 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."

Introduced by: Senator Baker.

No. 1554 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HISTORIC SITES."

- Introduced by: Senator Inouye.
- No. 1555 "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE BOY SCOUTS OF AMERICA."
- Introduced by: Senator Inouye.
- No. 1556 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
- Introduced by: Senator Inouye.
- No. 1557 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIMEA INTERMEDIATE SCHOOL."
- Introduced by: Senator Inouye.
- No. 1558 "A BILL FOR AN ACT RELATING TO SKATEBOARD PARKS."
- Introduced by: Senator Inouye.
- No. 1559 "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT."
- Introduced by: Senators Hooser, Kokubun, Baker, Whalen, Slom, Chun Oakland.
- No. 1560 "A BILL FOR AN ACT RELATING TO PROPERTY LEFT IN A DANGEROUS CONDITION."
- Introduced by: Senators Hooser, Espero, Trimble, Baker, Chun Oakland, Hogue, Ihara.
- No. 1561 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."
- Introduced by: Senators Hooser, Kokubun, Ihara, Tsutsui, Baker, Chun Oakland, Slom, Espero, English, Aduja.
- No. 1562 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR AIR FREIGHT SERVICE."
- Introduced by: Senator Hooser.
- No. 1563 "A BILL FOR AN ACT RELATING TO DISTRICT COURT COSTS."
- Introduced by: Senators Hooser, Aduja, Kokubun, Tsutsui, Trimble, Espero, Slom, Baker, Kim, Ihara.
- No. 1564 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE PAHOA GYMNASIUM."
- Introduced by: Senators Kokubun, Inouye.
- No. 1565 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAINTENANCE OF VETERANS CEMETERIES."
- Introduced by: Senators Kokubun, Hooser, Tsutsui, Baker.
- No. 1566 "A BILL FOR AN ACT RELATING TO TEACHER CLASSIFICATION AND RECLASSIFICATION."
- Introduced by: Senator Tsutsui, by request.
- No. 1567 "A BILL FOR AN ACT RELATING TO TORT LIABILITY IMMUNITY."
- Introduced by: Senator Tsutsui.
- No. 1568 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- Introduced by: Senator Tsutsui, by request.
- No. 1569 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS."
- Introduced by: Senator Tsutsui, by request.
- No. 1570 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."
- Introduced by: Senators Tsutsui, Baker, English, Kim, Espero, Menor, Kawamoto, Kanno, Fukunaga, Inouye, Chun Oakland, Taniguchi, Hooser, Kokubun.
- No. 1571 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY."
- Introduced by: Senator Tsutsui, Espero, Baker, Kim, Menor, Kawamoto, English, Hooser, Kokubun, Fukunaga, Inouye.
- No. 1572 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."
- Introduced by: Senators Tsutsui, Baker, English.
- No. 1573 "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION AND UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN THE BUSINESS OF INSURANCE."
- Introduced by: Senators Slom, Ige, Kokubun, Trimble, Taniguchi, Kawamoto.
- No. 1574 "A BILL FOR AN ACT RELATING TO INTESTATE SUCCESSION AND WILLS."
- Introduced by: Senators Slom, Ige, Kokubun, Trimble, Kawamoto.
- No. 1575 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."
- Introduced by: Senators Slom, Trimble.
- No. 1576 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH CARE IN CORRECTIONAL FACILITIES."
- Introduced by: Senators Slom, Ige, Kokubun, Taniguchi, Kawamoto, Aduja.
- No. 1577 "A BILL FOR AN ACT RELATING TO ASSOCIATION BOARD OF DIRECTORS MEETINGS."
- Introduced by: Senators Slom, Ige, Trimble, Aduja, Kawamoto.
- No. 1578 "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW."

- Introduced by: Senator Slom.
- No. 1579 "A BILL FOR AN ACT RELATING TO MEDICAL CARE PAYMENTS."
Introduced by: Senator Chun Oakland.
- No. 1580 "A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES."
Introduced by: Senator Chun Oakland.
- No. 1581 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."
Introduced by: Senator Chun Oakland.
- No. 1582 "A BILL FOR AN ACT RELATING TO CHIROPRACTIC."
Introduced by: Senator Chun Oakland.
- No. 1583 "A BILL FOR AN ACT RELATING TO HEALTH CARE."
Introduced by: Senator Chun Oakland.
- No. 1584 "A BILL FOR AN ACT RELATING TO CHILD CARE."
Introduced by: Senators Chun Oakland, Kim, Ihara, Inouye, Taniguchi.
- No. 1585 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR SMALL BOAT HARBOR IMPROVEMENTS."
Introduced by: Senators Chun Oakland, English, Inouye, Hogue, Kim, Ihara, Baker, Tsutsui, Hanabusa, Slom.
- No. 1586 "A BILL FOR AN ACT RELATING TO COMMUNITY ORAL HEALTH."
Introduced by: Senator Chun Oakland.
- No. 1587 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE LEGISLATIVE ANALYST."
Introduced by: Senator Bunda.
- No. 1588 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."
Introduced by: Senator Kawamoto, by request.
- No. 1589 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."
Introduced by: Senator Kawamoto, by request.
- No. 1590 "A BILL FOR AN ACT RELATING TO LABOR."
Introduced by: Senator Kawamoto, by request.
- No. 1591 "A BILL FOR AN ACT RELATING TO THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT."
Introduced by: Senators Kawamoto, Espero, Aduja, Baker.
- No. 1592 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH SENATORIAL DISTRICT."
Introduced by: Senator Hooser.
- No. 1593 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL JUSTICE."
Introduced by: Senators Hanabusa, Chun Oakland, English, Slom, Ihara, Kim.
- No. 1594 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."
Introduced by: Senator Hanabusa.
- No. 1595 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TWENTY-FIRST SENATORIAL DISTRICT."
Introduced by: Senator Hanabusa.
- No. 1596 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."
Introduced by: Senator Hanabusa.
- No. 1597 "A BILL FOR AN ACT RELATING TO HAWAIIAN EDUCATION."
Introduced by: Senator Hanabusa.
- No. 1598 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Hanabusa.
- No. 1599 "A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT."
Introduced by: Senator Ihara.
- No. 1600 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."
Introduced by: Senator Ihara, by request.
- No. 1601 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Senator Ihara.
- No. 1602 "A BILL FOR AN ACT RELATING TO PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS."
Introduced by: Senator Ihara.
- No. 1603 "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES."
Introduced by: Senators Ihara, Hooser, Kawamoto, Ige, Kim, Fukunaga, Chun Oakland, Kokubun, Slom, Baker, Trimble, Tsutsui.
- No. 1604 "A BILL FOR AN ACT RELATING TO CITIZENS RIGHT TO VOTE."

Introduced by: Senators Ihara, Baker, Hooser, Chun Oakland, Trimble, Fukunaga.

No. 1605 "A BILL FOR AN ACT RELATING TO GOVERNMENT COMPLIANCE WITH THE UNIFORM INFORMATION PRACTICES ACT."

Introduced by: Senators Ihara, Baker, Chun Oakland, Trimble, Kokubun, Hooser, Fukunaga.

No. 1606 "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS."

Introduced by: Senators Ihara, Hooser, Slom, Baker, Chun Oakland, Trimble, Fukunaga.

No. 1607 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, Hooser, Baker, Slom, Chun Oakland, Trimble, Kokubun.

No. 1608 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Senators Ihara, Hooser, Slom, Chun Oakland, Fukunaga.

No. 1609 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators English, Tsutsui, Ihara, Kim, Chun Oakland, Espero, Hooser, Taniguchi.

No. 1610 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senators English, Hooser, Tsutsui, Ihara, Chun Oakland, Espero, Taniguchi.

No. 1611 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Senators English, Inouye, Kokubun, Hanabusa, Espero, Kim, Kawamoto, Fukunaga, Ihara, Hooser, Chun Oakland, Baker, Taniguchi.

No. 1612 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."

Introduced by: Senators English, Chun Oakland, Kokubun, Hanabusa, Fukunaga, Tsutsui, Espero, Kim, Kawamoto, Ihara, Hooser, Baker, Inouye, Slom, Taniguchi.

No. 1613 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NURSING HOME WITHOUT WALLS."

Introduced by: Senators English, Baker, Tsutsui, Chun Oakland, Hanabusa, Espero, Kim, Kawamoto, Fukunaga, Ihara, Hooser, Inouye, Slom, Taniguchi.

No. 1614 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators English, Kokubun, Hooser, Hanabusa, Ihara, Tsutsui, Espero, Kim, Fukunaga, Chun Oakland, Baker, Inouye, Taniguchi.

No. 1615 "A BILL FOR AN ACT RELATING TO NORTH KOHALA."

Introduced by: Senator Bunda.

No. 1616 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HALEIWA HARBOR."

Introduced by: Senator Bunda.

No. 1617 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Bunda.

No. 1618 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Bunda.

No. 1619 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Bunda.

No. 1620 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Senator Taniguchi, by request.

No. 1621 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION AMOUNT."

Introduced by: Senator Taniguchi.

No. 1622 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi, by request.

No. 1623 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi, by request.

No. 1624 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi, by request.

No. 1625 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi, by request.

No. 1626 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi.

No. 1627 "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Senator Taniguchi.

No. 1628 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE TENTH SENATORIAL DISTRICT."

Introduced by: Senator Taniguchi.

No. 1629 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Menor, by request.

No. 1630 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."

Introduced by: Senator Menor, by request.

No. 1631 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Menor.

No. 1632 "A BILL FOR AN ACT RELATING TO TIME SHARE."

Introduced by: Senator Menor, by request.

No. 1633 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Menor, by request.

No. 1634 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."

Introduced by: Senator Menor.

No. 1635 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Kim, Hanabusa, Tsutsui, Kawamoto, Kanno, English, Espero, Bunda, Kokubun, Menor, Hooser, Inouye, Taniguchi.

No. 1636 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS."

Introduced by: Senators Kim, Hooser, Espero, Kokubun, Kawamoto, Taniguchi, Aduja, Ihara, Trimble, Tsutsui, Hanabusa.

No. 1637 "A BILL FOR AN ACT RELATING TO AUTHORIZED EMERGENCY VEHICLES."

Introduced by: Senator Tsutsui.

No. 1638 "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS."

Introduced by: Senator Tsutsui, by request.

No. 1639 "A BILL FOR AN ACT RELATING TO THE SEARCH AND RESCUE REIMBURSEMENT ACT."

Introduced by: Senator Tsutsui.

No. 1640 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FOURTH SENATORIAL DISTRICT."

Introduced by: Senator Tsutsui.

No. 1641 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Senators Aduja, Menor, Espero, Chun Oakland, Baker, Tsutsui, Hooser, Kawamoto, Ihara, Slom, Hanabusa, English.

No. 1642 "A BILL FOR AN ACT RELATING TO HAWAII SPORTS AUTHORITY."

Introduced by: Senators Aduja, Espero, Hemmings, Chun Oakland, Hooser, Ihara, Menor, Kawamoto, Baker, Kokubun.

No. 1643 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WINDWARD NAZARENE ACADEMY."

Introduced by: Senators Aduja, Espero, Chun Oakland, Tsutsui, Hanabusa, Ihara, Menor, Kim, Slom, Kawamoto.

No. 1644 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HAWAIIAN LANGUAGE IMMERSION PROGRAM AT KAHUKU INTERMEDIATE AND HIGH SCHOOL."

Introduced by: Senators Aduja, Espero, Slom, Baker, Tsutsui, Ihara, English, Hooser.

No. 1645 "A BILL FOR AN ACT RELATING TO PRISON ALTERNATIVES."

Introduced by: Senator Chun Oakland.

No. 1646 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FOURTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Chun Oakland.

No. 1647 "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED."

Introduced by: Senators Espero, Chun Oakland.

No. 1648 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII STRATEGIC DEVELOPMENT CORPORATION."

Introduced by: Senators Ige, Kanno, Chun Oakland, Fukunaga, Hooser, Aduja, Kawamoto, Slom, Ihara, English, Espero, Trimble.

No. 1649 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SIXTEENTH SENATORIAL DISTRICT."

Introduced by: Senators Ige, Kawamoto, Kim.

No. 1650 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Ige, by request.

No. 1651 "A BILL FOR AN ACT RELATING TO THE MEMBERS OF THE BOARD OF EDUCATION."

Introduced by: Senator Ige, by request.

No. 1652 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE STATE CONSTITUTION IN ORDER TO CREATE ELECTED DISTRICT SCHOOL BOARDS."

- Introduced by: Senator Ige.
- No. 1653 "A BILL FOR AN ACT RELATING TO EDUCATION GOVERNANCE."
- Introduced by: Senator Ige.
- No. 1654 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Ige.
- No. 1655 "A BILL FOR AN ACT RELATING TO INTERSCHOLASTIC ATHLETICS."
- Introduced by: Senators Kokubun, Hooser, Kawamoto, Baker, Kim, Chun Oakland.
- No. 1656 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Kokubun, Hooser, English, Baker, Chun Oakland, Taniguchi, Inouye, Trimble, Kawamoto, Kim.
- No. 1657 "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES."
- Introduced by: Senators Kokubun, Baker, English, Taniguchi, Chun Oakland, Espero, Hooser.
- No. 1658 "A BILL FOR AN ACT RELATING TO RECYCLING."
- Introduced by: Senators Kanno, Kawamoto, Hogue, Espero, Slom, Trimble.
- No. 1659 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."
- Introduced by: Senator Kanno.
- No. 1660 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NINETEENTH SENATORIAL DISTRICT."
- Introduced by: Senator Kanno.
- No. 1661 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- Introduced by: Senator Kanno.
- No. 1662 "A BILL FOR AN ACT RELATING TO CONGRESSWOMAN PATSY T. MINK."
- Introduced by: Senators Kanno, Kawamoto.
- No. 1663 "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF MEDICAL FACILITIES."
- Introduced by: Senator Kawamoto, by request.
- No. 1664 "A BILL FOR AN ACT RELATED TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY."
- Introduced by: Senator Kawamoto, by request.
- No. 1665 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1666 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1667 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1668 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1669 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1670 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1671 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1672 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."
- Introduced by: Senator Bunda, by request.
- No. 1673 "A BILL FOR AN ACT RELATING TO SHIPBOARD GAMING."
- Introduced by: Senator Bunda, by request.
- No. 1674 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Bunda, by request.
- No. 1675 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Bunda, Baker, Chun Oakland, Fukunaga, Kawamoto, Inouye, Taniguchi, Ige, Kokubun, English, Ihara, Kim, Aduja, Espero, Menor, Hanabusa, Hooser.

No. 1676 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Bunda, Baker, Chun Oakland, Fukunaga, Kawamoto, Inouye, Espero, Taniguchi, Ige, Kokubun, English, Ihara, Hooser, Kim, Aduja, Menor, Hanabusa, Kanno.

No. 1677 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES."

Introduced by: Senators Kokubun, English, Chun Oakland.

No. 1678 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SECOND SENATORIAL DISTRICT."

Introduced by: Senator Kokubun.

No. 1679 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."

Introduced by: Senator Tsutsui, by request.

No. 1680 "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS."

Introduced by: Senator Tsutsui.

No. 1681 "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS."

Introduced by: Senators English, Tsutsui, Hooser, Ige, Ihara, Baker, Chun Oakland, Espero, Aduja, Kanno, Trimble, Taniguchi, Kokubun.

No. 1682 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senators English, Kokubun.

No. 1683 "A BILL FOR AN ACT RELATING TO VOTER EDUCATION MONTH."

Introduced by: Senators Fukunaga, Ige, Ihara, English, Chun Oakland.

No. 1684 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Senator Fukunaga.

No. 1685 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Kawamoto, by request, Aduja, Chun Oakland, Espero, Slom, Ihara, Kim, English.

No. 1686 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CALVARY EPISCOPAL PRESCHOOL AND DAY CARE CENTER."

Introduced by: Senators Kawamoto, by request, Aduja.

No. 1687 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE PUNANA LEO PRESCHOOL SYSTEM, A NOT-FOR-PROFIT CORPORATION THAT PROVIDES EARLY CHILDHOOD EDUCATION AND CARE FACILITIES SERVING THE GENERAL PUBLIC."

Introduced by: Senators Kawamoto, by request, Aduja.

No. 1688 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Senators Fukunaga, Chun Oakland.

No. 1689 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Senators Fukunaga, Chun Oakland.

No. 1690 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ELEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Fukunaga.

No. 1691 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Fukunaga, Ige, Chun Oakland, Ihara.

No. 1692 "A BILL FOR AN ACT RELATING TO THE IMPLEMENTATION OF MEDICAL INFORMATION TECHNOLOGY."

Introduced by: Senators Fukunaga, Chun Oakland, Ige.

No. 1693 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Senators Kanno, Kawamoto, Espero, Ige, Chun Oakland, Baker.

No. 1694 "A BILL FOR AN ACT RELATING TO MOTION PICTURE AND FILM PRODUCTION."

Introduced by: Senators Kanno, Espero, Kawamoto, Kim, Aduja, Tsutsui, Ige, Chun Oakland, Baker, Ihara, Taniguchi.

No. 1695 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY."

Introduced by: Senators Kanno, Fukunaga, Chun Oakland, Baker, Ihara, Ige, Taniguchi, English.

No. 1696 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND."

Introduced by: Senators Kanno, Baker, Kawamoto, Aduja, Espero, Ige, Chun Oakland, English.

No. 1697 "A BILL FOR AN ACT RELATING TO TRANSITION TO WORK."

Introduced by: Senators Kanno, Kawamoto, Kim, Espero, Aduja, Tsutsui, Ige, English, Chun Oakland, Baker, Ihara.

No. 1698 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TWENTY-SECOND SENATORIAL DISTRICT."

Introduced by: Senator Bunda.

No. 1699 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 1700 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senators Kokubun, English, Hanabusa, Tsutsui, Kawamoto, Kim, Taniguchi.

No. 1701 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE SPORTS AUTHORITY."

Introduced by: Senators Fukunaga, Aduja.

No. 1702 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SIXTH SENATORIAL DISTRICT."

Introduced by: Senator English.

No. 1703 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW."

Introduced by: Senator Hanabusa.

No. 1704 "A BILL FOR AN ACT RELATING TO A FILM PRODUCTION/POST PRODUCTION/HAWAIIAN CULTURAL AND EDUCATIONAL FACILITY AND WAREHOUSE WITHIN OR NEAR HEEIA STATE PARK."

Introduced by: Senators Aduja, Kawamoto, Espero, Chun Oakland, Ihara, Ige, Hooser, Kanno, Baker.

No. 1705 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. ANN'S SCHOOL."

Introduced by: Senators Aduja, Kawamoto, Espero, Chun Oakland, Ihara, Ige, Kokubun.

No. 1706 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Aduja, Kawamoto, Espero, Ige, Kanno, Taniguchi, Baker.

No. 1707 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN WINDWARD OAHU ACADEMY."

Introduced by: Senators Aduja, Espero, Chun Oakland, Ihara.

No. 1708 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TWENTY-THIRD SENATORIAL DISTRICT."

Introduced by: Senator Aduja.

No. 1709 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE HINA MAUKA TREATMENT FACILITY."

Introduced by: Senator Aduja.

No. 1710 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE BOBBY BENSON CENTER."

Introduced by: Senators Fukunaga, Aduja.

ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, January 27, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

SEVENTH DAY

Monday, January 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 Lieutenant Kyle Smith, Leeward Corps Community Center, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Kokubun who were excused.

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

At this time, Senator Chun Oakland congratulated the Hawaii Children's Trust Fund on its 10th Anniversary and introduced the following individuals: Michael Tongg, Loretta Fuddy, Judy Sobin, Tod Robertson and Michael Casey.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 23) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the Department of Education dated August 8, 2002, transmitting "The Superintendent's Twelfth Annual Report on School Performance and Improvement in Hawaii," pursuant to Section 302A-1004, HRS.

Dept. Com. No. 2, from the State Auditor dated September 4, 2002, transmitting a report, "Audit of the Department of Education's Comprehensive Student Support System," (Report No. 02-12).

Dept. Com. No. 3, from the State Auditor dated September 6, 2002, transmitting a report, "Financial Audit of the Department of Hawaiian Home Lands," (Report No. 02-13).

Dept. Com. No. 4, from the Department of Health, Office of Health Equity, dated October 10, 2002, transmitting a report, "Disparities in Health Status in Hawaii."

Dept. Com. No. 5, from the State Auditor dated October 17, 2002, transmitting reports, "Contract and Personnel Management Audit of the Emergency Medical Services and Injury Prevention System Branch," (Report No. 02-14) and "Report on the Revolving Funds, Trust Funds, and Trust Accounts of the Department of Human Resources Development, Department of Labor and Industrial Labors, Department of Public Safety, and Department of Taxation," (Report No. 02-15).

Dept. Com. No. 6, from the State Auditor dated October 21, 2002, transmitting a report, "Audit of the Department of Education's Adult Education Program," (Report No. 02-16).

Dept. Com. No. 7, from the State Auditor dated October 22, 2002, transmitting a report, "Sunset Evaluation: Occupational Therapy Practice," (Report No. 02-17).

Dept. Com. No. 8, from the State Auditor dated October 31, 2002, transmitting a report, "Study of Printing Products and

Services Utilized, Contacted, and Subcontracted by Hawaii State Government," (Report No. 02-18).

Dept. Com. No. 9, from the Department of Health dated December 2, 2002, transmitting a report, "Public Health in Hawaii – Progress, Trends and Emerging Needs."

Dept. Com. No. 10, from the Department of Agriculture dated December 5, 2002, transmitting its Annual Report, pursuant to Act 100, SLH 1999.

Dept. Com. No. 11, from the Department of Agriculture dated December 5, 2002, transmitting the Annual Report of Administratively Established Appropriations, pursuant to Act 178, SLH 2002

Dept. Com. No. 12, from the State Auditor dated December 17, 2002, transmitting a report, "Management and Performance Audit of the Employees' Retirement System," (Report No. 02-19).

Dept. Com. No. 13, from the State Auditor dated December 18, 2002, transmitting a report, "Audit of the State Historic Preservation Division of the Department of Land and Natural Resources," (Report No. 02-20).

Dept. Com. No. 14, from the State Auditor dated December 19, 2002, transmitting a report, "Review of Privatization Contracts for Certain State and County Agencies," (Report No. 02-21).

Dept. Com. No. 15, from the State Auditor dated December 20, 2002, transmitting a report, "Study To Determine the Appropriate State Agency To Oversee the Regulation of Adult Residential Care Homes and Adult Foster Homes," (Report No. 02-22).

Dept. Com. No. 16, from the Department of Health, Office of Health Equity, dated December 23, 2002, transmitting a report, "Women's Health in Hawaii."

Dept. Com. No. 17, from the Ombudsman dated December 30, 2002, transmitting the "Report of the Ombudsman," (Report No. 33), pursuant to Section 96-16, HRS.

Dept. Com. No. 18, from the State Auditor dated December 23, 2002, transmitting a report, "Audit of the family Court Complaints Process," (Report No. 02-23).

Dept. Com. No. 19, from the Office of Hawaiian Affairs dated January 9, 2003, transmitting OHA's 2002 Annual Report With Financial Statements From Fiscal Year July 1, 2001 to June 30, 2002.

Dept. Com. No. 20, from the Department of Hawaiian Home Lands dated January 10, 2003, transmitting a letter informing the Senate that DHHL was unable to convene a working coalition pursuant to S.C.R. No. 15 (2002).

Dept. Com. No. 21, from the State Auditor dated January 14, 2003, transmitting a report, "Study of the Automated Child Support Enforcement System (KEIKI)."

Dept. Com. No. 22, from the State Auditor dated January 22, 2003, transmitting a report, "New Century Charter School Allocations Project – FY 2002-03," (Report No. 03-01).

Dept. Com. No. 23, from the Office of Hawaiian Affairs dated January 22, 2003, transmitting the Revised 2003-2005 Biennium Budget Testimony.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, January 21, 2003; Wednesday, January 22, 2003; and Friday, January 24, 2003:

Senate Bill Referred to:

No. 1051 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1052 Committee on Human Services, then to the Committee on Ways and Means

No. 1053 Committee on Economic Development, then to the Committee on Ways and Means

No. 1054 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Ways and Means

No. 1055 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1056 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1057 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations

No. 1058 Committee on Commerce, Consumer Protection and Housing

No. 1059 Committee on Commerce, Consumer Protection and Housing

No. 1060 Committee on Education, then to the Committee on Ways and Means

No. 1061 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1062 Committee on Human Services, then to the Committee on Ways and Means

No. 1063 Committee on Health

No. 1064 Committee on Human Services, then to the Committee on Ways and Means

No. 1065 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1066 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1067 Jointly to the Committee on Economic Development and the Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1068 Committee on Health, then to the Committee on Ways and Means

No. 1069 Committee on Labor, then to the Committee on Ways and Means

No. 1070 Committee on Labor

No. 1071 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing

No. 1072 Committee on Education, then to the Committee on Ways and Means

No. 1073 Committee on Education, then to the Committee on Ways and Means

No. 1074 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1075 Committee on Judiciary and Hawaiian Affairs

No. 1076 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture

No. 1077 Committee on Commerce, Consumer Protection and Housing

No. 1078 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1079 Committee on Judiciary and Hawaiian Affairs

No. 1080 Jointly to the Committee on Energy and Environment and the Committee on Economic Development

No. 1081 Committee on Tourism, then to the Committee on Ways and Means

No. 1082 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1083 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means

No. 1084 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1085 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs

No. 1086 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs

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No. 1087	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1108	Committee on Judiciary and Hawaiian Affairs
No. 1088	Committee on Human Services, then to the Committee on Ways and Means	No. 1109	Committee on Human Services
No. 1089	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs	No. 1110	Committee on Judiciary and Hawaiian Affairs
No. 1090	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs	No. 1111	Committee on Judiciary and Hawaiian Affairs
No. 1091	Committee on Transportation, Military Affairs, and Government Operations	No. 1112	Committee on Judiciary and Hawaiian Affairs
No. 1092	Committee on Transportation, Military Affairs, and Government Operations	No. 1113	Committee on Judiciary and Hawaiian Affairs
No. 1093	Committee on Transportation, Military Affairs, and Government Operations	No. 1114	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1094	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1115	Committee on Commerce, Consumer Protection and Housing
No. 1095	Committee on Commerce, Consumer Protection and Housing	No. 1116	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1096	Committee on Education, then to the Committee on Ways and Means	No. 1117	Committee on Judiciary and Hawaiian Affairs
No. 1097	Committee on Ways and Means	No. 1118	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1098	Committee on Ways and Means	No. 1119	Committee on Judiciary and Hawaiian Affairs
No. 1099	Committee on Ways and Means	No. 1120	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1100	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs	No. 1121	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1101	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs	No. 1122	Committee on Judiciary and Hawaiian Affairs
No. 1102	Committee on Judiciary and Hawaiian Affairs	No. 1123	Committee on Judiciary and Hawaiian Affairs
No. 1103	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs	No. 1124	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1104	Committee on Judiciary and Hawaiian Affairs	No. 1125	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1105	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1126	Committee on Labor, then to the Committee on Ways and Means
No. 1106	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1127	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1107	Committee on Judiciary and Hawaiian Affairs	No. 1128	Committee on Labor, then to the Committee on Ways and Means

No. 1129	Committee on Labor, then to the Committee on Ways and Means	No. 1151	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1130	Committee on Judiciary and Hawaiian Affairs	No. 1152	Committee on Judiciary and Hawaiian Affairs
No. 1131	Committee on Judiciary and Hawaiian Affairs	No. 1153	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1132	Committee on Judiciary and Hawaiian Affairs	No. 1154	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1133	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1155	Committee on Labor, then to the Committee on Ways and Means
No. 1134	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1156	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1135	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1157	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1136	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1158	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1137	Committee on Judiciary and Hawaiian Affairs	No. 1159	Committee on Labor
No. 1138	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1160	Committee on Labor, then to the Committee on Ways and Means
No. 1139	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1161	Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1140	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1162	Committee on Labor, then to the Committee on Ways and Means
No. 1141	Committee on Judiciary and Hawaiian Affairs	No. 1163	Committee on Health
No. 1142	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1164	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1143	Committee on Judiciary and Hawaiian Affairs	No. 1165	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1144	Committee on Judiciary and Hawaiian Affairs	No. 1166	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1145	Committee on Judiciary and Hawaiian Affairs	No. 1167	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1146	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1168	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1147	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1169	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1148	Committee on Judiciary and Hawaiian Affairs	No. 1170	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1149	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1171	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on
No. 1150	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means		

Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1172 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1173 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1174 Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1175 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations

No. 1176 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1177 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1178 Committee on Water, Land, and Agriculture

No. 1179 Committee on Health

No. 1180 Committee on Judiciary and Hawaiian Affairs

No. 1181 Jointly to the Committee on Economic Development and the Committee on Tourism, then to the Committee on Ways and Means

No. 1182 Committee on Energy and Environment

No. 1183 Committee on Education, then to the Committee on Ways and Means

No. 1184 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1185 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1186 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1187 Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs

No. 1188 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1189 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1190 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1191 Committee on Commerce, Consumer Protection and Housing

No. 1192 Committee on Commerce, Consumer Protection and Housing

No. 1193 Committee on Commerce, Consumer Protection and Housing

No. 1194 Committee on Transportation, Military Affairs, and Government Operations

No. 1195 Committee on Judiciary and Hawaiian Affairs

No. 1196 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1197 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1198 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1199 Committee on Human Services, then to the Committee on Ways and Means

No. 1200 Committee on Commerce, Consumer Protection and Housing

No. 1201 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 1202 Committee on Labor, then to the Committee on Ways and Means

No. 1203 Committee on Commerce, Consumer Protection and Housing

No. 1204 Committee on Commerce, Consumer Protection and Housing

No. 1205 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1206 Jointly to the Committee on Economic Development and the Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1207 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1208 Committee on Science, Arts, and Technology, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 1209 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1210 Committee on Tourism, then to the Committee on Ways and Means

No. 1211 Committee on Economic Development, then to the Committee on Ways and Means

No. 1212	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1233	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1213	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1234	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 1214	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1235	Committee on Human Services, then to the Committee on Ways and Means
No. 1215	Committee on Economic Development, then to the Committee on Ways and Means	No. 1236	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means
No. 1216	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1237	Committee on Education
No. 1217	Committee on Ways and Means	No. 1238	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 1218	Jointly to the Committee on Science, Arts, and Technology and the Committee on Health, then to the Committee on Ways and Means	No. 1239	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 1219	Committee on Transportation, Military Affairs, and Government Operations	No. 1240	Committee on Human Services, then to the Committee on Ways and Means
No. 1220	Committee on Economic Development, then to the Committee on Ways and Means	No. 1241	Committee on Health, then to the Committee on Ways and Means
No. 1221	Committee on Human Services, then to the Committee on Ways and Means	No. 1242	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1222	Jointly to the Committee on Labor and the Committee on Education	No. 1243	Committee on Health, then to the Committee on Ways and Means
No. 1223	Committee on Judiciary and Hawaiian Affairs	No. 1244	Committee on Ways and Means
No. 1224	Committee on Labor, then to the Committee on Ways and Means	No. 1245	Committee on Education
No. 1225	Committee on Labor, then to the Committee on Ways and Means	No. 1246	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 1226	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 1247	Committee on Commerce, Consumer Protection and Housing
No. 1227	Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means	No. 1248	Committee on Education
No. 1228	Committee on Judiciary and Hawaiian Affairs	No. 1249	Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
No. 1229	Committee on Commerce, Consumer Protection and Housing	No. 1250	Jointly to the Committee on Economic Development and the Committee on Labor, then to the Committee on Ways and Means
No. 1230	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1251	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
No. 1231	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1252	Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means
No. 1232	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1253	Committee on Economic Development, then to the Committee on Ways and Means
		No. 1254	Committee on Economic Development, then to the Committee on Ways and Means
		No. 1255	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

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No. 1256	Committee on Water, Land, and Agriculture	No. 1279	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1257	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1280	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations
No. 1258	Committee on Water, Land, and Agriculture	No. 1281	Committee on Water, Land, and Agriculture
No. 1259	Committee on Water, Land, and Agriculture	No. 1282	Committee on Commerce, Consumer Protection and Housing
No. 1260	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Health	No. 1283	Committee on Commerce, Consumer Protection and Housing
No. 1261	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1284	Committee on Economic Development
No. 1262	Committee on Transportation, Military Affairs, and Government Operations	No. 1285	Committee on Labor
No. 1263	Committee on Transportation, Military Affairs, and Government Operations	No. 1286	Committee on Commerce, Consumer Protection and Housing
No. 1264	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1287	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1265	Committee on Judiciary and Hawaiian Affairs	No. 1288	Committee on Water, Land, and Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations
No. 1266	Committee on Transportation, Military Affairs, and Government Operations	No. 1289	Committee on Commerce, Consumer Protection and Housing
No. 1267	Committee on Judiciary and Hawaiian Affairs	No. 1290	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment
No. 1268	Committee on Judiciary and Hawaiian Affairs	No. 1291	Committee on Economic Development, then to the Committee on Ways and Means
No. 1269	Committee on Judiciary and Hawaiian Affairs	No. 1292	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 1270	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs	No. 1293	Committee on Labor, then to the Committee on Ways and Means
No. 1271	Committee on Judiciary and Hawaiian Affairs	No. 1294	Committee on Labor, then to the Committee on Ways and Means
No. 1272	Committee on Judiciary and Hawaiian Affairs	No. 1295	Committee on Labor, then to the Committee on Ways and Means
No. 1273	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1296	Committee on Labor, then to the Committee on Ways and Means
No. 1274	Committee on Judiciary and Hawaiian Affairs	No. 1297	Committee on Labor, then to the Committee on Ways and Means
No. 1275	Committee on Judiciary and Hawaiian Affairs	No. 1298	Committee on Labor, then to the Committee on Ways and Means
No. 1276	Committee on Judiciary and Hawaiian Affairs	No. 1299	Committee on Labor, then to the Committee on Ways and Means
No. 1277	Committee on Judiciary and Hawaiian Affairs	No. 1300	Committee on Labor, then to the Committee on Ways and Means
No. 1278	Committee on Judiciary and Hawaiian Affairs	No. 1301	Committee on Labor, then to the Committee on Ways and Means

No. 1302	Committee on Labor, then to the Committee on Ways and Means	No. 1326	Committee on Education
No. 1303	Committee on Labor, then to the Committee on Ways and Means	No. 1327	Committee on Education, then to the Committee on Ways and Means
No. 1304	Committee on Labor, then to the Committee on Ways and Means	No. 1328	Committee on Education, then to the Committee on Ways and Means
No. 1305	Committee on Ways and Means	No. 1329	Committee on Education, then to the Committee on Ways and Means
No. 1306	Committee on Commerce, Consumer Protection and Housing	No. 1330	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1307	Committee on Ways and Means	No. 1331	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1308	Committee on Judiciary and Hawaiian Affairs	No. 1332	Committee on Labor, then to the Committee on Ways and Means
No. 1309	Committee on Labor, then to the Committee on Ways and Means	No. 1333	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1310	Committee on Labor, then to the Committee on Ways and Means	No. 1334	Committee on Science, Arts, and Technology
No. 1311	Committee on Ways and Means	No. 1335	Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 1312	Committee on Labor, then to the Committee on Ways and Means	No. 1336	Committee on Education, then to the Committee on Ways and Means
No. 1313	Committee on Commerce, Consumer Protection and Housing	No. 1337	Committee on Education, then to the Committee on Ways and Means
No. 1314	Committee on Commerce, Consumer Protection and Housing	No. 1338	Jointly to the Committee on Labor and the Committee on Education
No. 1315	Committee on Commerce, Consumer Protection and Housing	No. 1339	Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means
No. 1316	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1340	Committee on Education
No. 1317	Committee on Commerce, Consumer Protection and Housing	No. 1341	Committee on Education
No. 1318	Committee on Commerce, Consumer Protection and Housing	No. 1342	Committee on Education, then to the Committee on Ways and Means
No. 1319	Committee on Commerce, Consumer Protection and Housing	No. 1343	Jointly to the Committee on Labor and the Committee on Education
No. 1320	Committee on Commerce, Consumer Protection and Housing	No. 1344	Committee on Education, then to the Committee on Ways and Means
No. 1321	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 1345	Committee on Education, then to the Committee on Ways and Means
No. 1322	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1346	Committee on Education, then to the Committee on Ways and Means
No. 1323	Committee on Commerce, Consumer Protection and Housing	No. 1347	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1324	Committee on Judiciary and Hawaiian Affairs	No. 1348	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1325	Committee on Commerce, Consumer Protection and Housing		

No. 1349	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1371	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1350	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1372	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1351	Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1373	Committee on Labor, then to the Committee on Ways and Means
No. 1352	Committee on Human Services, then to the Committee on Ways and Means	No. 1374	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1353	Committee on Human Services, then to the Committee on Ways and Means	No. 1375	Committee on Labor, then to the Committee on Ways and Means
No. 1354	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 1376	Committee on Judiciary and Hawaiian Affairs
No. 1355	Committee on Labor, then to the Committee on Ways and Means	No. 1377	Committee on Labor
No. 1356	Committee on Health	No. 1378	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1357	Committee on Health, then to the Committee on Ways and Means	No. 1379	Committee on Judiciary and Hawaiian Affairs
No. 1358	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 1380	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1359	Committee on Health, then to the Committee on Ways and Means	No. 1381	Committee on Education, then to the Committee on Ways and Means
No. 1360	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1382	Committee on Judiciary and Hawaiian Affairs
No. 1361	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 1383	Committee on Judiciary and Hawaiian Affairs
No. 1362	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1384	Committee on Judiciary and Hawaiian Affairs
No. 1363	Committee on Judiciary and Hawaiian Affairs	No. 1385	Committee on Judiciary and Hawaiian Affairs
No. 1364	Committee on Health	No. 1386	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1365	Committee on Judiciary and Hawaiian Affairs	No. 1387	Committee on Judiciary and Hawaiian Affairs
No. 1366	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1388	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1367	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1389	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1368	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 1390	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1369	Committee on Labor, then to the Committee on Ways and Means	No. 1391	Committee on Judiciary and Hawaiian Affairs
No. 1370	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 1392	Committee on Judiciary and Hawaiian Affairs
		No. 1393	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation,

Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1417	Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
No. 1394	Committee on Ways and Means	
No. 1395	Committee on Ways and Means	No. 1418
No. 1396	Committee on Ways and Means	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 1397	Committee on Ways and Means	No. 1419
No. 1398	Committee on Ways and Means	Committee on Health
No. 1399	Committee on Human Services, then to the Committee on Ways and Means	No. 1420
No. 1400	Committee on Ways and Means	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1401	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1421
No. 1402	Committee on Transportation, Military Affairs, and Government Operations	Committee on Commerce, Consumer Protection and Housing
No. 1403	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations	No. 1422
No. 1404	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	Committee on Economic Development, then to the Committee on Ways and Means
No. 1405	Committee on Transportation, Military Affairs, and Government Operations	No. 1423
No. 1406	Committee on Transportation, Military Affairs, and Government Operations	Committee on Human Services, then to the Committee on Ways and Means
No. 1407	Committee on Transportation, Military Affairs, and Government Operations	No. 1424
No. 1408	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	Committee on Labor, then to the Committee on Ways and Means
No. 1409	Committee on Education, then to the Committee on Ways and Means	No. 1425
No. 1410	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means	Committee on Labor, then to the Committee on Ways and Means
No. 1411	Committee on Education, then to the Committee on Ways and Means	No. 1426
No. 1412	Committee on Labor, then to the Committee on Ways and Means	Committee on Labor, then to the Committee on Ways and Means
No. 1413	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1427
No. 1414	Committee on Water, Land, and Agriculture	Committee on Human Services
No. 1415	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1428
No. 1416	Committee on Water, Land, and Agriculture	Committee on Human Services, then to the Committee on Ways and Means
		No. 1429
		Committee on Human Services
		No. 1430
		Committee on Human Services, then to the Committee on Ways and Means
		No. 1431
		Committee on Health, then to the Committee on Ways and Means
		No. 1432
		Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
		No. 1433
		Committee on Education, then to the Committee on Ways and Means
		No. 1434
		Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
		No. 1435
		Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
		No. 1436
		Committee on Energy and Environment
		No. 1437
		Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
		No. 1438
		Committee on Labor, then to the Committee on Ways and Means
		No. 1439
		Committee on Labor, then to the Committee on Ways and Means
		No. 1440
		Committee on Labor, then to the Committee on Ways and Means

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No. 1441	Committee on Labor, then to the Committee on Ways and Means	No. 1463	Committee on Health, then to the Committee on Ways and Means
No. 1442	Committee on Labor, then to the Committee on Ways and Means	No. 1464	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1443	Committee on Labor, then to the Committee on Ways and Means	No. 1465	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1444	Committee on Labor, then to the Committee on Ways and Means	No. 1466	Committee on Transportation, Military Affairs, and Government Operations
No. 1445	Committee on Labor, then to the Committee on Ways and Means	No. 1467	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1446	Jointly to the Committee on Human Services and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 1468	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 1447	Committee on Judiciary and Hawaiian Affairs	No. 1469	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1448	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1470	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1449	Committee on Judiciary and Hawaiian Affairs	No. 1471	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means
No. 1450	Committee on Economic Development, then to the Committee on Ways and Means	No. 1472	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1451	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1473	Committee on Health, then to the Committee on Ways and Means
No. 1452	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 1474	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
No. 1453	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1475	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1454	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1476	Committee on Energy and Environment, then to the Committee on Ways and Means
No. 1455	Committee on Ways and Means	No. 1477	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1456	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1478	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1457	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1479	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1458	Committee on Transportation, Military Affairs, and Government Operations	No. 1480	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 1459	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1481	Committee on Energy and Environment
No. 1460	Committee on Tourism		
No. 1461	Jointly to the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means		
No. 1462	Committee on Tourism		

No. 1482 Committee on Health, then to the Committee on Ways and Means

No. 1483 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1484 Committee on Commerce, Consumer Protection and Housing

No. 1485 Jointly to the Committee on Science, Arts, and Technology and the Committee on Education, then to the Committee on Ways and Means

No. 1486 Committee on Education, then to the Committee on Ways and Means

No. 1487 Committee on Energy and Environment

No. 1488 Committee on Judiciary and Hawaiian Affairs

No. 1489 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1490 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1491 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1492 Committee on Human Services

No. 1493 Committee on Labor, then to the Committee on Ways and Means

No. 1494 Committee on Education, then to the Committee on Ways and Means

No. 1495 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1496 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1497 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1498 Committee on Science, Arts, and Technology

No. 1499 Committee on Judiciary and Hawaiian Affairs

No. 1500 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1501 Jointly to the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations

No. 1502 Committee on Judiciary and Hawaiian Affairs

No. 1503 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 1504 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1505 Committee on Energy and Environment

No. 1506 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1507 Committee on Ways and Means

No. 1508 Committee on Judiciary and Hawaiian Affairs

No. 1509 Committee on Health, then to the Committee on Ways and Means

No. 1510 Committee on Education, then to the Committee on Ways and Means

No. 1511 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1512 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1513 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health, then to the Committee on Ways and Means

No. 1514 Committee on Judiciary and Hawaiian Affairs

No. 1515 Committee on Commerce, Consumer Protection and Housing

No. 1516 Committee on Health

No. 1517 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1518 Committee on Science, Arts, and Technology, then to the Committee on Judiciary and Hawaiian Affairs

No. 1519 Committee on Health, then to the Committee on Ways and Means

RE-REFERRAL OF GOVERNOR'S MESSAGE

The Chair re-referred the following governor's message that was received:

Governor's Message Referred to:

No. 101 Committee on Labor

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 4 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

- No. 8 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 31 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 35 Committee on Labor, then to the Committee on Ways and Means
- No. 38 Jointly to the Committee on Tourism and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 39 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 41 Jointly to the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 48 Committee on Labor, then to the Committee on Ways and Means
- No. 65 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture
- No. 79 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 83 Jointly to the Committee on Economic Development and the Committee on Human Services, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
- No. 94 Committee on Labor, then to the Committee on Ways and Means
- No. 98 Committee on Health, then to the Committee on Ways and Means
- No. 296 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 329 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 408 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 426 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 431 Committee on Energy and Environment, then to the Committee on Ways and Means
- No. 437 Committee on Labor, then to the Committee on Ways and Means
- No. 444 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 447 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 458 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 475 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 477 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 484 Committee on Health, then to the Committee on Ways and Means
- No. 485 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 498 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 507 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 523 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 551 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 575 Committee on Energy and Environment, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means
- No. 597 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 625 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations
- No. 637 Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 677 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 686 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 696 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 711 Jointly to the Committee on Transportation, Military Affairs, and Government Operations

and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 726 Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 733 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 743 Committee on Health, then to the Committee on Ways and Means

No. 756 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 761 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 770 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 777 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 785 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 791 Jointly to the Committee on Health and the Committee on Labor, then to the Committee on Ways and Means

No. 796 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 805 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 811 Jointly to the Committee on Economic Development and the Committee on Tourism, then to the Committee on Ways and Means

No. 821 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 823 Committee on Health, then to the Committee on Ways and Means

No. 825 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 842 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 851 Committee on Health, then to the Committee on Ways and Means

No. 852 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 856 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 to 6), were read by the Clerk and were placed on file:

Misc. Com. No. 1, from the County of Hawaii, Office of the Prosecuting Attorney, dated November 14, 2002, transmitting the Hawaii County's Comprehensive Strategic Plan for Juvenile Justice and the September newsletter of the Youth Builders group.

Misc. Com. No. 2, from the City and County of Honolulu Police Department dated December 11, 2002, transmitting its 2002 Annual Report, pursuant to Act 242, SLH 1995.

Misc. Com. No. 3, from the County of Hawaii Police Department dated December 13, 2002, transmitting the 2002 Annual Misconduct Report, pursuant to Section 92F-14, HRS.

Misc. Com. No. 4, from the County of Maui Police Department dated January 6, 2003, transmitting its Standard of Conduct Report for 2002.

Misc. Com. No. 5, from the County of Maui Police Department dated January 7, 2003, transmitting its Standard of Conduct Report for 2002, pursuant to Act 242, SLH 1995.

Misc. Com. No. 6, from the County of Kauai Police Department dated January 22, 2003, transmitting its Report on Misconduct and Disciplinary Action Regarding Police Officers, pursuant to Act 242, SLH 1995.

MISCELLANEOUS BUSINESS

Pursuant to Senate Rule 45, the following Senators were added as co-sponsors to the following bills:

Senate Bill	Co-sponsor:
No. 7	Senator Aduja
No. 9	Senator Aduja
No. 10	Senator Aduja
No. 13	Senator Aduja
No. 14	Senator Aduja
No. 15	Senator Aduja
No. 16	Senator Aduja
No. 17	Senator Aduja
No. 20	Senator Aduja
No. 21	Senator Aduja
No. 22	Senator Aduja
No. 23	Senator Aduja
No. 24	Senator Aduja
No. 25	Senator Aduja
No. 55	Senator Aduja
No. 57	Senator Aduja
No. 58	Senator Aduja
No. 59	Senator Aduja
No. 60	Senator Aduja

No. 61	Senator Aduja	No. 782	Senator Aduja
No. 62	Senator Aduja	No. 783	Senator Aduja
No. 63	Senator Aduja	No. 785	Senator Baker
No. 64	Senator Aduja	No. 787	Senator Aduja
No. 65	Senator Aduja	No. 790	Senator Aduja
No. 68	Senator Aduja	No. 794	Senator Aduja
No. 69	Senator Aduja	No. 796	Senator Aduja
No. 70	Senator Aduja	No. 799	Senators Aduja, Hooser, Tsutsui
No. 71	Senator Aduja	No. 815	Senator English
No. 75	Senator Aduja	No. 821	Senator Kanno
No. 76	Senator Aduja	No. 823	Senator Baker
No. 77	Senator Aduja	No. 836	Senator Kanno
No. 78	Senator Aduja	No. 837	Senator Kanno
No. 92	Senator Aduja	No. 988	Senator English
No. 95	Senator Aduja	No. 1019	Senator English
No. 96	Senator Aduja	No. 1052	Senator English
No. 99	Senator Aduja	No. 1188	Senator Kawamoto
No. 318	Senator Kanno	No. 1201	Senators Inouye, Kawamoto
No. 331	Senator Aduja	No. 1220	Senator Kanno
No. 336	Senator Aduja	No. 1420	Senator Kanno
No. 339	Senator Aduja	No. 1452	Senator Kanno
No. 344	Senator Aduja	No. 1479	Senator English
No. 347	Senator Aduja	No. 1482	Senator Tsutsui
No. 349	Senator Aduja		
No. 350	Senator Aduja		
No. 365	Senator Aduja		
No. 370	Senator Kanno		
No. 385	Senator Aduja		
No. 389	Senator Aduja		
No. 392	Senator Aduja		
No. 395	Senator Aduja		
No. 401	Senator Aduja		
No. 406	Senator Kanno		
No. 535	Senator Baker		
No. 588	Senator Baker		
No. 595	Senator English		
No. 611	Senator Aduja		
No. 625	Senator Aduja		
No. 627	Senator Aduja		
No. 635	Senator Aduja		
No. 636	Senator Aduja		
No. 637	Senator Aduja		
No. 659	Senator Kanno		
No. 666	Senator Aduja		
No. 701	Senator Aduja		
No. 707	Senator Baker		
No. 709	Senator Aduja		
No. 711	Senator Aduja		
No. 712	Senator Aduja		
No. 713	Senator Aduja		
No. 714	Senator Aduja		
No. 739	Senator Aduja		
No. 742	Senator Aduja		
No. 744	Senator Aduja		
No. 745	Senator Aduja		
No. 748	Senator Aduja		
No. 749	Senator Aduja		
No. 750	Senator Aduja		
No. 753	Senator Aduja		
No. 754	Senator Aduja		
No. 755	Senator Aduja		
No. 757	Senator Aduja		
No. 758	Senator Aduja		
No. 759	Senator Aduja		
No. 762	Senator Aduja		
No. 763	Senator Aduja		
No. 764	Senator Aduja		
No. 766	Senator Aduja		
No. 769	Senator Aduja		
No. 775	Senator Baker		
No. 781	Senator Aduja		

Senator Baker rose on a point of personal privilege and stated:

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

“On behalf of my neighbor island colleagues, I wanted to call the members’ attention something that’s recently happened that’s quite historic. Starting with the opening day ceremony and continuing last Friday and on Saturday, some of the important hearings of this Legislature are now being broadcast live to the neighbor islands. Live broadcasts of legislative proceedings has taken many years and lots and lots of collaboration to accomplish.

“I wanted to call this historic achievement to everyone’s attention because for those of us from neighbor islands, we have heard from our constituents time and again how difficult it is to engage government in a meaningful fashion. Real time legislative broadcasts are an important first step.

“So I wanted to take the time to acknowledge the University of Hawaii, especially David Lasner, for their help, Senators Ihara and Ige for all of their work behind the scenes for many, many years to bring this forward, and to the folks from Capitol TV, especially Glenn Booth.

“This is a very important milestone. I know that my neighbor island constituents as well as those of my colleagues appreciate the effort and will be feeling more and more engaged with their government as a result.

“Thank you, Mr. President.”

ADJOURNMENT

At 11:59 o’clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Tuesday, January 28, 2003.

EIGHTH DAY

Tuesday, January 28, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Deacon George Kagehiro, Our Lady of Sorrows Church, after which the Roll was called showing all Senators present with the exception of Senator Hogue who was excused.

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

At this time, Senator English honored the late Gladys Kamakakuokalani Ainoa Brandt, whose legacy will live on through her great works and contributions to the people of Hawaii, and introduced the following members of her family: David Brandt Wichman, Fred Blake Conant, Randolph Wichman, Anthony Wichman and Christopher Conant.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 to 10) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PLEDGE OF ALLEGIANCE BE RECITED AT THE BEGINNING OF EACH FLOOR SESSION OF THE HAWAII STATE LEGISLATURE."

Offered by: Senators Slom, Aduja.

No. 3 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE DIRECTOR OF TRANSPORTATION TO REPLACE CURRENT THIRTY-DAY REVOCABLE LEASES OFFERED TO FACILITIES AT THE STATE'S SMALL AIRPORTS WITH MARKET STANDARD LEASES."

Offered by: Senators Hemmings, Whalen, Hogue, Trimble, Slom.

No. 4 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH A STATEWIDE 'WEIGHTED-GRADE SCALE' POLICY FOR RIGOROUS CLASSES TAKEN BY STUDENTS IN PUBLIC HIGH SCHOOLS."

Offered by: Senators Hanabusa, Kawamoto, English, Kokubun, Chun Oakland, Kim, Ihara.

No. 5 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY AFFAIRS COUNCIL OF THE CHAMBER OF COMMERCE OF HAWAII IN ITS EFFORTS TO IMPROVE THE QUALITY OF LIFE FOR MILITARY PERSONNEL STATIONED IN HAWAII."

Offered by: Senators Hanabusa, Chun Oakland, Kokubun, Kawamoto, Hogue, English, Inouye, Slom.

No. 6 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES."

Offered by: Senators Kawamoto, Fukunaga, Espero, Kanno, Ihara.

No. 7 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO RENAME THE H-3 FREEWAY TUNNELS IN HONOR OF TETSUO HARANO."

Offered by: Senators Sakamoto, Baker.

No. 8 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR A WOMEN'S HEALTH PLATFORM THAT RECOGNIZES SERIOUS INEQUITIES IN THE HEALTH PREVENTION AND TREATMENT OF WOMEN, AND CALLS FOR THE ELIMINATION OF THESE INEQUITIES TO IMPROVE THE HEALTH STATUS OF WOMEN IN HAWAII."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 9 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR EXAMINATION FOR SEXUALLY TRANSMITTED DISEASES."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Inouye.

No. 10 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HEALTH'S QUALITY ASSURANCE FOR PROVIDERS OF SERVICES TO THE DEVELOPMENTALLY DISABLED."

Offered by: Senators Chun Oakland, Fukunaga.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 3 to 5) were read by the Clerk and were deferred:

Senate Resolution

No. 3 "SENATE RESOLUTION REQUESTING THAT THE PLEDGE OF ALLEGIANCE BE RECITED AT THE BEGINNING OF EACH FLOOR SESSION OF THE HAWAII STATE LEGISLATURE."

Offered by: Senators Slom, Aduja.

No. 4 "SENATE RESOLUTION URGING THE GOVERNOR AND THE DIRECTOR OF TRANSPORTATION TO REPLACE CURRENT THIRTY-DAY REVOCABLE LEASES OFFERED TO FACILITIES AT THE STATE'S SMALL AIRPORTS WITH MARKET STANDARD LEASES."

Offered by: Senators Hemmings, Trimble, Hogue, Whalen, Slom.

No. 5 "SENATE RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES."

Offered by: Senators Kawamoto, Fukunaga, Espero, Kanno, Ihara.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Friday, January 24, 2003:

Senate Bill Referred to:

No. 1520 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations

No. 1521 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1522 Committee on Education, then to the Committee on Ways and Means

No. 1523 Committee on Education, then to the Committee on Ways and Means

No. 1524 Committee on Education, then to the Committee on Ways and Means

No. 1525 Committee on Education, then to the Committee on Ways and Means

No. 1526 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Education, then to the Committee on Ways and Means

No. 1527 Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1528 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1529 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1530 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1531 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1532 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations

No. 1533 Jointly to the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1534 Committee on Education, then to the Committee on Ways and Means

No. 1535 Committee on Ways and Means

No. 1536 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1537 Committee on Commerce, Consumer Protection and Housing

No. 1538 Jointly to the Committee on Science, Arts, and Technology and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1539 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1540 Committee on Human Services, then to the Committee on Ways and Means

No. 1541 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1542 Committee on Health, then to the Committee on Ways and Means

No. 1543 Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1544 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 1545 Committee on Judiciary and Hawaiian Affairs

No. 1546 Committee on Water, Land, and Agriculture

No. 1547 Committee on Water, Land, and Agriculture

No. 1548 Committee on Commerce, Consumer Protection and Housing

No. 1549 Committee on Commerce, Consumer Protection and Housing

No. 1550 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1551 Committee on Ways and Means

No. 1552 Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1553 Committee on Commerce, Consumer Protection and Housing

No. 1554 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1555 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1556 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

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| <p>No. 1557 Committee on Education, then to the Committee on Ways and Means</p> <p>No. 1558 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1559 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1560 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1561 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>No. 1562 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means</p> <p>No. 1563 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1564 Committee on Education, then to the Committee on Ways and Means</p> <p>No. 1565 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means</p> <p>No. 1566 Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 1567 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1568 Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing</p> <p>No. 1569 Committee on Water, Land, and Agriculture</p> <p>No. 1570 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means</p> <p>No. 1571 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1572 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, then to the Committee on Ways and Means</p> <p>No. 1573 Committee on Commerce, Consumer Protection and Housing</p> <p>No. 1574 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1575 Committee on Judiciary and Hawaiian Affairs</p> | <p>No. 1576 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>No. 1577 Committee on Commerce, Consumer Protection and Housing</p> <p>No. 1578 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing</p> <p>No. 1579 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 1580 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 1581 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1582 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing</p> <p>No. 1583 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 1584 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 1585 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means</p> <p>No. 1586 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 1587 Committee on Ways and Means</p> <p>No. 1588 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1589 Committee on Commerce, Consumer Protection and Housing</p> <p>No. 1590 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1591 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means</p> <p>No. 1592 Committee on Ways and Means</p> <p>No. 1593 Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means</p> <p>No. 1594 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 1595 Committee on Ways and Means</p> <p>No. 1596 Committee on Energy and Environment, then to the Committee on Ways and Means</p> <p>No. 1597 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means</p> |
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No. 1598	Committee on Ways and Means	No. 1619	Committee on Economic Development, then to the Committee on Ways and Means
No. 1599	Committee on Economic Development, then to the Committee on Ways and Means	No. 1620	Committee on Water, Land, and Agriculture
No. 1600	Committee on Judiciary and Hawaiian Affairs	No. 1621	Committee on Ways and Means
No. 1601	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1622	Committee on Ways and Means
No. 1602	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 1623	Committee on Economic Development, then to the Committee on Ways and Means
No. 1603	Committee on Judiciary and Hawaiian Affairs	No. 1624	Committee on Ways and Means
No. 1604	Committee on Judiciary and Hawaiian Affairs	No. 1625	Committee on Economic Development, then to the Committee on Ways and Means
No. 1605	Committee on Judiciary and Hawaiian Affairs	No. 1626	Committee on Ways and Means
No. 1606	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1627	Committee on Economic Development, then to the Committee on Ways and Means
No. 1607	Committee on Judiciary and Hawaiian Affairs	No. 1628	Committee on Ways and Means
No. 1608	Jointly to the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1629	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Tourism, then to the Committee on Ways and Means
No. 1609	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 1630	Committee on Commerce, Consumer Protection and Housing
No. 1610	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 1631	Committee on Education, then to the Committee on Ways and Means
No. 1611	Committee on Energy and Environment	No. 1632	Committee on Tourism, then to the Committee on Commerce, Consumer Protection and Housing
No. 1612	Committee on Health, then to the Committee on Ways and Means	No. 1633	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1613	Committee on Human Services, then to the Committee on Ways and Means	No. 1634	Committee on Judiciary and Hawaiian Affairs
No. 1614	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 1635	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1615	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1636	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1616	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1637	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1617	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1638	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1618	Committee on Health, then to the Committee on Ways and Means	No. 1639	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
		No. 1640	Committee on Ways and Means
		No. 1641	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1642	Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means	No. 1663	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Health, then to the Committee on Ways and Means
No. 1643	Committee on Education, then to the Committee on Ways and Means	No. 1664	Jointly to the Committee on Health and the Committee on Human Services
No. 1644	Committee on Education, then to the Committee on Ways and Means	No. 1665	Committee on Health, then to the Committee on Ways and Means
No. 1645	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1666	Committee on Health, then to the Committee on Ways and Means
No. 1646	Committee on Ways and Means	No. 1667	Committee on Health, then to the Committee on Ways and Means
No. 1647	Jointly to the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1668	Committee on Health, then to the Committee on Ways and Means
No. 1648	Committee on Economic Development, then to the Committee on Ways and Means	No. 1669	Committee on Health, then to the Committee on Ways and Means
No. 1649	Committee on Ways and Means	No. 1670	Committee on Health, then to the Committee on Ways and Means
No. 1650	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 1671	Committee on Health, then to the Committee on Ways and Means
No. 1651	Committee on Education, then to the Committee on Ways and Means	No. 1672	Committee on Health, then to the Committee on Ways and Means
No. 1652	Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1673	Jointly to the Committee on Economic Development and the Committee on Tourism, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 1653	Committee on Education, then to the Committee on Ways and Means	No. 1674	Committee on Labor
No. 1654	Committee on Education, then to the Committee on Ways and Means	No. 1675	Committee on Health, then to the Committee on Ways and Means
No. 1655	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Ways and Means	No. 1676	Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1656	Committee on Human Services, then to the Committee on Ways and Means	No. 1677	Jointly to the Committee on Human Services and the Committee on Economic Development, then to the Committee on Ways and Means
No. 1657	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services, then to the Committee on Ways and Means	No. 1678	Committee on Ways and Means
No. 1658	Committee on Energy and Environment, then to the Committee on Ways and Means	No. 1679	Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means
No. 1659	Committee on Judiciary and Hawaiian Affairs	No. 1680	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 1660	Committee on Ways and Means	No. 1681	Committee on Energy and Environment
No. 1661	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1682	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing
No. 1662	Committee on Science, Arts, and Technology, then to the Committee on Ways and Means	No. 1683	Committee on Judiciary and Hawaiian Affairs

No. 1684 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1685 Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1686 Committee on Education, then to the Committee on Ways and Means

No. 1687 Committee on Human Services, then to the Committee on Ways and Means

No. 1688 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1689 Committee on Labor, then to the Committee on Ways and Means

No. 1690 Committee on Ways and Means

No. 1691 Committee on Education, then to the Committee on Ways and Means

No. 1692 Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1693 Committee on Education, then to the Committee on Ways and Means

No. 1694 Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1695 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1696 Committee on Labor, then to the Committee on Ways and Means

No. 1697 Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means

No. 1698 Committee on Ways and Means

No. 1699 Committee on Labor, then to the Committee on Ways and Means

No. 1700 Committee on Education, then to the Committee on Ways and Means

No. 1701 Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1702 Committee on Ways and Means

No. 1703 Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 1704 Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1705 Committee on Education, then to the Committee on Ways and Means

No. 1706 Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1707 Committee on Education, then to the Committee on Ways and Means

No. 1708 Committee on Ways and Means

No. 1709 Committee on Health, then to the Committee on Ways and Means

No. 1710 Committee on Health, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 9	Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means
No. 12	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means
No. 15	Committee on Education, then to the Committee on Ways and Means
No. 17	Committee on Education, then to the Committee on Ways and Means
No. 24	Committee on Education, then to the Committee on Ways and Means
No. 62	Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means
No. 63	Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means
No. 77	Committee on Education, then to the Committee on Ways and Means
No. 318	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Labor, then to the Committee on Ways and Means
No. 330	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations
No. 403	Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 413	Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 414	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on

Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 422 Committee on Education, then to the Committee on Ways and Means

No. 428 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 432 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 441 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 625 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 655 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education, then to the Committee on Ways and Means

No. 660 Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means

No. 669 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations

No. 670 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 671 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education, then to the Committee on Ways and Means

No. 679 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 712 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 722 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 752 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 778 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 842 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 887 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 889 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations

No. 893 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 922 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 940 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 949 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing

No. 984 Committee on Health, then to the Committee on Ways and Means

MISCELLANEOUS BUSINESS

Pursuant to Senate Rule 45, the following Senators were added as co-sponsors to the following bills:

Senate Bill	Co-sponsor:
No. 32	Senator Aduja
No. 40	Senator Aduja
No. 98	Senator Aduja
No. 321	Senator Aduja
No. 354	Senator Aduja
No. 376	Senator Aduja
No. 396	Senator Aduja
No. 397	Senator Aduja
No. 400	Senators Aduja, English
No. 439	Senator Ige
No. 535	Senator English
No. 543	Senator English
No. 609	Senator Aduja
No. 629	Senator Ige
No. 634	Senator Aduja
No. 786	Senator Aduja
No. 800	Senator Aduja
No. 802	Senator Aduja
No. 805	Senator Aduja
No. 806	Senator Aduja
No. 808	Senator Aduja
No. 816	Senator Aduja
No. 817	Senator Aduja
No. 829	Senator Aduja
No. 831	Senator Aduja
No. 832	Senator Aduja
No. 835	Senator Aduja
No. 857	Senator Aduja
No. 861	Senator Aduja
No. 862	Senator Aduja
No. 864	Senator Aduja
No. 865	Senator Aduja
No. 866	Senator Aduja
No. 869	Senator Aduja
No. 870	Senator Aduja
No. 871	Senator Aduja
No. 872	Senator Aduja
No. 874	Senator Aduja
No. 877	Senator Aduja
No. 880	Senator Aduja

No. 881	Senator Aduja	No. 1250	Senator Aduja
No. 882	Senator Aduja	No. 1251	Senator Aduja
No. 883	Senator Aduja	No. 1252	Senator Aduja
No. 885	Senator Aduja	No. 1253	Senator Aduja
No. 890	Senator Aduja	No. 1424	Senator Aduja
No. 891	Senator Aduja	No. 1425	Senator Aduja
No. 893	Senator Aduja	No. 1428	Senator Aduja
No. 895	Senator Aduja	No. 1431	Senator Aduja
No. 896	Senator Aduja	No. 1432	Senator Aduja
No. 898	Senator Aduja	No. 1446	Senators Aduja, Fukunaga
No. 901	Senator Aduja	No. 1450	Senator Kanno
No. 902	Senator Aduja	No. 1451	Senator Ige
No. 904	Senator Aduja	No. 1471	Senator Aduja
No. 906	Senator Aduja	No. 1483	Senator Tsutsui
No. 907	Senator Aduja	No. 1485	Senator Aduja
No. 911	Senator Aduja	No. 1487	Senator Fukunaga
No. 915	Senator Baker	No. 1499	Senator Ige
No. 917	Senator Aduja	No. 1500	Senator Ige
No. 918	Senator Aduja	No. 1513	Senator Aduja
No. 919	Senator Aduja	No. 1526	Senator Aduja
No. 921	Senator Aduja	No. 1540	Senator Aduja
No. 924	Senator Aduja	No. 1552	Senator Aduja
No. 926	Senator Aduja	No. 1553	Senator Aduja
No. 928	Senator Aduja	No. 1583	Senator Aduja
No. 929	Senator Aduja	No. 1584	Senator Aduja
No. 932	Senator Aduja	No. 1601	Senator Ige
No. 933	Senator Aduja	No. 1604	Senators Aduja, Ige
No. 935	Senator Aduja	No. 1605	Senator Ige
No. 936	Senator Aduja	No. 1606	Senator Ige
No. 937	Senator Aduja	No. 1608	Senator Ige
No. 940	Senator Aduja	No. 1617	Senator Aduja
No. 942	Senator Aduja	No. 1627	Senator Aduja
No. 947	Senator Aduja	No. 1637	Senator Aduja
No. 979	Senator Aduja	No. 1648	Senator Baker
No. 995	Senator Aduja	No. 1659	Senator Aduja
No. 996	Senator Aduja	No. 1662	Senator Aduja
No. 997	Senator Aduja	No. 1680	Senator Aduja
No. 1017	Senator Aduja	No. 1695	Senator Aduja
No. 1036	Senator Aduja	No. 1696	Senator Fukunaga
No. 1043	Senator Aduja	No. 1697	Senator Fukunaga
No. 1044	Senators Aduja, Ige		
No. 1045	Senator Ige		Senator Kim rose on a point of personal privilege as follows:
No. 1046	Senator Aduja		
No. 1057	Senator Aduja		“Mr. President, I rise on a point of personal privilege.
No. 1058	Senator Aduja		
No. 1067	Senator Aduja		“Members, on your desks are the final referrals for all the
No. 1068	Senator Fukunaga		bills that have been introduced. I just want to take this
No. 1072	Senator Menor		opportunity to thank SMA for doing a great job and a timely job
No. 1078	Senator Aduja		in getting the referrals out, and the Leadership Committee –
No. 1086	Senator Aduja		Senator Tsutsui, Senator Hanabusa and Senator Kawamoto –
No. 1092	Senator Ige		for working cooperatively and efficiently in getting all the
No. 1093	Senator Ige		referrals out to you in a timely manner.
No. 1130	Senator Aduja		
No. 1131	Senator Aduja		“Thank you.”
No. 1132	Senator Aduja		
No. 1133	Senator Aduja		ADJOURNMENT
No. 1138	Senator Aduja		
No. 1142	Senator Aduja		At 12:03 o'clock p.m., on motion by Senator Kawamoto,
No. 1144	Senator Aduja		seconded by Senator Whalen and carried, the Senate adjourned
No. 1149	Senator Ige		until 11:30 o'clock a.m., Wednesday, January 29, 2003, on a
No. 1163	Senator Aduja		rising vote, observing a moment of silence in memory of the
No. 1181	Senator Aduja		late Gladys Brandt.
No. 1182	Senator Aduja		
No. 1195	Senator Aduja		
No. 1201	Senator Sakamoto		
No. 1222	Senator Fukunaga		
No. 1227	Senator Aduja		
No. 1229	Senator Aduja		
No. 1232	Senator Aduja		
No. 1233	Senator Ige		
No. 1236	Senator Aduja		

NINTH DAY

Wednesday, January 29, 2003

ADJOURNMENT

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.

At 12:06 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., Thursday, January 30, 2003.

The Divine Blessing was invoked by Pastor Paul Brennan, First Chinese Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Trimble and Whalen who were excused.

Respectfully submitted,

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

Clerk of the Senate

At this time, Senator Chun Oakland recognized and congratulated Mark R. Hunter on being named the 2002 Hawaii's Outstanding Advocate for Children and Youth.

Approved:

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

President of the Senate

The Senate reconvened at 12:03 o'clock p.m.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

- | Senate Bill | Referred to: |
|-------------|---|
| No. 38 | Committee on Tourism, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means |
| No. 59 | Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means |
| No. 625 | Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means |
| No. 945 | Jointly to the Committee on Human Services, the Committee on Health and the Committee on Education, then to the Committee on Ways and Means |
| No. 957 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means |
| No. 1020 | Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means |
| No. 1277 | Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services |
| No. 1425 | Jointly to the Committee on Labor and the Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1676 | Committee on Health, then to the Committee on Ways and Means |

TENTH DAY

Thursday, January 30, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jim Tweedie, Mililani Presbyterian Church and Preschool, after which the Roll was called showing all Senators present with the exception of Senators Ige and Ihara who were excused.

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

At this time, Senator Menor, on behalf of the Senate, recognized `Olelo Community Television and introduced Lurline McGregor, President and CEO, and Angela Angel, Director of Communications.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 104 to 127) were read by the Clerk and were placed on file:

Gov. Msg. No. 104, dated December 16, 2002, transmitting the Multi-Year Program and Financial Plan and Executive Budget for the Period 2003-2009, pursuant to Sections 37-69 and 37-71.

Gov. Msg. No. 105, dated December 16, 2002, transmitting the Variance Report for Fiscal Years 2002 and 2003, pursuant to Section 37-75, HRS.

Gov. Msg. No. 106, dated December 20, 2002, transmitting the Department of Accounting and General Services' Annual Report.

Gov. Msg. No. 107, dated December 23, 2002, transmitting a Report on the Hawaii Research Center for Future Studies, prepared by the University of Hawaii pursuant to Section 222-3, HRS.

Gov. Msg. No. 108, dated December 27, 2002, transmitting the Reporting Requirements of Act 259, SLH 2001, General Appropriations Act of 2001, as amended by Act 3, 3rd Sp SLH 2001, and Act 177, SLH 2002, Supplemental Appropriations Act of 2002.

Gov. Msg. No. 109, dated December 30, 2002, transmitting the Hawaii Real Estate Commission 2002 Progress Report on the Recodification of Chapter 514A, HRS, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Hawaii Real Estate Commission, pursuant to Act 213, Section 4, SLH 2000.

Gov. Msg. No. 110, dated December 31, 2002, transmitting a report prepared by the Department of Public Safety in response to Act 259, Section 64, SLH 2001.

Gov. Msg. No. 111, dated December 31, 2002, transmitting a report prepared by the Department of Public Safety in response to H.C.R. No. 62 (2002).

Gov. Msg. No. 112, dated December 31, 2002, transmitting the Annual Report on the Status of the Federal Reimbursement Maximization Special Fund for Fiscal Year 2002, prepared by the Department of Public Safety pursuant to Section 353C-7, HRS.

Gov. Msg. No. 113, dated December 31, 2002, transmitting the Expenditure Report for Out-of-State Inmates, FY 2001-2002, prepared by the Department of Public Safety pursuant to Act 177, Section 4, Subsection 26, SLH 2002.

Gov. Msg. No. 114, dated December 31, 2002, transmitting the Expenditure Report for Out-of-State Inmates, FY 2001-2002, prepared by the Department of Public Safety pursuant to Act 177, Section 4, Subsection 25, SLH 2002.

Gov. Msg. No. 115, dated December 31, 2002, transmitting the Spouse and Child Abuse Special Account Annual Report for Fiscal Year Ending June 30 2002, prepared by the Department of Human Services, Social Services Division, pursuant to Act 232, Section 2, SLH 1994.

Gov. Msg. No. 116, dated December 31, 2002, transmitting the Department of Human Services' Annual Report for Fiscal Year Ending June 30, 2002.

Gov. Msg. No. 117, dated December 31, 2002, transmitting a report prepared by the Department of Human Services, Social Services Division, pursuant to Act 177, Sections 37 and 38, SLH 2002.

Gov. Msg. No. 118, dated January 2, 2003, transmitting the Pesticide Use Revolving Fund Annual Report for Fiscal Year Ending June 30, 2002, prepared by the Department of Agriculture pursuant to Act 154, SLH 2000.

Gov. Msg. No. 119, dated January 2, 2003, transmitting the Supplement to the Multi-Year Program and Financial Plan and Executive Budget (PFP), prepared by the Department of Budget and Finance, Budget, Program Planning and Management Division.

Gov. Msg. No. 120, dated January 3, 2003, transmitting a report prepared by the Department of Education pursuant to S.C.R. No. 131 and S.R. 113 (2002), requesting expedited budgeting, financing, and construction of new school facilities.

Gov. Msg. No. 121, dated January 3, 2003, transmitting a Report on the Mandatory Expulsion Policy for Possession of a Firearm, prepared by the Department of Education, pursuant to Section 302A-1134, HRS.

Gov. Msg. No. 122, dated January 3, 2003, transmitting the Educational Assessment and Accountability Annual Reports, prepared by the Department of Education pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 123, dated January 3, 2003, transmitting the Report to Promote Healthy Eating, prepared by the Department of Health, the Department of Agriculture and the Department of Education pursuant to H.C.R. No. 151 (2001).

Gov. Msg. No. 124, dated January 3, 2003, transmitting a report, Kindergarten – Change in Entry Age, prepared by the Department of Education, Office of the Superintendent, pursuant to S.C.R. No. 107 (2002).

Gov. Msg. No. 125, dated January 3, 2003, transmitting the Annual Report on Federal and Trust Funds, prepared by the Department of Education pursuant to Section 29-25, HRS.

Gov. Msg. No. 126, dated January 3, 2003, transmitting the Report on the Classification/Compensation Appeals Board, prepared by the Department of Education pursuant to Section 302A-620, HRS.

Gov. Msg. No. 127, dated January 3, 2003, transmitting the Annual Report on School Priority Fund, prepared by the Department of Education pursuant to Section 302A-1309, HRS.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 11 to 19) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE FOR HEARING AID DEVICES AND SERVICES."

Offered by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige, Kawamoto.

No. 12 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON GRADUATED PARENTING."

Offered by: Senators Chun Oakland, Kanno, Hanabusa, Sakamoto, Kawamoto, Fukunaga, Aduja, Ige.

No. 13 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES."

Offered by: Senators Chun Oakland, Hanabusa, Sakamoto, Fukunaga, Aduja, Ige, Kawamoto.

No. 14 "SENATE CONCURRENT RESOLUTION REQUESTING THAT ALL OPERATING SODA MACHINES IN PUBLIC HIGH SCHOOLS DISPENSE ONLY HEALTHY AND NON-CARBONATED BEVERAGES."

Offered by: Senators Chun Oakland, Kanno, Espero, Fukunaga, Ige, Kawamoto.

No. 15 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, IN COOPERATION WITH THE DEPARTMENT OF EDUCATION, TO ESTABLISH A SUN PROTECTION PROGRAM FOR HAWAII'S ELEMENTARY SCHOOL CHILDREN."

Offered by: Senators Chun Oakland, Kanno, Sakamoto, Aduja, Ige.

No. 16 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP PUBLIC HEALTH STRATEGIES TO ADDRESS THE HEPATITIS C PROBLEM."

Offered by: Senators Chun Oakland, Baker.

No. 17 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A TASK FORCE TO RE-EVALUATE THE PLACEMENT OF THE OFFICE OF THE PUBLIC GUARDIAN."

Offered by: Senator Bunda.

No. 18 "SENATE CONCURRENT RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS."

Offered by: Senators Hanabusa, Trimble, Chun Oakland, Ige.

No. 19 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY."

Offered by: Senators Hanabusa, Slom, Ihara, Sakamoto, Trimble, Espero.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 6 to 9) were read by the Clerk and were deferred:

Senate Resolution

No. 6 "SENATE RESOLUTION REQUESTING THAT ALL OPERATING SODA MACHINES IN PUBLIC HIGH SCHOOLS DISPENSE ONLY HEALTHY AND NON-CARBONATED BEVERAGES."

Offered by: Senators Chun Oakland, Kanno, Fukunaga, Kawamoto, Ige.

No. 7 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, IN COOPERATION WITH THE DEPARTMENT OF EDUCATION, TO ESTABLISH A SUN PROTECTION PROGRAM FOR HAWAII'S ELEMENTARY SCHOOL CHILDREN."

Offered by: Senators Chun Oakland, Kanno, Fukunaga, Kawamoto, Aduja, Ige.

No. 8 "SENATE RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS."

Offered by: Senators Hanabusa, Trimble, Chun Oakland, Ige.

No. 9 "SENATE RESOLUTION REQUESTING AN AUDIT OF THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY."

Offered by: Senators Hanabusa, Slom, Sakamoto, Trimble, Espero.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 2 Jointly to the Committee on Transportation, Military Affairs, and Government Operations

and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 74 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 349 Jointly to the Committee on Education and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 362 Committee on Economic Development, then to the Committee on Ways and Means

No. 474 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means

No. 556 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 684 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, then to the Committee on Ways and Means

No. 744 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 748 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means

No. 749 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means

No. 868 Committee on Economic Development, then to the Committee on Ways and Means

No. 903 Committee on Commerce, Consumer Protection and Housing

No. 952 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 953 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 975 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Judiciary and Hawaiian Affairs

No. 1022 Committee on Health, then to the Committee on Ways and Means

No. 1061 Jointly to the Committee on Human Services and the Committee on Health

No. 1062 Committee on Health, then to the Committee on Ways and Means

No. 1076 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1088 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1133 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1159 Committee on Labor, then to the Committee on Ways and Means

No. 1188 Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, then to the Committee on Ways and Means

No. 1193 Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing

No. 1218 Jointly to the Committee on Health and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1238 Committee on Health, then to the Committee on Ways and Means

No. 1242 Jointly to the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1258 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1263 Committee on Science, Arts, and Technology, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 1280 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 1282 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1283 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1286 Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing

No. 1288 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1291 Committee on Tourism, then to the Committee on Ways and Means

No. 1292 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1315 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1335 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1338 Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means

No. 1340 Committee on Education, then to the Committee on Ways and Means

No. 1343 Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means

No. 1366 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1399 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1402 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1414 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1421 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1433 Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1436 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment

No. 1446 Jointly to the Committee on Health and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1449 Committee on Science, Arts, and Technology, then to the Committee on Judiciary and Hawaiian Affairs

No. 1451 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1457 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1470 Jointly to the Committee on Economic Development, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1497 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1499 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1501 Jointly to the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1532 Committee on Water, Land, and Agriculture

No. 1537 Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing

No. 1548 Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing

No. 1657 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, then to the Committee on Ways and Means

No. 1664 Committee on Health

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 31, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

ELEVENTH DAY

Friday, January 31, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Hiroyoshi Oeda, Jodo Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Hanabusa and Menor who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 128 to 133) were read by the Clerk and were placed on file:

Gov. Msg. No. 128, letter dated January 28, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of S.B. No. 1330, which appropriates funds to enable staffing of the Offices of the Governor and Lieutenant Governor from January 2003 through June 2003.

Gov. Msg. No. 129, letter dated January 28, 2003, 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. 1353, which makes an emergency appropriation for Medicaid.

Gov. Msg. No. 130, letter dated January 28, 2003, 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. 1358, which is necessary to pay for start-up and remediation costs to comply with the federal Health Insurance Portability and Accountability Act of 1996.

Gov. Msg. No. 131, letter dated January 28, 2003, 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. 1359, which is necessary to ensure that the Hawaii Health Systems Corporation can pay its contributions to the Employees' Retirement System and Health Fund for the employees of the corporation.

Gov. Msg. No. 132, letter dated January 30, 2003, 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. 1381, which makes emergency appropriations to provide funding to open and operate the Kapolei Public Library.

Gov. Msg. No. 133, letter dated January 30, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

ORDER OF THE DAY

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, January 28, 2003:

Senate Concurrent Resolution	Referred to:
No. 2 Affairs	Committee on Judiciary and Hawaiian
No. 3	Committee on Transportation, Military Affairs, and Government Operations
No. 4	Committee on Education
No. 5	Committee on Transportation, Military Affairs, and Government Operations
No. 6	Jointly to the Committee on Economic Development and the Committee on Labor
No. 7	Committee on Transportation, Military Affairs, and Government Operations
No. 8	Jointly to the Committee on Health and the Committee on Human Services
No. 9	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
No. 10	Committee on Human Services

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Tuesday, January 28, 2003:

Senate Resolution	Referred to:
No. 3 Affairs	Committee on Judiciary and Hawaiian
No. 4	Committee on Transportation, Military Affairs, and Government Operations
No. 5	Jointly to the Committee on Economic Development and the Committee on Labor

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 958	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
No. 1152	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs
No. 1188	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1193 Committee on Commerce, Consumer Protection and Housing

No. 1280 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations

No. 1520 Committee on Water, Land, and Agriculture

No. 1537 Committee on Commerce, Consumer Protection and Housing

No. 1548 Committee on Commerce, Consumer Protection and Housing

No. 1696 Jointly to the Committee on Labor and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1697 Jointly to the Committee on Labor, the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means

Senator Hemmings rose on a point of personal privilege as follows:

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

“Your loyal opposition, the Minority Party, has noticed a growing trend that we’d like to go on record about. The Majority Party this year has introduced over 200 short form bills. We’re concerned about this. It seems the Majority Party may have a lot of great ideas – they just don’t know what they are yet.

“As your loyal opposition, Mr. President, besides expressing our concern, we’re willing to help you out in creating some substance in these short form bills and we just wanted to go on record that we did notice it.

“Thank you, Mr. President.”

Senator Baker rose on a point of personal privilege and stated:

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

“Mr. President, recently in the news we’ve been apprised that a commission appointed by President Bush is seriously threatening to undermine a statute that has done a great deal of good for young women in high school and college in enabling them to participate in sports. That statute which has been on the books since 1972 is Title IX.

“The commission is considering actions that, rather than continuing to raise women up, will put them down so that male athletes will have more opportunities and more scholarships. So institutions, rather than putting more money into all athletics, are looking at taking from the women’s programs that have benefited from this law for many years.

“As a matter of fact, because Title IX prohibits gender discrimination in programs that receive federal money, its effect has been quite profound. The number of girls participating in high school athletics has risen from 294,000 in 1971 to 2.8 million in 2002. The number of women in college sports has increased five-fold over a similar time frame.

“Mr. President, I hope that all of my colleagues who enjoy sports, both men’s and women’s athletics, and we have a

wonderful program here at the University of Hawaii, will join me in expressing our outrage at this kind of assault on a measure that has been so positive throughout the country. It cannot be allowed to go without some comment.

“Congresswoman Patsy Mink was, of course, the author of this law and it’s sadly ironic that less than a year after her passing, we would see an attempt to unravel something that has done so much good in our country.

“Thank you very much.”

Senator Hogue also rose on a point of personal privilege and remarked:

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

“I want to echo some of the sentiments that I just heard from the previous speaker. But I also want to speak out in favor of Title 9, which has really done a tremendous job for young women. My daughter, for example, will be one of the recipients of these many scholarships just this next year, as she will receive a full ride to Loyola Marymount University to play college basketball. I’m very proud of her efforts and of all of the young women.

“I don’t believe, however, one of the statements made by the previous speaker that there is an assault on young women or there is some sort of effort going on to put women down. On the contrary, I believe that we here in the United States have done great things in the past many years to bring women forward into the world of sports. I encourage those kinds of efforts and I encourage all of us to work together for this common good so that women can actually bring themselves to the top and to the pinnacle of achievement here.

“So, I personally will work and send my regards to the Bush Administration to work towards improving relations among all of us here so that we can actually continue to make great strides with Title 9.

“Thank you.”

HOUSE COMMUNICATION

Senator Kawamoto moved that the Clerk be authorized to receive a House communication transmitting H.B. No. 1, H.D. 1, and that said bill pass First Reading by title and be referred to the Committee on Ways and Means, seconded by Senator Hogue.

Senator Ihara rose and said:

“Mr. President, on a, I guess, point of information.

“I just wanted to let the members know that while I’m not going to be objecting to this vote, what we’re doing is casting, allowing the Clerk to cast a vote, a constitutionally required vote, on all of our behalves while we’re not here. While we’re in recess, the bill will come over from the House and the motion that is made will allow the Clerk to cast those constitutionally required votes.

“I just wanted to point that out. I will not object to that but I will object to having this done on Second Reading. Thank you.”

The motion was put by the Chair and carried, the Clerk was authorized to receive the House communication transmitting H.B. No. 1, H.D. 1, relating to the authorization of funds for the expenses of the Legislature. In consequence thereof, and

subsequent to its recessing at 11:58 o'clock a.m., the Senate took the following action:

Hse. Com. No. 4, transmitting H.B. No. 1, H.D. 1, which passed Third Reading in the House of Representatives on January 31, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 3:11 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, February 3, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWELFTH DAY

Monday, February 3, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Captain Dwayne Patterson, The Salvation Army, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 134 to 180) were read by the Clerk and were placed on file:

Gov. Msg. No. 134, dated January 3, 2003, transmitting a Report on the Progress of Activities Between the Department of Education and the University of Hawaii Community Colleges, prepared by the Department of Education pursuant to H.C.R. No. 158 (2002).

Gov. Msg. No. 135, dated January 3, 2003, transmitting the Annual Report on the Federal Grant Search, Development, and Application Revolving Fund, prepared by the Department of Education pursuant to Section 302A-1405, HRS.

Gov. Msg. No. 136, dated January 3, 2003, transmitting the Annual Report on the Teacher Education Coordinating Committee, prepared by the Department of Education pursuant to Section 304-20, HRS.

Gov. Msg. No. 137, dated January 3, 2003, transmitting the Annual Report on the Incentive and Innovation Grant Trust Fund, prepared by the Department of Education pursuant to Section 302A-301, HRS.

Gov. Msg. No. 138, dated January 3, 2003, transmitting the Report on Personnel Expenditures for CIP, prepared by the Department of Education pursuant to Act 259, Section 98, SLH 2001.

Gov. Msg. No. 139, dated January 3, 2003, transmitting a Report on Government Privatization, prepared by the Department of Education pursuant to Act 90, SLH 2001.

Gov. Msg. No. 140, dated January 3, 2003, transmitting the Annual Report on Carryover of Funds, prepared by the Department of Education pursuant to Section 37-14.5, HRS.

Gov. Msg. No. 141, dated January 3, 2003, transmitting the Report on School Rental Fees for Use of School Facilities, prepared by the Department of Education pursuant to Act 256, SLH 2000.

Gov. Msg. No. 142, dated January 3, 2003, transmitting the Report on the School-Level Minor Repairs and Maintenance Funds, prepared by the Department of Education pursuant to Act 311, SLH 2001.

Gov. Msg. No. 143, dated January 3, 2003, transmitting the Report on the DOE's Progress of Meeting the Requirements of the Felix Response Plan, prepared by the Department of Education pursuant to Act 259, Section 51, SLH 2001.

Gov. Msg. No. 144, dated January 3, 2003, transmitting the Validation Study of Educational Officers, prepared by the Department of Education pursuant to Acts 156 and 249, SLH 2002.

Gov. Msg. No. 145, dated January 3, 2003, transmitting the Report on the DOE's Progress of Meeting the Requirements of the Felix Response Plan, prepared by the Department of Education pursuant to Act 155, Section 51.1, SLH 2002.

Gov. Msg. No. 146, dated January 6, 2003, transmitting the Annual Report on Payments to the State by Electronic Funds Transfer, prepared by the Department of Taxation pursuant to Act 177, SLH 1997.

Gov. Msg. No. 147, dated January 6, 2003, transmitting the Annual Report Providing a Progress and Expenditure Report on the Redesign of the Integrated Tax Information Management Systems, prepared by the Department of Taxation pursuant to Act 273, SLH 1996 and Act 155, SLH 1999.

Gov. Msg. No. 148, dated January 8, 2003, transmitting the Department of Defense's Annual Report for Fiscal Year Ending June 30, 2002.

Gov. Msg. No. 149, dated January 8, 2003, transmitting the Report on Current and Projected Numbers Regarding the Clients in Nursing Home Without Walls and Residential Alternatives Community Care Programs, prepared by the Department of Human Services.

Gov. Msg. No. 150, dated January 8, 2003, transmitting the Report Regarding Compliance to the Health Insurance Portability and Accountability Act, prepared by the Department of Human Services.

Gov. Msg. No. 151, dated January 8, 2003, transmitting the Aloha Tower Development Corporation's Annual Report for Fiscal Year Ending June 30, 2002.

Gov. Msg. No. 152, dated January 8, 2003, transmitting the Summary of University of Hawaii Special, Revolving, and Trust Funds for the Fiscal Year Ended June 30, 2002, pursuant to Sections 304-7 and 304-8, HRS, and the Summary of University of Hawaii Special funds: Auxiliary Enterprises Facilities Use, Community Services, and Tuition and Fees for the Fiscal Year Ended June 30, 2002.

Gov. Msg. No. 153, dated January 9, 2003, transmitting the Report on the Progress of Assessing the Cultural Sites and Burial Remains in Makua Valley and the Monitoring of These Cultural Sites and Burial Sites, prepared by the Department of Land and Natural Resources pursuant to Act 259, Section 61, SLH 2001.

Gov. Msg. No. 154, dated January 9, 2003, transmitting the 2002 Annual Report on Home Property Liens, prepared by the Department of Human Services pursuant to Section 346-29.5, HRS.

Gov. Msg. No. 155, dated January 9, 2003, transmitting the Report on Operations of the Filing Office for Financing Statements Under the Uniform Commercial Code, Secured Transactions, prepared by the Department of Land and Natural Resources pursuant to Section 490:9-527, HRS.

Gov. Msg. No. 156, dated January 9, 2003, transmitting a Report on the Identification of Rivers and Streams Worthy of

Protection, prepared by the Department of Land and Natural Resources, Commission on Water Resource Management, pursuant to Section 174C-31, HRS.

Gov. Msg. No. 157, dated January 9, 2003, transmitting the Six-Year Plan for School Repair and Maintenance, prepared by the Department of Accounting and General Services, Central Services Division.

Gov. Msg. No. 158, dated January 9, 2003, transmitting the Criteria for the Establishment and Continuance of Administratively Established Accounts and Funds Report, prepared by the Department of Land and Natural Resources, pursuant to Section 37-52.5, HRS.

Gov. Msg. No. 159, dated January 9, 2003, transmitting the Annual Reports on All Special, Trust, and Revolving Fund Transactions Carried Out Over the Previous Fiscal Year and the Report on Criteria for the Establishment and Continuance of Administratively Established Accounts and Funds, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No 125 (1993) and Section 37-52.5, HRS.

Gov. Msg. No. 160, dated January 9, 2003, transmitting the Project-Funded Staff Services Budget Report, prepared by the Department of Land and Natural Resources pursuant to Act 259, SLH 2001.

Gov. Msg. No. 161, dated January 9, 2003, transmitting the Report on Land Dispositions Made of Public Lands for Calendar Year 2002, prepared by the Department of Land and Natural Resources pursuant to Section 171-29, HRS.

Gov. Msg. No. 162, dated January 9, 2003, transmitting the Annual Report for the Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing, prepared by the Department of Land and Natural Resources and the Department of Agriculture pursuant to Act 176, SLH 1999.

Gov. Msg. No. 163, dated January 9, 2003, transmitting the Interim Report on the Use of Alternative Energy Sources to Address Energy Needs on the Island of Kahoolawe, prepared by the Department of Land and Natural Resources and the Kahoolawe Island Reserve Commission in conjunction with the Kahoolawe Island Reserve Alternative Energy Task Force, pursuant to S.C.R. No. 101 (2002).

Gov. Msg. No. 164, dated January 9, 2003, transmitting the Final Report and Recommendations Regarding Act 273, SLH 2001, prepared by the Department of Human Services.

Gov. Msg. No. 165, dated January 9, 2003, transmitting a Report Addressing the Concerns of Kokee State Park Lessees With Expiring Leases, prepared by the Department of Land and Natural Resources pursuant to S.C.R. No. 136 (2002).

Gov. Msg. No. 166, dated January 9, 2003, transmitting the Status Report from the Task Force on Beach and Water Safety, prepared by the Department of Land and Natural Resources in conjunction with the Task Force on Beach and Water Safety pursuant to Act 170, SLH 2002.

Gov. Msg. No. 167, dated January 10, 2003, transmitting a report prepared by the Public Utilities Commission pursuant to S.R. No. 105 (2002), requesting the formation of the Power Quality Task Force to study issues relating to responsibility over power quality in Hawaii.

Gov. Msg. No. 168, dated January 13, 2003, transmitting the Annual Report of the Research Corporation of the University of Hawaii, pursuant to Chapter 307, HRS.

Gov. Msg. No. 169, dated January 13, 2003, transmitting the Progress Report on State Irrigation Program's Self-Sufficiency, prepared by the Department of Agriculture pursuant to Act 259, Section 6, SLH 2001.

Gov. Msg. No. 170, dated January 15, 2003, transmitting the State of Hawaii Program Memoranda, prepared by the Department of Budget and Finance, Budget, Program Planning and Management Division, pursuant to Section 37-70, HRS.

Gov. Msg. No. 171, dated January 16, 2003, transmitting the Report on Expenditures to Pay Unemployment Compensation Claims of Former State Employees, prepared by the Department of Human Resources Development pursuant to Act 259, Section 83, SLH 2001.

Gov. Msg. No. 172, dated January 17, 2003, transmitting a Report Relating to Project-Funded Staff Services Budget, prepared by the Department of Transportation pursuant to Act 177, Sections 93, 94 and 95, SLH 2002.

Gov. Msg. No. 173, dated January 17, 2003, transmitting Special Maintenance Reports, prepared by the Department of Transportation pursuant to Act 177, Sections 8, 11 and 15, SLH 2002.

Gov. Msg. No. 174, dated January 17, 2003, transmitting a Report Relating to the Use of Motorized Devices on Sidewalks, Highways, and Public Areas, prepared by the Department of Transportation pursuant to S.C.R. No. 116 (2002).

Gov. Msg. No. 175, dated January 17, 2003, transmitting a Report Relating to Government Operations, prepared by the Department of Transportation pursuant to Act 100, Section 7, SLH 1999.

Gov. Msg. No. 176, dated January 17, 2003, transmitting a Report Relating to Security at Hawaii Airports, prepared by the Department of Transportation pursuant to Act 177, Section 9.1, SLH 2002.

Gov. Msg. No. 177, dated January 22, 2003, transmitting a Report Relating to Privatization, prepared by the Department of Human Services, Office of Youth Services, pursuant to Act 90, SLH 2001.

Gov. Msg. No. 178, dated January 23, 2003, transmitting a Report on the Examination of State Regulation of Death Care Providers, prepared by the Death Care Provider Task Force, the Department of Health, and the Department of Commerce and Consumer Affairs pursuant to H.C.R. No. 53 (2002).

Gov. Msg. No. 179, dated January 16, 2003, transmitting the Report on the Establishment of the Hydrogen Public/Private Partnership to Support and Promote Hydrogen use in Hawaii's Energy Economy, pursuant to Act 283, SLH 2001.

Gov. Msg. No. 180, letter dated January 31, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 24, from the State Auditor dated January 24, 2003, transmitting the revised copy of the overview for the report, "New Century Charter School Allocations Project - FY 2002-2003," (Report No. 03-01), was read by the Clerk and was placed on file.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1) recommending that S.B. No. 38 pass Second Reading and be referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 38, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 2) recommending that S.B. No. 377 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 377, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 1, H.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. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 4, 2003.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

- | | |
|-------------|---|
| Senate Bill | Referred to: |
| No. 660 | Jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means |
| No. 842 | Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means |
| No. 1286 | Jointly to the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means |

No. 1491 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1619 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Ways and Means

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

"Mr. President, I rise on a point of personal privilege.

"At the adjournment of today's session, I'd like to close with a rising vote in honor of the seven astronauts who died in the Columbia space shuttle tragedy."

The Chair so ordered.

ADJOURNMENT

At 11:49 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 4, 2003, on a rising vote, observing a moment of silence in memory of the seven crew members of the space shuttle Columbia.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTEENTH DAY

Tuesday, February 4, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Linda C. Magno, Catholic Diocese Office of Worship, after which the Roll was called showing all Senators present.

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

SENATE RESOLUTION

The following resolution (S.R. No. 10) was read by the Clerk and was disposed of as follows:

Senate Resolution

No. 10 "SENATE RESOLUTION NAMING THE CHAIRS, VICE CHAIRS, AND MEMBERS OF THE STANDING COMMITTEES OF THE SENATE OF THE TWENTY-SECOND LEGISLATURE."

Offered by: Senators Kawamoto, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 10 was adopted.

STANDING COMMITTEE REPORT

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No. 33 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 33, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

ORDER OF THE DAY

THIRD READING

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

Senator Taniguchi moved that H.B. No. 1, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Ihara rose and said:

"Mr. President, I just wanted to thank yourself for providing myself in the caucus, and I'm sure all the members, information that we need in order to vote on this. We're looking forward to the additional information provided by the Clerk.

"Thank you."

Senator Hemmings rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of this legislation.

"I think it's incumbent upon the Minority Party to take note of the fact that this budget has grown modestly. We're still digesting the exact figures. But what really is important is the quality of work that comes out of this legislature and it's important for us to recognize the people in the Auditor's Office, the Ombudsman, the Ethics Commission, and the Legislative Reference Bureau.

"For us in the Minority, we're appreciative because we always get treated evenhandedly and there is never an ounce of partisan bickering or debate with us. We're treated, I think, just as well as anyone else in the Majority Party would be treated.

"I would also like to note that the other day, I get here a little early and I was walking into the building at about 6:15 in the morning and someone from the Clerk's Office was arriving and I said, 'gee, what are you doing here so early?' And they said, 'well, it's the time we really can get our work done.' And I would like to, on behalf of myself and hopefully my caucus, thank the employees of the Senate and the employees in the Auditor's, Ombudsman's, Ethics Commission, and the Legislative Reference Bureau for the work they do on our behalf. I think they go beyond their salaries, oftentimes, to get the job done, and for that, we're most appreciative.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, January 30, 2003:

Senate Concurrent Resolution	Referred to:
No. 11	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
No. 12	Committee on Human Services
No. 13	Jointly to the Committee on Human Services and the Committee on Health
No. 14	Jointly to the Committee on Health and the Committee on Education
No. 15	Jointly to the Committee on Health and the Committee on Education

- No. 16 Committee on Health
- No. 17 Committee on Judiciary and Hawaiian
Affairs
- No. 18 Committee on Judiciary and Hawaiian
Affairs
- No. 19 Jointly to the Committee on Labor and
the Committee on Commerce, Consumer Protection and
Housing, then to the Committee on Ways and Means

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, January 30, 2003:

- | Senate Resolution | Referred to: |
|-------------------|---|
| No. 6 | Committee on Health |
| No. 7 | Jointly to the Committee on Health and
the Committee on Education |
| No. 8 | Committee on Judiciary and Hawaiian
Affairs |
| No. 9 | Jointly to the Committee on Labor and
the Committee on Commerce, Consumer Protection and
Housing, then to the Committee on Ways and Means |

RE-REFERRAL OF SENATE BILLS

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

- | Senate Bill | Referred to: |
|-------------|---|
| No. 1435 | Jointly to the Committee on Water, Land,
and Agriculture and the Committee on Economic Development,
then to the Committee on Ways and Means |
| No. 1619 | Jointly to the Committee on Economic
Development and the Committee on Transportation, Military
Affairs, and Government Operations, then to the Committee on
Ways and Means |

ADJOURNMENT

At 12:30 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., Wednesday, February 5, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FOURTEENTH DAY

Wednesday, February 5, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Honpa Hongwanji, after which the Roll was called showing all Senators present with the exception of Senators Ihara, Sakamoto, Tsutsui and Whalen who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 181 to 185) were read by the Clerk and were placed on file:

Gov. Msg. No. 181, letter dated February 4, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

Gov. Msg. No. 182, dated January 10, 2003, transmitting a report, Proposal for a Marketing Plan for Hawaii Agricultural Products, prepared by the Agribusiness Development Corporation pursuant to Act 194, SLH 2002.

Gov. Msg. No. 183, dated January 21, 2003, transmitting the Hawaii Community Development Authority's 2002 Annual Report, pursuant to Chapter 206E, HRS.

Gov. Msg. No. 184, dated January 23, 2003, transmitting the Special Unemployment Insurance Fund Revenues and Expenditures Report for Fiscal Year Ended June 30, 2002, pursuant to Section 383-127, HRS.

Gov. Msg. No. 185, dated February 3, 2003, transmitting the High Technology Directional Plan for the State of Hawaii, prepared by the Department of Business, Economic Development and Tourism, The High Technology Development Corporation, The Natural Energy Laboratory of Hawaii Authority, and The High Technology Trade Association pursuant to S.C.R. No. 157 (2002).

ADJOURNMENT

At 11:49 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 6, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTEENTH DAY**Thursday, February 6, 2003**

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mike Young, First Unitarian Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Whalen who were excused.

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

ORDER OF THE DAY**RE-REFERRAL OF SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 248	Committee on Tourism, then to the Committee on Ways and Means

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 7, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

SIXTEENTH DAY

Friday, February 7, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Arnold Trujillo, President, Hawaii Conference of Seventh-Day Adventists, after which the Roll was called showing all Senators present with the exception of Senator Sakamoto who was excused.

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

Senator Tsutsui introduced Masaru "Pundy" Yokouchi and congratulated him on being named as one of Hawaii's living treasures and commended him for his commitment to his community and for his devotion and countless contributions to the world of arts.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 186 to 192) were read by the Clerk and were placed on file:

Gov. Msg. No. 186, letter dated January 30, 2003, 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. 1354, which makes an emergency appropriation and authorization of \$6,259,886 from the Hawaii Tobacco Settlement Special Fund to allow the Department of Human Services to continue to provide health care coverage to children under 19 who are eligible under its medical assistance programs.

Gov. Msg. No. 187, letter dated February 5, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

Gov. Msg. No. 188, dated January 21, 2003, transmitting a Report on a Plan for Licensing Educational Administrators, prepared by the Department of Health pursuant to Act 249, SLH 2002.

Gov. Msg. No. 189, dated January 21, 2003, transmitting the Annual School-by-School Expenditure Report, prepared by the Department of Education pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 190, dated January 21, 2003, transmitting the Report on the Performance Standards Review Commission, prepared by the Department of Education pursuant to Section 302A-201, HRS.

Gov. Msg. No. 191, dated January 29, 2003, transmitting the 2002 Annual Report of the State of Hawaii Overseas Offices, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-84.

Gov. Msg. No. 192, dated January 29, 2003, transmitting Hawaii's Sister State/Province Program Report, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-84.

STANDING COMMITTEE REPORTS

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 248, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Tourism.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was recommitted to the Committee on Tourism.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 6) recommending that S.B. No. 859, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 881 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 881, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 882 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO MULTI-PURPOSE SENIOR CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 883, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 883, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 892, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 892, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 11) recommending that S.B. No. 923 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO ELDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 946 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 950, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 971 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 971, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOSTER CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Kawamoto, for the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 15) recommending that S.B. No. 41 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 41, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 16)

recommending that S.B. No. 392 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 392, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY DRUG TREATMENT COURT QUARTERLY REPORTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 632, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 632, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 635, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC FINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 729 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 729, entitled: "A BILL FOR AN ACT RELATING TO THE DRUG COURT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 801 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 801, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 802, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 962, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 962, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CHILDREN'S JUSTICE CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 996 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 442, 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 S.B. No. 442, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 933, 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 S.B. No. 933, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STALKING," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 934, 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 S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 935 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 S.B. No. 935, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 65	Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1280	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 10, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

SEVENTEENTH DAY

Monday, February 10, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor David Monroy, Hope Chapel, Manoa, after which the Roll was called showing all Senators present.

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

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 205, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was recommitted to the Committee on Labor.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 209, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was recommitted to the Committee on Labor.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 645, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH FUND," passed Second Reading and was recommitted to the Committee on Labor.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 649, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM," passed Second Reading and was recommitted to the Committee on Labor.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 32) recommending

that S.B. No. 140, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Education.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was recommitted to the Committee on Education.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 235, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 237, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading and was recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 382, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 477 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 477, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS COMMISSION ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 611 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 611, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 615 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 615, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL ATTORNEYS GENERAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 39) recommending that S.B. No. 634, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 634, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWO COUNSELORS TO TREAT WOMEN INCARCERATED FOR DRUG-RELATED OFFENSES ON MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 40) recommending that S.B. No. 1134 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1134, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 41) recommending that S.B. No. 1135 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1135, entitled: "A BILL FOR AN ACT RELATING TO COURT FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 42) recommending that S.B. No. 1138 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 43) recommending that S.B. No. 1139, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 44) recommending that S.B. No. 1333, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 45) recommending that S.B. No. 486 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 486, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA YOUTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 46) recommending that S.B. No. 494 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 494, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI ADULT DAY CARE CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 47) recommending that S.B. No. 504 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 504, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI FOOD BANK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 48) recommending that S.B. No. 865, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 865, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE FOOD SECURITY COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 49) recommending that S.B. No. 918, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS AND ORGANIZATIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 50) recommending that S.B. No. 964 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 964, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TREATMENT SERVICES FOR CHILD VICTIMS OF INTRAFAMILIAL SEXUAL ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 51) recommending that S.B. No. 967 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 967, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRANSITIONAL LIVING SERVICES FOR UNSERVED STREET YOUTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 52) recommending that S.B. No. 969, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 969, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BLUEPRINT FOR CHANGE PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 53) recommending that S.B. No. 976, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 976, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 54) recommending that S.B. No. 980, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NEEDS AND RIGHTS OF CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Kawamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 55) recommending that S.B. No. 1393, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1393, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 56) recommending that S.B. No. 261, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Water, Land, and Agriculture.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was recommitted to the Committee on Water, Land, and Agriculture.

ORDER OF THE DAY

THIRD READING

S.B. No. 442, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 442, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 933, S.D. 1:

Senator Hanabusa moved that S.B. No. 933, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise to speak in favor of this bill with reservations.

"This is an improvement on our current stalking bill but there were some concerns that were expressed in Committee with regards to specific definitions in the bill, or non-definitions in the bill. For example, on page 2 of the bill, line 12, they talk about legitimate purpose, but then that phrase is not actually defined. Later they talk about non-consensual contact on page 3 of the bill and defined it as 'non-consensual contact consists

of, but is not limited to, direct personal visual or oral contact, or contact via telephone, facsimile, or electronic mail transmission.’

“This wording is vague and I think it really needs to be tightened up. Therefore, I’ll vote with reservations. Thank you.”

Senator Slom then requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 933, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STALKING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 934, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 934, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

S.B. No. 935:

Senator Hanabusa moved that S.B. No. 935, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose in support of the measure with reservations and said:

“Mr. President, I also rise in support of this measure with reservations.

“It essentially sets up mandatory sentencing with regards to TROs. Certainly, the sentencing is a lot simpler this way. There’s something to be said for the velocity that violating the order is violating the order. However, opposing points of view which were expressed in the Committee is that there is a huge difference between sending a note to your child, which could violate these orders, and assaulting someone, which also is a violation.

“For those reasons, I’ll be voting with reservations and I hope we can tighten up the wording.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 935, entitled: “A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 205, S.D. 1 Committee on Labor, then to the Committee on Ways and Means

No. 209, S.D. 1 Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means

No. 235, S.D. 1 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 237, S.D. 1 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 261, S.D. 1 Committee on Commerce, Consumer Protection and Housing

No. 645, S.D. 1 Committee on Labor, then to the Committee on Ways and Means

No. 649, S.D. 1 Committee on Labor, then to the Committee on Ways and Means

ADJOURNMENT

At 11:54 o’clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Tuesday, February 11, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

EIGHTEENTH DAY

Tuesday, February 11, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Gary Secor, Vicar for Clergy, Catholic Diocese of Honolulu, after which the Roll was called showing all Senators present.

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

At this time, Senator Slom introduced Malia Zimmerman and Jay McWilliams, President and Vice President, respectively, of the Hawaii Reporter and congratulated them on the occasion of the online publication's first anniversary.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 193 to 198) were read by the Clerk and were placed on file:

Gov. Msg. No. 193, informing the Senate that on February 4, 2003, she signed into law House Bill No. 1 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Gov. Msg. No. 194, letter dated February 7, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

Gov. Msg. No. 195, dated February 12, 2003, transmitting the Annual Report Establishing the Primary Health Care Incentive Program and the Primary Care Roundtable, prepared by the Department of Health pursuant to Act 41, SLH 1992.

Gov. Msg. No. 196, dated February 12, 2003, transmitting a Report Relating to Neurotrauma, prepared by the Department of Health pursuant to Act 160, SLH 2002.

Gov. Msg. No. 197, dated February 12, 2003, transmitting the Annual Report of the Disability and Communication Access Board.

Gov. Msg. No. 198, dated February 11, 2003, transmitting a Report Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health, prepared by the Department of Health, Environmental Health Administration, Environmental Management Division, Safe Drinking Water Branch, Wastewater Branch, pursuant to Sections 340E-31 through 340E-41.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 20) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 20 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO DETERMINE THE COST-EFFECTIVENESS OF THEBUS [sic] AND A BUS RAPID TRANSIT SYSTEM."

Offered by: Senators Sakamoto, Hemmings.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 57) recommending that S.B. No. 380, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 380, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIANAE COAST COMPREHENSIVE HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 58) recommending that S.B. No. 658 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 658, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 59) recommending that S.B. No. 661, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Kawamoto, for the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 60) recommending that S.B. No. 664, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR THE DEVELOPMENT OF A VETERANS AFFAIRS LONG-TERM CARE FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 61) recommending that S.B. No. 1359 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1359, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 62) recommending that S.B. No. 741, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 741, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 63) recommending that S.B. No. 891 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 891, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT DENTAL HEALTH SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 64) recommending that S.B. No. 894, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPOROSIS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 65) recommending that S.B. No. 963 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 963, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE POISON CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 66) recommending that S.B. No. 1241 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1241, entitled: "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 67) recommending that S.B. No.

384, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 384, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 68) recommending that S.B. No. 978 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 978, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 69) recommending that S.B. No. 739 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 739, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 70) recommending that S.B. No. 829, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 829, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HALEIWA PSYCHOLOGICAL REHABILITATION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 71) recommending that S.B. No. 1321 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1321, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 72) recommending that S.B. No. 489 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 489, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 73) recommending that S.B. No. 498, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 74) recommending that S.B. No. 827, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 827, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 75) recommending that S.B. No. 1282, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1282, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 76) recommending that S.B. No. 1283 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1283, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Kim, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 77) recommending that S.B. No. 1629 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1629, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 78) recommending that S.B. No. 1650, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Menor and Kawamoto, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 79) recommending that S.B. No. 1661, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Menor, for the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 80) recommending that S.B. No. 1533, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Kawamoto, for the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 81) recommending that S.B. No. 1461 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1461, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 82) recommending that S.B. No. 484 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 484, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 83) recommending that S.B. No. 740 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 740, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 84) recommending that S.B. No. 783, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM FOR EMERGENCY MEDICAL TECHNICIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kawamoto, for the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 85) recommending that S.B. No. 490 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 490, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kawamoto, for the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 86) recommending that S.B. No. 492 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 492, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR ENERGY EFFICIENCY IN STATE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 87) recommending that S.B. No. 431, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 431, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN FUEL VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 88) recommending that S.B. No. 855, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 855, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 89) recommending that S.B. No. 487 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 487, entitled: "A BILL FOR AN ACT RELATING TO A GEOTHERMAL-TO-HYDROGEN TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 90) recommending that S.B. No. 909 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 909, entitled: "A BILL FOR AN ACT RELATING TO REQUIRED GREASE INTERCEPTORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 91) recommending that S.B. No. 848 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOLAWE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 92) recommending that S.B. No. 713 pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 713, entitled: "A BILL FOR AN ACT RELATING TO CLOSURE OF MUNICIPAL FACILITIES," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 93) recommending that S.B. No. 506 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 506, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ROYALTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kawamoto, for the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 94) recommending that S.B. No. 319, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 319, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 95) recommending that S.B. No. 1536, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW FUEL EFFICIENT VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 96) recommending that S.B. No. 596, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 97) recommending that S.B. No. 26 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 98) recommending that S.B. No. 85 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 85, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 99) recommending that S.B. No. 297 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 297, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN ACTIVITIES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 100) recommending that S.B. No. 313 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 101) recommending that S.B. No. 386 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 386, entitled: "A BILL FOR AN ACT RELATING TO UTILIZATION OF FEDERAL FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 102) recommending that S.B. No. 531 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 103) recommending that S.B. No. 532 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 104) recommending that S.B. No. 562 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 105) recommending that S.B. No.

676 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 106) recommending that S.B. No. 680 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 680, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 107) recommending that S.B. No. 732 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 732, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGHWAY IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 108) recommending that S.B. No. 862 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 862, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITION OF DISCRIMINATION BY PUBLIC ENTITIES AGAINST INDIVIDUALS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 109) recommending that S.B. No. 880 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 110) recommending that S.B. No. 1035 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 1035, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 111) recommending that S.B. No. 1046 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1046, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 112) recommending that S.B. No. 1051 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 113) recommending that S.B. No. 1056 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1056, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ETHICS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 114) recommending that S.B. No. 1094 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1094, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 115) recommending that S.B. No. 1330 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1330, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 116) recommending that S.B. No. 1331 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1331, entitled: "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 117) recommending that S.B. No. 4 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 4, entitled: "A BILL FOR AN ACT RELATING TO RECYCLED WATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 118) recommending that S.B. No. 36, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 36, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIKIKI BEACH RESTORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 119) recommending that S.B. No. 378 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 378, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 120) recommending that S.B. No. 530, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 530, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME OCCUPATIONS WITHIN AGRICULTURAL DISTRICTS," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 121) recommending that S.B. No. 535 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 535, entitled: "A BILL FOR AN ACT

RELATING TO THE CONTROL OF AXIS DEER IN MAUI COUNTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 122) recommending that S.B. No. 540 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 540, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 123) recommending that S.B. No. 546 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 546, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 124) recommending that S.B. No. 704 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 704, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 125) recommending that S.B. No. 814 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 814, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 126) recommending that S.B. No. 920, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 127) recommending that S.B. No. 1287 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 128) recommending that S.B. No. 1495 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1495, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII DROUGHT PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 129) recommending that S.B. No. 1496 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1496, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 130) recommending that S.B. No. 1555 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1555, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE BOY SCOUTS OF AMERICA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 131) recommending that S.B. No. 1585 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1585, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR SMALL BOAT HARBOR IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 132) recommending that S.B. No. 1594 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1594, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 133) recommending that S.B. No. 1616, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1616, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HALEIWA HARBOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 134) recommending that S.B. No. 1680 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1680, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 135) recommending that S.B. No. 1163 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 S.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 136) recommending that S.B. No. 1038, 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 S.B. No. 1038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER SUPPLY," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 137) recommending that S.B. No. 1547 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 S.B. No. 1547, entitled: "A BILL FOR AN ACT RELATING TO MARINE ACTIVITIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 2003.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 138) recommending that S.B. No. 1462 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 S.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,"

passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 2003.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 126	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations
No. 1040	Jointly to the Committee on Tourism and the Committee on Ways and Means

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 771.

Senator Kanno noted:

“Mr. President, the bill was heard on Friday, February 7, and was deferred for decision-making until Monday, February 10. When the original decision-making notice was prepared, the bill was inadvertently left off the agenda. We’d like to schedule this matter for decision-making for Wednesday at 1:15 in room 225.”

The Chair then granted the waiver.

ADJOURNMENT

At 12:01 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., Wednesday, February 12, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

NINETEENTH DAY

Wednesday, February 12, 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 Mark Lee, Community Church of Honolulu, after which the Roll was called showing all Senators present.

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

At this time, Senator Kim congratulated the Kamehameha Schools' Men's Varsity Volleyball Team on capturing the 2002 Hawaii State Volleyball Championship and introduced Coach Pono Ma`a, and the following members of the team: Isaac Kneubuhl, William Melemai, Jarrett Day and Ainoa Miyashiro. Accompanying the team was Athletic Director Erv Kau.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 139) recommending that S.B. No. 511, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 511, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AHUPUA`A O KAHANA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 140) recommending that S.B. No. 516, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 516, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOE BAY PIERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 141) recommending that S.B. No. 524, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 524, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND IN NORTH KONA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 142)

recommending that S.B. No. 536 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 536, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FORESTRY AND COMMUNITY INITIATIVE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 143) recommending that S.B. No. 537 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 537, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 144) recommending that S.B. No. 539 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 539, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 145) recommending that S.B. No. 542, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 542, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIC LABELING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 146) recommending that S.B. No. 543 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 543, entitled: "A BILL FOR AN ACT RELATING TO STATE IRRIGATION SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 147) recommending that S.B. No. 548 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 548, entitled: "A BILL FOR AN ACT

RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 148) recommending that S.B. No. 561, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 149) recommending that S.B. No. 633 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 633, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO PREVENT CONDEMNATION OF TRUST LANDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 150) recommending that S.B. No. 719 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 719, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 151) recommending that S.B. No. 813 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 152) recommending that S.B. No. 1066 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1066, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUEA CEMETERY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 153) recommending that S.B. No. 1076, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1076, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 154) recommending that S.B. No. 1257 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING TO THE IRRIGATION WATER DEVELOPMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 155) recommending that S.B. No. 1415 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1415, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 156) recommending that S.B. No. 1432, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIVERSIFIED AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Fukunaga, for the Committee on Water, Land, and Agriculture and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 157) recommending that S.B. No. 1435 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1435, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 1615 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1615, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 159) recommending that S.B. No.

1243, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1243, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRIMARY HEALTH CARE FOR THE UNINSURED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 160) recommending that S.B. No. 1612 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1612, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 161) recommending that S.B. No. 496 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 496, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPLETING FENCE ENCLOSURES AROUND LANAI'S WATERSHED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 162) recommending that S.B. No. 550, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 550, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 163) recommending that S.B. No. 1207 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1207, entitled: "A BILL FOR AN ACT AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR MANELE SMALL BOAT HARBOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 164) recommending that S.B. No. 1209 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1209, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN

APPROPRIATION FOR HANA SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 165) recommending that S.B. No. 6 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 6, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES' STIPENDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 166) recommending that S.B. No. 16, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 16, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 167) recommending that S.B. No. 56 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 56, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 168) recommending that S.B. No. 58 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 169) recommending that S.B. No. 342 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 342, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAUOLI SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 170) recommending that S.B. No. 343 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 343, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 171) recommending that S.B. No. 365, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 365, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF STATE EDUCATIONAL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 172) recommending that S.B. No. 395, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HO'ALA SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 173) recommending that S.B. No. 397 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 397, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 174) recommending that S.B. No. 816, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY RESOURCE OFFICER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 175) recommending that S.B. No. 832, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 832, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 176) recommending that S.B. No. 992, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 992, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLAYGROUND EQUIPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 177) recommending that S.B. No. 1002 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1002, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 178) recommending that S.B. No. 1183 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1183, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Sakamoto, for the Committee on Science, Arts, and Technology and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 179) recommending that S.B. No. 1485 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1485, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'PROJECT EAST' INITIATIVE IN HAWAII PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No. 71, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 71, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 181) recommending that S.B. No. 84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 182) recommending that S.B. No. 315, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 315, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Kanno, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 183) recommending that S.B. No. 318 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 184) recommending that S.B. No. 681, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 681, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 185) recommending that S.B. No. 915 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 915, entitled: "A BILL FOR AN ACT AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS TO REPAIR AND MAINTAIN DOCK AND HARBOR FACILITIES STATEWIDE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 186) recommending that S.B. No. 997, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 997, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDING IN CARGO AREAS OF PICKUP TRUCKS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 187) recommending that S.B. No. 1591 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1591, entitled: "A BILL FOR AN ACT RELATING TO THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Baker, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 188) recommending that S.B. No. 1657 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1657, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 189) recommending that S.B. No. 711 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 190) recommending that S.B. No. 1149 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1149, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 191) recommending that S.B. No. 638 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 638, entitled: "A BILL FOR AN ACT

RELATING TO HAWAIIAN HOMES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 192) recommending that S.B. No. 1142 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1142, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 193) recommending that S.B. No. 1147 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1147, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 194) recommending that S.B. No. 1154 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 195) recommending that S.B. No. 1156 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1156, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 196) recommending that S.B. No. 1157 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 197) recommending that S.B. No. 1264, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 1264, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 198) recommending that S.B. No. 1413 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1413, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 199) recommending that S.B. No. 1437 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1437, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 200) recommending that S.B. No. 1465 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1465, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 201) recommending that S.B. No. 1500 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1500, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 202) recommending that S.B. No. 1504 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1504, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE STATE FUNDING TO ERADICATE THE MICONIA CALVESCENS PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 203) recommending that S.B. No. 1418, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted,

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 204) recommending that S.B. No. 1255, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

Clerk of the Senate

Approved:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

President of the Senate

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 1619	Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then jointly to the Committee on Water, Land, and Agriculture and the Committee on Ways and Means

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 1402 and 1478.

Senator Kawamoto noted:

"These bills relate to concessions at the state airport. S.B. No. 1478 was originally scheduled for today, but your Committee would like to reschedule it together with S.B. No. 1402, which is a related bill."

The Chair then granted the waiver.

Senator Chun Oakland, Chair of the Committee on Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 941.

Senator Chun Oakland noted:

"Mr. President, this bill makes an appropriation for senior housing security and is jointly referred to the Committees on Commerce, Consumer Protection and Housing and Human Services. The Committee on CPH voted on this bill this morning and your Committee on Human Services would like to vote on this measure this afternoon."

The Chair then granted the waiver.

ADJOURNMENT

At 12:06 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., Thursday, February 13, 2003.

TWENTIETH DAY

Thursday, February 13, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Elder Gene Fujii, Kaimuki Evangelical Church, after which the Roll was called showing all Senators present.

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

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

Senator Chun Oakland introduced Abel Werner, a junior at McKinley High School, and commended him on being selected as the 2002 Gatorade Hawaii High School Football Player of the Year. Accompanying the honoree was his mother, Trinidad Werner, Athletic Director Neal Takamori, and Principal Milton Shishido. Also recognized was Coach David Tanuvasa who was unable to attend.

Senator Aduja then introduced and recognized Tau Moe, the world's oldest living steel guitar player and a pioneer in the renaissance of Polynesian and Hawaiian music. Accompanying the guest of honor was his daughter, Dorian Moe Vineula; his niece, Vailima Moe Watson; his son-in-law, Josia Vineula; Dr. Ishmael Stagner from Alu Like Inc.; and Cy Bridges from the Polynesian Cultural Center.

Senator Ihara introduced Moya Davenport Gray and recognized her for her accomplishments and exemplary service during her tenure as the Director of the Office of Information Practices. Accompanying Ms. Gray was her husband, David; her children, Tiare and Michael; and her mother, Alita Arkin.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 199 and 200) were read by the Clerk and were placed on file:

Gov. Msg. No. 199, dated January 22, 2003, transmitting a Report on the Food Security Task Force, prepared by the Office of Planning pursuant to S.C.R. No. 75 (2002).

Gov. Msg. No. 200, letter dated February 12, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

STANDING COMMITTEE REPORTS

Senators Fukunaga and Inouye, for the Committee on Economic Development and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 205) recommending that S.B. No. 65, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 65, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO AGRIBUSINESS INCUBATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 206), recommending that S.B. No. 248, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 248, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," was referred to the Committee on Ways and Means.

Senator Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 207) recommending that S.B. No. 1040, as amended in S.D. 1, pass Second Reading and be recommitted jointly to the Committee on Tourism and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was recommitted jointly to the Committee on Tourism and the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 208) recommending that S.B. No. 78, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 209) recommending that S.B. No. 884 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 884, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MEDICAID PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 210) recommending that S.B. No. 959 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 959, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 211)

recommending that S.B. No. 968 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 968, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILY CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 212) recommending that S.B. No. 974 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 974, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOL OPEN DOORS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 213) recommending that S.B. No. 1023 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1023, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 214) recommending that S.B. No. 1052 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1052, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 215) recommending that S.B. No. 1064 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1064, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 216) recommending that S.B. No. 1240, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 217)

recommending that S.B. No. 1352, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 218) recommending that S.B. No. 1353 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1353, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 219) recommending that S.B. No. 1423, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 220) recommending that S.B. No. 1579, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CARE PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 221) recommending that S.B. No. 1580 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 222) recommending that S.B. No. 1584, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1584, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CHILD CARE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 223) recommending that S.B. No. 1613 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1613, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NURSING HOME WITHOUT WALLS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 224) recommending that S.B. No. 574 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 574, entitled: “A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 225) recommending that S.B. No. 875, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 875, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 226) recommending that S.B. No. 1055, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1055, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 227) recommending that S.B. No. 1315 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1315, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE FRAUD,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 228) recommending that S.B. No. 1316 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1316, entitled: “A BILL FOR AN ACT RELATING TO DENTAL INSURANCE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 229) recommending that S.B. No. 1322 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1322, entitled: “A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 230) recommending that S.B. No. 12, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 12, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 231) recommending that S.B. No. 381, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 381, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 232) recommending that S.B. No. 474, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 474, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AUDITOR,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 233) recommending that S.B. No. 1150 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1150, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF

HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 234) recommending that S.B. No. 1151 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1151, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 235) recommending that S.B. No. 1158, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 236) recommending that S.B. No. 1410 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1410, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 237) recommending that S.B. No. 322 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 322, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES SERVICES BRANCH OF THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 238) recommending that S.B. No. 714 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 714, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY AMBULANCE SERVICE ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 239) recommending that S.B. No.

1238, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Hanabusa, for the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 240) recommending that S.B. No. 1279, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 241) recommending that S.B. No. 1360, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1360, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker and Hanabusa, for the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 242) recommending that S.B. No. 1367, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1367, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 243) recommending that S.B. No. 1482 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1482, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 244) recommending that S.B. No. 1509 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1509, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO KAHUKU HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 245) recommending that S.B. No. 1675 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1675, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 246) recommending that S.B. No. 552, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator English, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 247) recommending that S.B. No. 1517, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1517, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Hanabusa, for the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 248) recommending that S.B. No. 1593 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL JUSTICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 249) recommending that S.B. No. 1609, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1609, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 250) recommending that S.B. No. 1614, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 1614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 251) recommending that S.B. No. 786, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 252) recommending that S.B. No. 91, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 91, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 253) recommending that S.B. No. 317, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 317, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 254) recommending that S.B. No. 335, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 335, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 255) recommending that S.B. No. 344, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 344, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 256) recommending that S.B. No. 735, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 257) recommending that S.B. No. 737, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 258) recommending that S.B. No. 835, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STORED VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 259) recommending that S.B. No. 873, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 260) recommending that S.B. No. 1050, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 261) recommending that S.B. No. 1201, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 262) recommending that S.B. No. 49 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 49, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 263) recommending that S.B. No. 435 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 264) recommending that S.B. No. 762, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 762, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 265) recommending that S.B. No. 763, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 266) recommending that S.B. No. 765, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 765, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETIREMENT ALLOWANCE FOR PRINCIPALS AND VICE PRINCIPALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 267) recommending that S.B. No.

1126, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 268) recommending that S.B. No. 554 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 S.B. No. 554, entitled: "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 269) recommending that S.B. No. 1256 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 S.B. No. 1256, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 270) recommending that S.B. No. 1416 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 S.B. No. 1416, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 271) recommending that S.B. No. 1460, 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 S.B. No. 1460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

ORDER OF THE DAY

THIRD READING

S.B. No. 1163:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, S.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1038, S.D. 1:

Senator Inouye, moved that S.B. No. 1038, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Inouye rose to speak in favor of the measure and said:

"Mr. President, I speak in support of S.B. No. 1038.

"Mr. President, just for clarification, I do want to add that this bill bans the addition of chemicals to the public water supply but not additives used to make water safe and portable, such as chlorine. So I do want to add that this seems like it's an anti-fluoridation bill and I think it is.

"At the same time, Mr. President, just a note that I'd like to pass on. Your Committee on Water, Land, and Agriculture has passed many administration bills, Mr. President, and this is the first time in the year 2003 that your Committee has passed out one of the first bills introduced by a Republican. So, we'd like to congratulate Senator Slom for introducing this bill and also for the Committee passing this bill out on his behalf.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 1038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER SUPPLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1547:

Senator Inouye moved that S.B. No. 1547, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Inouye rose to speak in support of the measure and said:

"Mr. President, I speak in support of S.B. No. 1547.

"This is the second Republican bill, as well. So we congratulate Senator Whalen for that.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 1547, entitled: "A BILL FOR AN ACT RELATING TO MARINE ACTIVITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1462:

Senator Kim moved that S.B. No. 1462, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Inouye rose and said:

“Mr. President, I’ll be voting with reservations. I wish to submit my remarks on S.B. No. 1462, relating to the Hawaii Tourism Authority, into the Journal. Thank you.”

The Chair having so ordered, Senator Inouye’s remarks read as follows:

“Mr. President, I have reservations on S.B. No. 1462, ‘A Bill For An Act Relating to the Hawaii Tourism Authority.’

“This measure requires the Hawaii Tourism Authority (HTA) to appoint a sports coordinator to manage services for all HTA sponsored sporting events. In its testimony, the HTA has stated that it is already in the process of administratively establishing a position and thus the bill is unnecessary. The bill only sets up a legislative redundancy that will mirror and micromanage the HTA.”

The motion was put by the Chair and carried, S.B. No. 1462, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 140, S.D. 1	Committee on Education, then to the Committee on Ways and Means

Senator Fukunaga, Chair of the Committee on Economic Development, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 900.

Senator Fukunaga noted:

“Mr. President, this bill relates to tax credits for renovation costs incurred by small businesses and was heard on February 6, 2003. We are requesting a waiver in order to hold decision-making on the bill this afternoon.”

The Chair then granted the waiver.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1636.

Senator Kawamoto noted:

“Mr. President, this bill relates to public agency meetings and records, and was heard on Monday, February 10. We are asking for a waiver so we can hold decision-making on this bill.”

The Chair then granted the waiver.

Senator Slom rose on a point of personal privilege as follows:

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

“First of all, let me acknowledge with much aloha the wisdom and the graciousness of the Chair from the Water, Land Committee and extend to the other Committee Chairs that there

are still many, many, many wonderful Republican bills that still are breathing life, although some are on life-support. (Laughter.)

“I would also like to take note that today is the 20th day of this legislative session. One-third of the legislature is now pau. What have we accomplished thus far? Well, we have one bill that has become a law – Act 1, which pays ourselves, so we know where our priorities are.

“I would encourage all of our colleagues that we move along at a faster clip. We have a lot of work to do in the remaining 40 days. I’m confident that we, particularly in the Senate, will accomplish this.

“Thank you, Mr. President.”

At 12:30 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 o’clock p.m.

ADJOURNMENT

At 12:32 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, February 14, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-FIRST DAY

Friday, February 14, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Gerhard Laun, St. Elizabeth Episcopal Church, after which the Roll was called showing all Senators present.

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

At this time, Senator Fukunaga introduced and welcomed the Honorable Steven Rauschenberger from the Illinois State Senate and Bill Pound, Executive Director of the National Conference of State Legislatures.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 201, letter dated February 13, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 272) recommending that S.B. No. 913 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 913, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 273) recommending that S.B. No. 614, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 274) recommending that S.B. No. 1627, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 275) recommending that S.B. No. 560, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 276) recommending that S.B. No. 82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 277) recommending that S.B. No. 361, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 278) recommending that S.B. No. 618, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 618, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 279) recommending that S.B. No. 636 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 636, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 280)

recommending that S.B. No. 640 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 640, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Chun Oakland, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 281) recommending that S.B. No. 877, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 877, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 282) recommending that S.B. No. 1140, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 283) recommending that S.B. No. 1588, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 284) recommending that S.B. No. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 285) recommending that S.B. No. 345, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 286) recommending that S.B. No. 462, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 462, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 287) recommending that S.B. No. 464, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 464, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 288) recommending that S.B. No. 480 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 480, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 289) recommending that S.B. No. 528, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 528, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 290) recommending that S.B. No. 579, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 579, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-

1," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 291) recommending that S.B. No. 655 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 655, entitled: "A BILL FOR AN ACT RELATING TO HURRICANE SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 292) recommending that S.B. No. 1026 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1026, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 293) recommending that S.B. No. 1048 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1048, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 294) recommending that S.B. No. 1105, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291E," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 295) recommending that S.B. No. 1121 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURE ON ARREST," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a

report (Stand. Com. Rep. No. 296) recommending that S.B. No. 1136 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1136, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 297) recommending that S.B. No. 1146 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING RECORDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 298) recommending that S.B. No. 1216 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1216, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 299) recommending that S.B. No. 1401 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1401, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 300) recommending that S.B. No. 1448 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1448, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 301) recommending that S.B. No. 10 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 10, entitled: "A BILL FOR AN ACT RELATING

TO COUNSELING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 302) recommending that S.B. No. 13 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 13, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 303) recommending that S.B. No. 15 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 15, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 304) recommending that S.B. No. 17, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 17, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 305) recommending that S.B. No. 22, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 22, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MASTER TEACHERS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 306) recommending that S.B. No. 23, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 23, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 307) recommending that S.B. No. 24, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 24, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 308) recommending that S.B. No. 60 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 60, entitled: “A BILL FOR AN ACT RELATING TO SCHOOL ASSESSMENT LIAISONS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 309) recommending that S.B. No. 360 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 360, entitled: “A BILL FOR AN ACT RELATING TO REUSABLE RESOURCE CENTER,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 310) recommending that S.B. No. 666, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 666, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 311) recommending that S.B. No. 954 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 954, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILIES FOR RESOURCES FOR EARLY ACCESS TO LEARNING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 312) recommending that S.B. No. 965 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 965, entitled: “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF PRE-SCHOOL FACILITIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 313) recommending that S.B. No. 1086, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1086, S.D. 1, entitled: “A BILL FOR AN ACT

RELATING TO JUVENILE COURT RECORDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 314) recommending that S.B. No. 1329, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1329, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 315) recommending that S.B. No. 1691, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1691, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Chun Oakland, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 316) recommending that S.B. No. 941 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 941, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SENIOR HOUSING SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 317) recommending that S.B. No. 18 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 18, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 318) recommending that S.B. No. 70, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 70, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 319) recommending that S.B. No. 75, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 75, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 320) recommending that S.B. No. 337, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 321) recommending that S.B. No. 784, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 322) recommending that S.B. No. 929, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 929, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 323) recommending that S.B. No. 1072, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1072, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 324) recommending that S.B. No. 1346, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 325) recommending that S.B. No. 1409, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 1409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND PURPOSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 326) recommending that S.B. No. 1411, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RISK MANAGEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Inouye, for the Committee on Human Services and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 327) recommending that S.B. No. 927, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 927, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland, Baker and Sakamoto, for the Committee on Human Services, the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 328) recommending that S.B. No. 945 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 945, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 329) recommending that S.B. No. 768 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 768, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 330) recommending that S.B. No. 858, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 858, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY BENEFITS TO CARE FOR FAMILY MEMBERS WITH A SERIOUS HEALTH CONDITION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 331) recommending

that S.B. No. 895, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 332) recommending that S.B. No. 912 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 912, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH INSURANCE PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 333) recommending that S.B. No. 931, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS LEAVE ACT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 334) recommending that S.B. No. 1069 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1069, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 335) recommending that S.B. No. 1224 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1224, entitled: "A BILL FOR AN ACT RELATING TO THE WEEKLY UNEMPLOYMENT BENEFIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 336) recommending that S.B. No. 1225, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1225, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 337) recommending that S.B. No.

1439 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1439, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 338) recommending that S.B. No. 1440 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1440, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 339) recommending that S.B. No. 1441 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1441, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 340) recommending that S.B. No. 1442 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1442, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 341) recommending that S.B. No. 1443 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1443, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 342) recommending that S.B. No. 1445 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1445, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 343) recommending that S.B. No. 1590 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1590, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 344) recommending that S.B. No. 1699 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1699, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Hanabusa, for the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 345) recommending that S.B. No. 637 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 637, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 346) recommending that S.B. No. 44, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 44, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 347) recommending that S.B. No. 47, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WHARFAGE FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 348) recommending that S.B. No. 296, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 296, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 349) recommending that S.B. No. 308, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 350) recommending that S.B. No. 316, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 316, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 351) recommending that S.B. No. 314, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 314, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 352) recommending that S.B. No. 723, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 723, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 353) recommending that S.B. No. 567, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 567, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRIBES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and Hanabusa, for the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 354) recommending that S.B. No. 643, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOPROSPECTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 355) recommending that S.B. No. 1267 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 S.B. No. 1267, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

ORDER OF THE DAY

REFERRAL OF SENATE CONCURRENT RESOLUTION

The President made the following committee assignment of a concurrent resolution that was offered on Tuesday, February 11, 2003:

Senate Concurrent Resolution	Referred to:
No. 20	Committee on Transportation, Military Affairs, and Government Operations

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 157	Jointly to the Committee on Health, the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing
No. 948	Jointly to the Committee on Economic Development, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs
No. 975	Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Economic Development and the Committee on Judiciary and Hawaiian Affairs
No. 1426	Committee on Labor

Senator Fukunaga, Chair of the Committee on Economic Development, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 803 and 1599.

Senator Fukunaga noted:

"Mr. President, both bills relate to the Diamond Head State Monument and were heard on February 11. Your Committee on Economic Development held decision making on these

measures this morning and is making a formal request for a waiver at this time.”

The Chair then granted the waiver.

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 463.

Senator Inouye noted:

“Mr. President, this bill relates to the Kahoolawe Island Reserve and is referred jointly to the Committees on Transportation, Military Affairs, and Government Operations and Water, Land and Agriculture. This measure was heard on February 3. The Committee on TMG has scheduled the bill for decision making this afternoon, and we are asking for a waiver so we can also hold decision making on the bill.

The Chair then granted the waiver.

Senator Ige, Chair of the Committee on Science, Arts, and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 690.

Senator Ige noted:

“Mr. President, this bill relates to elections, and a hearing was held on February 6. We are asking for a waiver so we can hold decision making on this measure.”

The Chair then granted the waiver.

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

The Senate reconvened at 12:04 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Kawamoto moved that the Senate authorize the adoption of standing committee reports recommending that Senate bills pass Second Reading and be referred to committees, seconded by Senator Hogue.

Senator Ihara then rose and said:

“Mr. President, I'd like to request that the motion be amended so that the Clerk does not cast a vote for me in my absence for the bills passed on Second Reading.”

The Chair so ordered.

The motion was then put by the Chair and carried. The Senate further authorized the adoption of standing committee reports recommending that Senate bills be referred to committees of last referral. In consequence thereof, and subsequent to its recessing at 12:05 o'clock p.m., the Senate took the following actions on the following bills and standing committee reports:

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 356) recommending that S.B. No. 458, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 458, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE,” passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 357) recommending that S.B. No. 686, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 686, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 358) recommending that S.B. No. 966, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 966, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RESOURCE MAXIMIZATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 359) recommending that S.B. No. 1165 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1165, entitled: “A BILL FOR AN ACT RELATING TO BONDS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 360) recommending that S.B. No. 1166 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1166, entitled: “A BILL FOR AN ACT RELATING TO BONDS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 361) recommending that S.B. No. 1347, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1347, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTIONS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 362) recommending that S.B. No. 1404, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1404, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 363) recommending that S.B. No. 1408, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSPORTATION PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Fukunaga, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 364) recommending that S.B. No. 1491 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1491, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 365) recommending that S.B. No. 1606, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 366) recommending that S.B. No. 1635 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1635, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 367) recommending that S.B. No. 1641 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1641, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 368) recommending that S.B. No. 400 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 400, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PHASE II OF THE INSTITUTE FOR ASTRONOMY ADVANCED TECHNOLOGY RESEARCH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 369) recommending that S.B. No. 426, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 370) recommending that S.B. No. 455 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 455, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE FRIENDS OF WAIPAHU CULTURAL GARDEN PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 371) recommending that S.B. No. 521, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF TECHNOLOGY AND ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 372) recommending that S.B. No. 663 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 663, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION OF THE OCEANIC INSTITUTE'S AQUACULTURE AND MARINE BIOTECHNOLOGY RESEARCH FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 373)

recommending that S.B. No. 721 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 721, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A UNIFIED DATABASE SYSTEM OF ALL STATE AGENCIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Fukunaga, for the Committee on Science, Arts, and Technology and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 374) recommending that S.B. No. 726 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 726, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL ADVISORY COUNCIL FOR TECHNOLOGY DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Fukunaga, for the Committee on Science, Arts, and Technology and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 375) recommending that S.B. No. 1249, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1249, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TECHNOLOGY TRANSFER GRANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 376) recommending that S.B. No. 1251, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE CHIEF INFORMATION OFFICER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 377) recommending that S.B. No. 1449 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1449, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 378) recommending that S.B. No. 1452 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1452, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR THE JAPANESE AMERICAN CITIZENS LEAGUE 75TH ANNIVERSARY NATIONAL CONVENTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 379) recommending that S.B. No. 1490, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the majority of the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 380) recommending that S.B. No. 1662 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO CONGRESSWOMAN PATSY T. MINK," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 381) recommending that S.B. No. 39, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 39, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 382) recommending that S.B. No. 836, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 383) recommending that S.B. No. 777, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 777, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 384) recommending that S.B. No.

501 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 501, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES FOR MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 385) recommending that S.B. No. 745, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Sakamoto, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 386) recommending that S.B. No. 749, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 749, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING SCHOLARSHIPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 387) recommending that S.B. No. 844, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 844, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 388) recommending that S.B. No. 953 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 953, entitled: "A BILL FOR AN ACT RELATING TO RESPITE CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 389) recommending that S.B. No. 957 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 957, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HIRE PUBLIC HEALTH NURSES FOR EARLY INTERVENTION

SERVICES FOR INFANTS AND TODDLERS WITH SPECIAL NEEDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 390) recommending that S.B. No. 1358, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1358, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) COMPLIANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 391) recommending that S.B. No. 1362, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 392) recommending that S.B. No. 517, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 517, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO BUILD A FRUIT FLY IRRADIATION TREATMENT PLANT ON OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 393) recommending that S.B. No. 1258 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1258, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 394) recommending that S.B. No. 1554, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HISTORIC SITES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Sakamoto and Kanno, for the Committee on Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 395) recommending that S.B. No. 14, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED SCHOOL ADMINISTRATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 396) recommending that S.B. No. 366, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 366, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PLANS, DESIGN, AND CONSTRUCTION OF THE UNIVERSITY OF HAWAII-WEST OAHU CAMPUS FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 397) recommending that S.B. No. 576 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 576, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 398) recommending that S.B. No. 1345, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 399) recommending that S.B. No. 1381, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1381, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kawamoto, for the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 400) recommending that S.B. No. 1543 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1543, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Services and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 401) recommending that S.B. No. 699, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Services and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 402) recommending that S.B. No. 864, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 864, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 403) recommending that S.B. No. 753, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 753, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATIZATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 404) recommending that S.B. No. 766 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 766, entitled: "A BILL FOR AN ACT RELATING TO SALARY PERIODS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 405) recommending that S.B. No. 787 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 787, entitled: "A BILL FOR AN ACT RELATING TO DISASTER LEAVE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 406) recommending that S.B. No. 1065 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1065, entitled: "A BILL FOR AN ACT RELATING TO MANAGED COMPETITION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 407) recommending that S.B. No. 93, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 93, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF 'MEDICAL CARE' UNDER WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 408) recommending that S.B. No. 312, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 409) recommending that S.B. No. 577 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 410) recommending that S.B. No. 759, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION BENEFITS TRUST PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Hanabusa, for the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 411) recommending that S.B. No. 761 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 761, entitled: "A BILL FOR AN ACT RELATING TO THE HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 412) recommending that S.B. No. 771 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 771, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 413) recommending that S.B. No. 780 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 780, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 414) recommending that S.B. No. 789 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 789, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Hanabusa, for the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 415) recommending that S.B. No. 796 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 796, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 416) recommending that S.B. No. 1155, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 417) recommending that S.B. No. 1309, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 418) recommending that S.B. No. 1312, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 419) recommending that S.B. No. 1438 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1438, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 420) recommending that S.B. No. 1638 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators English and Kanno, for the Committee on Energy and Environment and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 421) recommending that S.B. No. 505 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 505, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 422) recommending that S.B. No. 1682, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1682, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO NET ENERGY METERING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 423) recommending that S.B. No. 919, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 919, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIOREMEDIATION RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 424) recommending that S.B. No. 1239, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 425) recommending that S.B. No. 857, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 857, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALIEN INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 426) recommending that S.B. No. 529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAVE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 427) recommending that S.B. No. 1172, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRLINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 428)

recommending that S.B. No. 1422, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC RECOVERY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Fukunaga, for the Committee on Tourism and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 429) recommending that S.B. No. 1174, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1174, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 430) recommending that S.B. No. 610, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 610, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL CLAIMS RESOLUTION UNDER THE HAWAIIAN HOME LANDS TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 431) recommending that S.B. No. 1499, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Menor, for the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 432) recommending that S.B. No. 870, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Menor, for the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 433) recommending that S.B. No. 1286 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1286, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Menor, for the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 434) recommending that S.B. No. 1647, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 435) recommending that S.B. No. 508, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 508, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MAIL," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 436) recommending that S.B. No. 527 pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 527, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 437) recommending that S.B. No. 695, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 695, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 438) recommending that S.B. No. 1034, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 1034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 439) recommending that S.B. No. 1087, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 440) recommending that S.B. No. 1213, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 441) recommending that S.B. No. 1421, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1421, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 442) recommending that S.B. No. 354, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 354, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 443) recommending that S.B. No. 499, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN POWER," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 444)

recommending that S.B. No. 843, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 445) recommending that S.B. No. 94, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 94, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 446) recommending that S.B. No. 209, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 209, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 447) recommending that S.B. No. 469 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 448) recommending that S.B. No. 936, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 936, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS' UNEMPLOYMENT BENEFITS ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 449) recommending that S.B. No. 1226 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1226, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Kanno and Fukunaga, for the Committee on Labor and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 450) recommending that S.B. No. 1425, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS MENTORING OF YOUTH AND YOUNG ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 451) recommending that S.B. No. 1444 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1444, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 452) recommending that S.B. No. 63 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 63, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Sakamoto, for the Committee on Water, Land, and Agriculture and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 453) recommending that S.B. No. 534, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 534, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 454) recommending that S.B. No. 868 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 868, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL CONSTRUCTION AND RENOVATION TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 455) recommending that S.B. No. 900, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 900, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 456) recommending that S.B. No. 1211, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1211, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 457) recommending that S.B. No. 1215, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1215, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 458) recommending that S.B. No. 1562, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR AIR FREIGHT SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 459) recommending that S.B. No. 955 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 955, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 460) recommending that S.B. No. 956, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 956, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and the Committee on Education, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 461) recommending that S.B. No. 961 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 961, entitled: "A BILL FOR AN ACT RELATING TO GOOD BEGINNINGS ALLIANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 462) recommending that S.B. No. 1234, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 463) recommending that S.B. No. 1354, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1354, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 464) recommending that S.B. No. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 465) recommending that S.B. No. 325 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint

report (Stand. Com. Rep. No. 466) recommending that S.B. No. 457 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 457, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIPAHU COMMUNITY ADULT DAY HEALTH CENTER AND YOUTH DAY CARE CENTER PILOT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 467) recommending that S.B. No. 607, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Sakamoto, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 468) recommending that S.B. No. 748, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 748, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 469) recommending that S.B. No. 800, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 470) recommending that S.B. No. 949, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 949, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 471) recommending that S.B. No. 1062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING END-OF-LIFE CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 472) recommending that S.B. No. 1068 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1068, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 473) recommending that S.B. No. 1361, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Baker and Ige, for the Committee on Health and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 474) recommending that S.B. No. 1446, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 475) recommending that S.B. No. 1676 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1676, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 476) recommending that S.B. No. 352, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 477) recommending that S.B. No. 731 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 731, entitled: "A BILL FOR AN ACT RELATING TO WINDWARD COMMUNITY COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 478) recommending that S.B. No. 351, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Baker, for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 479) recommending that S.B. No. 402, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 480) recommending that S.B. No. 667, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 667, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno, Sakamoto and Fukunaga, for the Committee on Labor, the Committee on Education and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 481) recommending that S.B. No. 1697, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1697, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSITION TO WORK," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 482) recommending that S.B. No. 1619, as amended in S.D. 1, pass Second Reading and be referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1619, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO TAXATION," passed Second Reading and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 483) recommending that S.B. No. 1567 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1567, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY IMMUNITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 484) recommending that S.B. No. 1261 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1261, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CARD PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 485) recommending that S.B. No. 1024, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1024, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 486) recommending that S.B. No. 989 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 487) recommending that S.B. No. 1477, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 488) recommending

that S.B. No. 764, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kanno and Menor, for the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 489) recommending that S.B. No. 778 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 778, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 490) recommending that S.B. No. 1071, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEPENDENT MEDICAL EXAMINATIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 491) recommending that S.B. No. 1332, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1332, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 492) recommending that S.B. No. 1424, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1424, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 493) recommending that S.B. No. 1582 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1582, entitled: "A BILL FOR AN ACT

RELATING TO CHIROPRACTIC," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Kanno and Sakamoto, for the Committee on Labor and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 494) recommending that S.B. No. 62, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 495) recommending that S.B. No. 828, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 496) recommending that S.B. No. 1210 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Fukunaga, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 497) recommending that S.B. No. 1078, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1078, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 498) recommending that S.B. No. 1684, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1684, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Fukunaga, for the Committee on Education and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 499)

recommending that S.B. No. 9 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 9, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 500) recommending that S.B. No. 631, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 501) recommending that S.B. No. 656, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-LEVEL MINOR REPAIRS AND MAINTENANCE ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 502) recommending that S.B. No. 995, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 995, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 503) recommending that S.B. No. 1700, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1700, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Hanabusa, for the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 504) recommending that S.B. No. 1351 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1351, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS FOR ADULT SERVICES PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 505) recommending that S.B. No. 1597, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 506) recommending that S.B. No. 503, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 503, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN WATER," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Fukunaga and Baker, for the Committee on Economic Development and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 507) recommending that S.B. No. 725 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 725, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ECONOMIC DEVELOPMENT PLAN FOR THE KAHUKU AREA AS A HEALTH AND WELLNESS CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 508) recommending that S.B. No. 359, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 509) recommending that S.B. No. 509, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and

Technology, presented a joint report (Stand. Com. Rep. No. 510) recommending that S.B. No. 1704 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1704, entitled: "A BILL FOR AN ACT RELATING TO A FILM PRODUCTION/POST PRODUCTION/HAWAIIAN CULTURAL AND EDUCATIONAL FACILITY AND WAREHOUSE WITHIN OR NEAR HEEIA STATE PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 511) recommending that S.B. No. 724 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 724, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and English, for the Committee on Economic Development and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 512) recommending that S.B. No. 1206 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1206, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 513) recommending that S.B. No. 376, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ART," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Fukunaga, for the Committee on Science, Arts, and Technology and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 514) recommending that S.B. No. 425, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 515) recommending that S.B. No. 641, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committees was adopted and S.B. No. 641, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 516) recommending that S.B. No. 1208, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senators Ige and Kawamoto, for the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 517) recommending that S.B. No. 1242 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1242, entitled: "A BILL FOR AN ACT RELATING TO FAIR ACCESS FOR STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 518) recommending that S.B. No. 1263, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PROCUREMENT," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 519) recommending that S.B. No. 1489, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Kawamoto, for the Committee on Science, Arts, and Technology and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 520) recommending that S.B. No. 1608, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 521) recommending that S.B. No. 703, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 703, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 522) recommending that S.B. No. 694, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 523) recommending that S.B. No. 773 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 773, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 524) recommending that S.B. No. 779, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 525) recommending that S.B. No. 797, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 797, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 526) recommending that S.B. No. 799, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 527) recommending that S.B. No. 896 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 896, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE FOR EMPLOYEES IN THE PRIVATE SECTOR," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 528) recommending that S.B. No. 921, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 921, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 529) recommending that S.B. No. 1371, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1371, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF CONSULTATION REPORTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 530) recommending that S.B. No. 1373, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 531) recommending that S.B. No. 1493 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1493, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 532) recommending that S.B. No. 758 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 533) recommending that S.B. No. 624, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 534) recommending that S.B. No. 683, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 683, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIABETES EDUCATION," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 535) recommending that S.B. No. 747 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 747, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 536) recommending that S.B. No. 1088, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 537) recommending that S.B. No. 1357, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1357, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO VITAL STATISTICS REGISTRATION DISTRICTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 538) recommending that S.B. No. 1399, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 539) recommending that S.B. No. 1469, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEER SUPPORT COUNSELING SESSIONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 540) recommending that S.B. No. 1519, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 541) recommending that S.B. No. 205, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 205, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was referred to the Committee on Ways and Means.

Senators Kawamoto, Ige and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Science, Arts, and Technology and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 542) recommending that S.B. No. 399, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMSTAT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented

a joint report (Stand. Com. Rep. No. 543) recommending that S.B. No. 463, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 463, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOLAWE ISLAND RESERVE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Chun Oakland, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 544) recommending that S.B. No. 473, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HALFWAY HOUSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 545) recommending that S.B. No. 1374 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 546) recommending that S.B. No. 1468 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1468, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 547) recommending that S.B. No. 1478, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1478, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONAIRES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 548) recommending that S.B. No. 1479, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1479, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 549) recommending that S.B. No. 1521 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1521, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES' EMINENT DOMAIN POWERS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 550) recommending that S.B. No. 1560 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1560, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY LEFT IN A DANGEROUS CONDITION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 551) recommending that S.B. No. 1636, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1636, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 552) recommending that S.B. No. 1639 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1639, entitled: "A BILL FOR AN ACT RELATING TO THE SEARCH AND RESCUE REIMBURSEMENT ACT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker and Sakamoto, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 553) recommending that S.B. No. 668, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 554) recommending that S.B. No. 792, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 792, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 555) recommending that S.B. No. 519, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 519, S.D. 1, entitled: "A BILL FOR AN ACT MAKING A MATCHING FUNDS APPROPRIATION TO SUPPORT A PUBLIC-PRIVATE PARTNERSHIP TO MARKET AND PROMOTE INCENTIVES PROVIDED BY ACT 221, SESSION LAWS OF HAWAII 2001, FOR INVESTORS TO INVEST IN HIGH TECHNOLOGY IN HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 556) recommending that S.B. No. 1053 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1053, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS FOR HE'EIA KEA BEACH PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 557) recommending that S.B. No. 1253, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DATA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 558) recommending that S.B. No. 1648, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1648, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Baker, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 559) recommending that S.B. No. 684, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 684, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 560) recommending that S.B. No. 338, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 338, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 561) recommending that S.B. No. 339, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 562) recommending that S.B. No. 353, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 563) recommending that S.B. No. 350 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 350, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 564) recommending that S.B. No. 1073 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1073, entitled: "A BILL FOR AN ACT RELATING TO TEACHER SALARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Fukunaga, for the Committee on Education and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 565) recommending that S.B. No. 1433, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1433, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS WITHIN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 566) recommending that S.B. No. 736, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 567) recommending that S.B. No. 235, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 235, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 568) recommending that S.B. No. 1599, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Ige, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 569) recommending that S.B. No. 690, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 690, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Sakamoto and Ige, for the Committee on Education and the Committee on Science, Arts, and Technology, presented

a joint report (Stand. Com. Rep. No. 570) recommending that S.B. No. 349, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 349, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Inouye, for the Committee on Education and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 571) recommending that S.B. No. 559, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 559, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 10:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 18, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-SECOND DAY

Tuesday, February 18, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father Patrick Freitas, Our Lady of Perpetual Help Catholic Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-First Day.

HOUSE COMMUNICATION

Hse. Com. No. 5, transmitting H.B. No. 564, which passed Third Reading in the House of Representatives on February 13, 2003, was read by the Clerk and was placed on file.

By unanimous consent, action on H.B. No. 564, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," was deferred until Wednesday, February 19, 2003, and Tuesday, March 4, 2003.

JUDICIARY COMMUNICATION

Jud. Com. No. 1, submitting for consideration and consent, the nomination of MATTHEW S.K. PYUN to the Office of Judge, District Court of the Third Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was read by the Clerk and was referred to the Committee on Judiciary and Hawaiian Affairs.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 21 to 26) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 21 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOT PREEMPTIVELY START A WAR WITH IRAQ, BUT TO PURSUE A PEACEFUL, DIPLOMATIC RESOLUTION BUILT UPON INTERNATIONAL SUPPORT."

Offered by: Senators English, Tsutsui, Espero, Hooser, Kokubun, Hanabusa, Aduja, Inouye, Chun Oakland, Fukunaga, Ihara, Kim, Ige, Taniguchi, Baker, Kanno, Sakamoto.

No. 22 "SENATE CONCURRENT RESOLUTION REQUESTING ALL STATE DEPARTMENTS AND ALTERNATIVE FUEL PROVIDERS TO EFFECTUATE THE GOALS OF SECTIONS 501 AND 507 OF THE ENERGY POLICY ACT OF 1992."

Offered by: Senators English, Tsutsui, Baker, Espero, Hooser, Hanabusa, Aduja, Inouye, Hogue, Kanno, Sakamoto, Kokubun, Hemmings, Taniguchi, Ige, Kim, Chun Oakland, Fukunaga, Ihara, Trimble.

No. 23 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN."

Offered by: Senators Hanabusa, Kokubun, English, Kim, Sakamoto, Taniguchi, Inouye.

No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S HOTELS TO PROVIDE FACILITIES FOR EMAIL AND INTERNET ACCESS FOR THEIR GUESTS."

Offered by: Senators Fukunaga, Kawamoto, Kanno, Ihara, Kim, Hemmings, Trimble, Kokubun, Tsutsui, Hanabusa, Chun Oakland, Sakamoto, Aduja, Espero, Inouye, English, Ige, Menor, Baker, Slom, Hooser.

No. 25 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONS TELEVISION TO TEACH READING TO STUDENTS."

Offered by: Senator Sakamoto.

No. 26 "SENATE CONCURRENT RESOLUTION URGING STATE AND COUNTY GOVERNMENTS TO ACCEPT THE MATRICULA CONSULAR AS AN OFFICIAL FORM OF IDENTIFICATION FOR MEXICAN IMMIGRANTS IN HAWAII."

Offered by: Senator Sakamoto.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 11 to 15) were read by the Clerk and were deferred:

Senate Resolution

No. 11 "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOT PREEMPTIVELY START A WAR WITH IRAQ, BUT TO PURSUE A PEACEFUL, DIPLOMATIC RESOLUTION BUILT UPON INTERNATIONAL SUPPORT."

Offered by: Senators English, Tsutsui, Espero, Hooser, Kokubun, Hanabusa, Aduja, Inouye, Chun Oakland, Fukunaga, Ihara, Kim, Ige, Taniguchi, Baker, Kanno, Sakamoto.

No. 12 "SENATE RESOLUTION REQUESTING ALL STATE DEPARTMENTS AND ALTERNATIVE FUEL PROVIDERS TO EFFECTUATE THE GOALS OF SECTIONS 501 AND 507 OF THE ENERGY POLICY ACT OF 1992."

Offered by: Senators English, Tsutsui, Baker, Hooser, Inouye, Kokubun, Kanno, Hogue, Hemmings, Ihara, Fukunaga, Kim, Taniguchi, Trimble, Sakamoto.

No. 13 "SENATE RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN."

Offered by: Senators Hanabusa, Kokubun, English, Kim, Sakamoto, Taniguchi, Inouye.

No. 14 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONS TELEVISION TO TEACH READING TO STUDENTS."

Offered by: Senator Sakamoto.

No. 15 "SENATE RESOLUTION URGING STATE AND COUNTY GOVERNMENTS TO ACCEPT THE MATRICULA CONSULAR AS AN OFFICIAL FORM OF IDENTIFICATION FOR MEXICAN IMMIGRANTS IN HAWAII."

Offered by: Senator Sakamoto.

STANDING COMMITTEE REPORTS

Senators Kawamoto and English, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 572) recommending that S.B. No. 1290, 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 joint report of the Committees was adopted and S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCT PROCUREMENT PREFERENCES BY STATE AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 27, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 573) recommending that S.B. No. 1334 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 S.B. No. 1334, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 27, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 574) recommending that S.B. No. 126, as amended in S.D. 1, pass Second Reading and be recommitted jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was recommitted jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations.

ORDER OF THE DAY

THIRD READING

S.B. No. 554:

Senator Inouye moved that S.B. No. 554, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Slom rose to speak in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill with reservations, but first, Mr. President, I have to declare a possible conflict of interest – you may recall that the previous Governor named the first imported brown tree snake Sam. Is there a conflict, Mr. President?"

The Chair responded: "No conflict, Senator."

Senator Slom continued:

"Well, about the aforementioned Sam, he was imported into the State. I say he because he was sterile, but I say he, anyway. And we didn't learn for months what had happened with him. He was supposed to be imported here as a live snake to train the existing dogs here. And we never heard from him and I remember having an agricultural hearing and asking the head of the Department of Agriculture what happened to him and they matter-of-factly said, 'Oh, he died several months ago and the second one did too.'

"I don't know what the cost involved is in bringing these live tree snakes but I did ask my colleagues for an autopsy report and we didn't get that. I don't know how many previous snakes we've had – we didn't get a report on that. And I don't know how much it costs – we didn't get a report on that. So now we're asking to bring in four more live brown tree snakes. I think we should have a special investigating committee, Mr. President, to look into the status, particularly since last year was the year of the serpent.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 554, entitled: "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1256:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 1256, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1416:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 1416, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1460, S.D. 1:

On motion by Senator Kim, seconded by Senator Tsutsui and carried, S.B. No. 1460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1267:

Senator Hanabusa moved that S.B. No. 1267, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in support of the measure with reservations and said:

“Mr. President, I rise to support this measure with reservations.

“I want to thank, first of all, the Committee Chair of the Judiciary who has been just a joy to work with and she is extremely thorough.

“My reservations, actually, are noted in the committee report. There is a paragraph here in which the Committee raised state liability concerns due to requiring new cigarette manufacturers to conform to the escrow requirements of the NSA prior to selling cigarettes to this State.

“Currently, the AG’s Office provided a written response acknowledging that challenges to the NSA have occurred in other states but have not been successful. However, two cases have not been resolved and I think that there has to be resolution. So, because of that, I will be voting with reservations.

“Thank you.”

Senator Slom then requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1267, entitled: “A BILL FOR AN ACT RELATING TO TOBACCO,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill Referred to:

No. 1040, S.D. 1 Jointly to the Committee on Tourism, the Committee on Economic Development and the Committee on Ways and Means

ADJOURNMENT

At 11:57 o’clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Wednesday, February 19, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-THIRD DAY

Wednesday, February 19, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Major George Rodriguera, The Salvation Army, 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 Twenty-Second Day.

At this time, Senator Taniguchi introduced Jose Racasa and congratulated him on winning The Outstanding Lodging Employee of the Year Award at the Hawaii Hotel Association Recognition Luncheon.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 202 to 209) were read by the Clerk and were placed on file:

Gov. Msg. No. 202, dated January 28, 2003, transmitting a Report on University of Hawaii Tuition and Fees Special Fund Expenditures for the Purpose of Generating Private Donations FY 2001-2002, prepared by the University of Hawaii pursuant to Section 304-16.5, HRS.

Gov. Msg. No. 203, dated February 11, 2003, transmitting the Corrections Population Management Commission's 2002 Annual Report, pursuant to Section 353F-3, HRS.

Gov. Msg. No. 204, dated February 12, 2003, transmitting a Report Relating to Fees Collected by the Department of Health, prepared by the Department of Health, Health Resources Administration, Family Health Services Division, Maternal and Child Health Branch, pursuant to Act 216, SLH 1997.

Gov. Msg. No. 205, dated February 18, 2003, transmitting a Report on the Status of the Environmental Health Education Fund as Established by Act 169, SLH 1994, prepared by the Department of Health pursuant to Section 321-27, HRS.

Gov. Msg. No. 206, dated February 18, 2003, transmitting a report, "Recovering Hawaii's Unique and Imperiled Flora and Fauna: A Discussion on Habitat Conservation Plans and Safe Harbor Agreements," prepared by the Environmental Council pursuant to H.C.R. No. 103 (2002).

Gov. Msg. No. 207, dated February 18, 2003, transmitting a Report Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health, prepared by the Department of Health, Environmental Health Administration, Environmental Management Division, Safe Drinking Water Branch, Wastewater Branch, pursuant to Sections 340E-31 through 340E-41, HRS.

Gov. Msg. No. 208, dated February 18, 2003, transmitting the Progress Report for Increasing the General Fund Appropriation for Early Intervention Services, prepared by the

Department of Health pursuant to Act 159, Section 24, SLH 2001.

Gov. Msg. No. 209, dated February 18, 2003, transmitting the Annual Financial Report of the Newborn Metabolic Screening Special Fund, prepared by the Department of Health pursuant to Section 321-291, HRS.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 575) recommending that S.B. No. 157, as amended in S.D. 1, pass Second Reading and be recommitted jointly to the Committee on Health, the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was recommitted jointly to the Committee on Health, the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 576) recommending that S.B. No. 255, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Water, Land, and Agriculture.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was recommitted to the Committee on Water, Land, and Agriculture.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 577) recommending that S.B. No. 1394, as amended in S.D. 1, be recommitted to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1394, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was recommitted to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill Referred to:

No. 503, S.D. 1 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Water, Land, and Agriculture, the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

REFERRAL OF HOUSE BILL

**MATTER DEFERRED FROM
TUESDAY, FEBRUARY 18, 2003**

The President made the following committee assignment of a House bill received on Tuesday, February 18, 2003:

House Bill	Referred to:
No. 564	Committee on Judiciary and Hawaiian Affairs

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Senator Fukunaga rose on a point of personal privilege as follows:

"Mr. President, I didn't realize that this was actually going to be the last day before the commencement of the legislative recess, so I rise on a point of personal privilege.

"Today is our last session day before the legislative recess so I'd like to take a moment to quote from a speech recently delivered by U.S. Senator Robert Byrd on Wednesday, February 12, to give us something to contemplate as we go forward in our communities and talk to our constituents. Last Wednesday he stated:

"To contemplate war is to think about the most horrible of human experiences. On this February day, as this nation stands at the brink of battle, every American on some level must be contemplating the horrors of war. Yet, this Chamber is, for the most part, silent – ominously, dreadfully silent. There is no debate, no discussion, no attempt to lay out for the nation the pros and cons of this particular war. There is nothing.

"To engage in war is always to pick a wild card. And war must always be a last resort, not a first choice."

"On the other hand, we in the Hawaii State Senate, still have time for discussions on this issue to lay out the pros and cons of this particular war as we consider its likely effects upon the State of Hawaii. Yesterday marked the introduction of S.C.R. No. 21, which I urge all my colleagues to review and to seek a speedy hearing upon.

"Thank you."

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

"Mr. President, I rise on a point of personal privilege.

"Mr. President, colleagues, our nation is at war. More people died in 9/11 than died at Pearl Harbor. We are battling a war unseen in the history of human kind – a war against an insidious, hidden, stealth enemy without a nation. We have a country and a President that has stood tall against tyranny around the world. Muslims in Kosovo have been saved from a tyrant who is murdering them because America stood tall. People have been liberated from tyrannical rules. The Berlin wall fell – hundreds of millions were liberated from a totalitarian regime because America had the courage to stand tall and fight for freedom and justice of others.

"At this time, this Legislature should take a strong stand against a satanical man who has murdered his own people, against a man who has taken untold billions from his country and put it in his own bank account, against a man who has been

proven by our intelligence to have supported and aided and abetted an enemy who struck down the twin towers of 9/11.

"I agree with the previous speaker. It's time for Americans to unite and take a stand and hopefully this Legislature will take a stand in defense of America and freedom-loving people all over this nation and world.

"I find it incredible that there are those in this nation who in exercising their rights, which I support, would challenge the integrity of our national leadership while giving the benefit of a doubt to Saddam Hussein. I hope this Legislature does take a stand – a stand in favor of freedom.

"Thank you, Mr. President."

Senator Chun Oakland also rose on a point of personal privilege and said:

"Mr. President, I also stand on a point of personal privilege.

"Similar to the previous speakers, I agree with the points that have been made. The United Nations declared this decade, 2000-2010, as the international decade for a culture of peace and nonviolence for the children of the world, urging all people and all levels of government to seek nonviolent approaches to conflict resolution and wider education about international law and alternatives to war. I do hope, as we discuss this very important matter, that we do teach our children to love and to reconcile our differences with respect and diplomacy and, to the extent that the Senator from the Windward Side indicated that there are people that do not act that way, that we do best to demonstrate it.

"I do hope that we do not go to war. It does no one good. I do want to protect the people that have been wronged. I just hope we can offer the best support we can to the President, to our Congress, and to the United Nations.

"I do hope that as we discuss this Senate Concurrent Resolution that we remember the impacts that previous wars have had on our nation and on the world. We still deal with the fallout from all of that. I see it in the Committee – matters that come before Human Services – with our veterans, with the families that have been touched in some way, and I know whatever decision we make, we have to take it very seriously. My hope is that the President and Congress will, but that we look at our allies as well to achieve the best outcome.

"Thank you, Mr. President."

Senator English rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, members, S.C.R. No. 21 lays out a number of reasons that our country should rise above what is happening in the world and provide a path out of madness. We are urging, in this resolution, the President not to preemptively start a war with Iraq and not to go outside of the bounds of the international community and act unilaterally.

"Mr. President, members, this past weekend on Maui there was an anti-war demonstration. More than 1,000 people, all walks of life, gathered at Maui Community College to express this desire for peace and their hopes that we can settle our differences without bloodshed.

We have to realize that sometimes there's great evil in the world and sometimes that great evil must be met head on. And

if that be the case, then let the international community decide this and let the international community move in one united front, not the United States acting alone. So we are asking, pleading, with the national leadership – the President, Congress – that we find the path to peace and not go down the road of utter destruction.

“When this Senate Concurrent Resolution is presented on the Floor to be sent to Committee or perhaps voted upon here, I urge all of my colleagues to consider this very carefully: that Hawai‘i has always stood for peace and that these islands have not stood for war. The last wars in these islands . . . now, we’ve been invaded and attacked, yes, but the last wars in these islands were the wars of unification almost 200 years ago.

“It would be a sad day if we again bring this idea of war back to Hawai‘i when we have such great potential for peace. Thank you, Mr. President.”

Senator Slom rose on a point of personal privilege as follows:

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

“I didn’t realize we were going to get into a debate on S.C.R. No. 21 today, but since the debate has begun, let me add a few of my comments as well.

“I think some of our colleagues are missing the point that was made so eloquently by the Senate Minority Leader, and that is that we are in fact at war and have been. And whether you like it or not, whether you admit it not, it happens to be a fact.

“It’s also a fact that we have committed American troops, men and women, people from this State. If you want to talk about love for peace, there is no greater love for peace than anyone in the military – man or woman. They don’t want to be separated from their families. They don’t want to be put in harms way, but they accept the responsibility and the duty.

“When we talk about protest, in the past we’ve conveniently talked about anti-war demonstrations which would lead people to believe that the other side would be pro-war. I don’t remember seeing any pro-war demonstrations, but I do remember seeing demonstrations in support of our military men and women once committed, or to redress wrongs that have been done against this nation and peoples around the world.

“Likewise, I don’t remember any protest against Saddam Hussein, against Afghanistan, against what’s happened in the countries in Eastern Europe and Asia. The people that call for peace are strangely quiet and very selective in how they define that peace. Peace – certainly; but, peace at any price – never.

“And war is a terrible thing, but there’s one thing worse than war and that’s enslavement and death. And at this very critical time and in this very critical and pivotal state, we have choices, and one choice is to support those men and women that are on the front lines right now and more that will join them. Hopefully, armed conflict can be averted, but it’s not going to be averted by the international community or the United Nations. The safest place you could be in this world would be inside the United Nations building in New York City because those that do war against the United States, those that plan terrorism as we sit here find sustenance and comfort in the United Nations.

“And when has the international community supported the United States for any of its humanitarian or other efforts that it’s made? The international community is made up of people who would like to see the United States fall economically,

politically, socially. We are part of the government of the United States, and as such, we have a responsibility also, and I, for one, will not defer or confer responsibility to the United Nations or to the international community. Our responsibility is with our community here, all in the community including our military.

“And so, Mr. President, we all hope and we pray for a solution other than war, other than armed violence. But if it comes and if that is the alternative, I would hope that my colleagues would take a very strong and very clear position in support of our men and women and in our country.

“Thank you, Mr. President.”

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

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

“I’d like to state for the record that I’m not here to debate any issue at all, but to state a position and a feeling and a value. I would also like to say that I’m personally offended by an implication or insinuation that one who speaks for peace is somehow speaking against our men and women in the armed forces. My father served in Vietnam and in the Korean War. My uncle served in World War II, and both of them would be proud to have me standing here today speaking on behalf of peace.

“This past weekend, millions of people from around the world, from all communities and most countries, including my own community, stood and talked and marched for peace. I stand here today to add my voice to stand tall with those people to speak for peace, to stand with those people, to stand with the State of Maine and their Legislature, to stand with the city councils of over 90 cities across our nation including Atlanta, Philadelphia, Chicago, and Detroit, all of whom are saying they want peace. They don’t want preemptive strikes; they don’t want unilateral action; they want to work for peace.

“I stand today to encourage other citizens from around our nation, from around this world, and other Legislators to also take a stand for peace and for a rational approach to peace in the Mid-East.

“I stand today, finally, to encourage our President and our nation to take a deep breath and to resist, once again, unilateral action and preemptive action and to join with our friends and allies from around the world and work toward a peaceful resolution to what otherwise will surely mean the loss of tens if not hundreds of thousands of lives and launch us down a pathway that we don’t know where that end will be.

“Thank you.”

Senator Baker rose to speak on a point of personal privilege and stated:

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

“Mr. President and colleagues, I want to associate myself with the remarks of a fellow neighbor islander, the good Senator from Kauai. I think it is time for us to have the discussion, to raise our voices and to let it be known that we support our men and women in the military, but we don’t do it blindly. We need to have the discussion about what is the best course for this country, what’s the best course for our economy.

“I’m a Vietnam era child. I grew up and matured during that particular, very difficult conflict. I was in Washington, D.C., at

the time and saw how divisive the debate can be, but the debate needs to happen, nevertheless. If we don't take a stand, if we don't let others know what our convictions are, then we run the risk of our government blindly going forward without the credibility of international support that such action needs and deserves. Additionally, after there is a military victory in Iraq, we will need to secure the peace and we need to be vigilant to ensure that we go after, successfully, terrorist networks like Al-Qaeda. And we cannot do what is required without a united effort and a united front.

"So, therefore, Mr. President, I'm delighted to stand with my colleagues who have spoken before me in supporting S.C.R. No. 21. To recall a watch phrase from an earlier era, let's definitely give peace a chance, but if we must move toward war, let's not go it alone.

"Thank you."

Senator Hogue rose to speak on a point of personal privilege and stated:

"Mr. President, I also stand on a point of personal privilege.

"I stand for peace. But, Mr. President, I also stand behind our President. I am glad we're having this debate. It's an important debate. I, as a father, want peace in our world and I believe that we can have peace if we stand tall behind our President and we stand strong.

"Because we're having debate, because we're having descent does not mean that we are moving ahead blindly. The leaders of our nation have reached deep down inside and the international intelligence community has determined that this course of action is the right course of action. I stand behind that decision-making. They have acquired intelligence which has led us to this course of action.

"I know that as a parent there are times when you have to shed a few tears and you have to take the compassionate stand, but I know that there are times as a parent when you have to be compassionate by taking a very strong stand. We, as a nation, will take a peaceful course by taking a very strong stand at this time. I hope it's a peaceful course, but in the end, if we have to go to war, I stand behind the President.

"Thank you very much, Mr. President."

Senator Kawamoto rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, you and I know what it took to go into the Vietnam War. I know I volunteered; I also volunteered to fly the missions that we flew out there.

"What was most disheartening was the fact that as we flew in Laos, Cambodia, North Vietnam, people were denying that we were there! I remember President Nixon saying, 'No, we're not in Laos,' and I already had 50 missions in Laos. Men were dying running their airplanes into the ground, getting shot up, but yet our President was there denying that fact that we were there. It hurts for doing our jobs for the love of our country and being denied by the President and the people that we were there for.

"I just know that when we went to war, we had intelligence, the background why we were there and what we were doing it for. As we sit here, we don't have the intelligence, we don't have the background, we don't have the knowledge of what's

right and what's wrong. Sure we have the people out demonstrating, but we don't know why the President is making those decisions and the pressure he is under making those decisions.

"But, I know one thing I ask the people of Hawaii and you, first of all, is to think about our men and women who are out there in harms way sacrificing their lives – not their words, but their lives. Think about them before we make any big decisions on resolutions.

"Thank you."

ADJOURNMENT

At 12:15 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., Thursday, February 27, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-FOURTH DAY

Thursday, February 27, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Peter Kamakawiwoole, Kalihi Union Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

At this time, Senator Aduja introduced Lolinda Daoang Ramos and commended her on being named the 2002 Business Woman of the Year by the Filipino Business Women's Association. Accompanying the honoree was her son, Gregory Ramos; her niece, Cirvalina Ramos; and her friends, Melga Gendrano, Flora Pasion, and Jeny Quizon.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 210 to 224) were read by the Clerk and were placed on file:

Gov. Msg. No. 210, dated February 12, 2003, transmitting a Report on the Findings and Recommendations on a Review of the Home and Community-Based Waiver Program in Developmental Disabilities, prepared by the Department of Budget and Finance, Budget, Program Planning and Management Division, pursuant to Act 177, SLH 2002.

Gov. Msg. No. 211, dated February 21, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of November 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 212, dated February 21, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of August 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 213, dated February 21, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of December 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 214, dated February 21, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of September 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 215, dated February 21, 2003, transmitting the Detailed Quarterly Reports on Projected and Actual Expenditures from the Behavioral Health Administration for the Quarter Ending September 30, 2002, prepared by the Department of Health pursuant to Act 259, Section 36, SLH 2001.

Gov. Msg. No. 216, dated February 21, 2003, transmitting the 2002 Annual Report of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities, pursuant to Section 340B-12, HRS.

Gov. Msg. No. 217, dated February 21, 2003, transmitting a Report on the Statewide Comprehensive Strategic Plan for Services and Supports for Individuals with Developmental Disabilities or Mental Retardation, prepared by the Department of Health pursuant to S.C.R. No. 151 (1999).

Gov. Msg. No. 218, dated January 9, 2003, transmitting a Report Concerning the Effectiveness of the Invasive Species Programs, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Act 259, Section 18, SLH 2001.

Gov. Msg. No. 219, dated January 9, 2003, transmitting the Annual Report Relating to the Natural Area Reserves System and Natural Area Partnership Program, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 220, dated January 9, 2003, transmitting the Annual Report on the Status of the Issuance of Incidental Take Licenses for Endangered, Threatened, Proposed, and Candidate Species; and the Condition of the Endangered Species Trust Fund for the Period July 1, 2001 - June 30, 2002, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS.

Gov. Msg. No. 221, dated January 17, 2003, transmitting the Annual Report Relating to the Forest Stewardship Program, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195F-6, HRS.

Gov. Msg. No. 222, dated January 21, 2003, transmitting a Report on the Hawaii Statewide Trail and Access System, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 198D-9, HRS.

Gov. Msg. No. 223, dated February 18, 2003, transmitting the Annual Report of the Hawaii Community-Based Economic Development Technical and Financial Assistant Program.

Gov. Msg. No. 224, dated January 9, 2003, transmitting the Annual Report on the Wildlife Revolving Fund, prepared by the Department of Land and Natural Resources pursuant to Section 183D-10.5, HRS.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 25, from the Department of Land and Natural Resources, Division of State Parks, transmitting a report: "The Hawaii State Park System: A Vision for the Future and a Plan for Repair and Maintenance of Park Facilities," pursuant to Act 250, SLH 2002, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 6 to 11) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 6, transmitting H.B. No. 182, which passed Third Reading in the House of Representatives on February 19, 2003, was placed on file.

By unanimous consent, action on H.B. No. 182, entitled: "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES," was deferred until Friday, February 28, 2003.

Hse. Com. No. 7, transmitting H.B. No. 562, which passed Third Reading in the House of Representatives on February 19, 2003, was placed on file.

By unanimous consent, action on H.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was deferred until Friday, February 28, 2003.

Hse. Com. No. 8, transmitting H.B. No. 652, which passed Third Reading in the House of Representatives on February 19, 2003, was placed on file.

By unanimous consent, action on H.B. No. 652, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," was deferred until Friday, February 28, 2003.

Hse. Com. No. 9, transmitting H.B. No. 899, which passed Third Reading in the House of Representatives on February 19, 2003, was placed on file.

By unanimous consent, action on H.B. No. 899, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Friday, February 28, 2003.

Hse. Com. No. 10, transmitting H.B. No. 991, which passed Third Reading in the House of Representatives on February 19, 2003, was placed on file.

By unanimous consent, action on H.B. No. 991, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Friday, February 28, 2003.

Hse. Com. No. 11, transmitting H.B. No. 1113, which passed Third Reading in the House of Representatives on February 19, 2003, was placed on file.

By unanimous consent, action on H.B. No. 1113, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," was deferred until Friday, February 28, 2003.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 27 to 36) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO LOOK INTO EXPANDING THE ANTITRUST EXEMPTION TO ENABLE HAWAIIAN AIRLINES TO COORDINATE INDIVIDUAL ROUTE SCHEDULES."

Offered by: Senators Kawamoto, Espero, Kanno, Baker, Aduja, Whalen.

No. 28 "SENATE CONCURRENT RESOLUTION URGING THE AUDIT OF THE KAHO'OLAWE ISLAND RESERVE COMMISSION'S USE OF FEDERAL FUNDS AND REQUESTING THAT THE KAHO'OLAWE ISLAND RESERVE COMMISSION SUBMIT A MASTER PLAN FOR THE NAVY'S TRANSFER OF ADMINISTRATIVE CONTROL."

Offered by: Senators Kawamoto, Espero, Aduja, Whalen.

No. 29 "SENATE CONCURRENT RESOLUTION URGING THE STATE, COUNTIES, AND PARTICIPATING PRIVATE ENTITIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII."

Offered by: Senator Kawamoto.

No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AND DISTRIBUTE A SERIES OF PUBLICATIONS DESIGNED TO INFORM PARENTS AND GUARDIANS ABOUT WHAT THEIR CHILDREN ARE LEARNING IN LANGUAGE ARTS/READING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FROM KINDERGARTEN THROUGH GRADE SIX."

Offered by: Senators Sakamoto, Hooser.

No. 31 "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INVESTIGATE AND QUANTIFY ECONOMIC DIFFERENCES BETWEEN THE WORKING POOR AND FAMILIES ON PUBLIC ASSISTANCE IN FEDERAL LOW INCOME HOUSING."

Offered by: Senators Sakamoto, English, Hooser.

No. 32 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT WITHOUT 'TEACHING TO THE TEST'."

Offered by: Senator Sakamoto.

No. 33 "SENATE CONCURRENT RESOLUTION URGING THE STATE TO PURSUE LITIGATION AGAINST CHEVRONTXACO FOR NONPAYMENT OF TAXES."

Offered by: Senators Menor, Aduja, Ige, Sakamoto, Kokubun, Bunda, Ihara, Hooser, English, Espero, Kim, Baker, Tsutsui, Chun Oakland, Fukunaga, Hanabusa, Kanno, Whalen.

No. 34 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DENTAL HEALTH DIVISION OF THE DEPARTMENT OF HEALTH."

Offered by: Senators Baker, Hogue, Inouye, Tsutsui, Ige, Kokubun, Ihara, Chun Oakland, Hooser, Fukunaga.

No. 35 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE COUNTY OF HAWAII, TO REVIEW THE CAUSES OF MOTOR VEHICLE COLLISIONS AT THE INTERSECTION OF HIGHWAY 11 AND THE ENTRY ROAD TO THE

TOWN OF PAHALA AND MAKE ANY NECESSARY IMPROVEMENTS TO LESSEN THE RISK OF ACCIDENTS.”

Offered by: Senators Kokubun, English, Inouye, Whalen.

No. 36 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION OF PERMANENT FAIR GROUNDS ON THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM.”

Offered by: Senator Kim.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 16 to 23) were read by the Clerk and were deferred:

Senate Resolution

No. 16 “SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO LOOK INTO EXPANDING THE ANTITRUST EXEMPTION TO ENABLE HAWAIIAN AIRLINES TO COORDINATE INDIVIDUAL ROUTE SCHEDULES.”

Offered by: Senators Kawamoto, Espero, Kanno, Baker, Aduja, Whalen.

No. 17 “SENATE RESOLUTION URGING THE STATE, COUNTIES, AND PARTICIPATING PRIVATE ENTITIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII.”

Offered by: Senator Kawamoto.

No. 18 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AND DISTRIBUTE A SERIES OF PUBLICATIONS DESIGNED TO INFORM PARENTS AND GUARDIANS ABOUT WHAT THEIR CHILDREN ARE LEARNING IN LANGUAGE ARTS/READING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FROM KINDERGARTEN THROUGH GRADE SIX.”

Offered by: Senators Sakamoto, Hooser.

No. 19 “SENATE RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INVESTIGATE AND QUANTIFY ECONOMIC DIFFERENCES BETWEEN THE WORKING POOR AND FAMILIES ON PUBLIC ASSISTANCE IN FEDERAL LOW INCOME HOUSING.”

Offered by: Senators Sakamoto, English, Hooser.

No. 20 “SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT WITHOUT ‘TEACHING TO THE TEST.’”

Offered by: Senator Sakamoto.

No. 21 “SENATE RESOLUTION URGING THE STATE TO PURSUE LITIGATION AGAINST CHEVRONTEXACO FOR NONPAYMENT OF TAXES.”

Offered by: Senators Menor, Aduja, Ige, Kokubun, Bunda, Ihara, Hooser, Espero, Kim, Tsutsui, Baker, Chun Oakland, Fukunaga, Hanabusa, English, Kanno, Sakamoto, Whalen.

No. 22 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE COUNTY OF HAWAII, TO REVIEW THE CAUSES OF MOTOR VEHICLE COLLISIONS AT THE INTERSECTION OF HIGHWAY 11 AND THE ENTRY ROAD TO THE TOWN OF PAHALA AND MAKE ANY NECESSARY IMPROVEMENTS TO LESSEN THE RISK OF ACCIDENTS.”

Offered by: Senators Kokubun, English, Inouye, Whalen.

No. 23 “SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION OF PERMANENT FAIR GROUNDS ON THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM.”

Offered by: Senator Kim.

STANDING COMMITTEE REPORTS

Senators Kawamoto and Fukunaga, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 578) recommending that S.B. No. 42, 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 joint report of the Committees was adopted and S.B. No. 42, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WATERCRAFT,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 579) recommending that S.B. No. 69, 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 S.B. No. 69, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 580) recommending that S.B. No. 1245 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 S.B. No. 1245, entitled: “A BILL FOR AN ACT RELATING TO THE EVALUATION OF TEACHERS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 581) recommending that S.B. No. 840, 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 S.B. No. 840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators English and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 582) recommending that S.B. No. 1080, 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 joint report of the Committees was adopted and S.B. No. 1080, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 583) recommending that S.B. No. 394 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 S.B. No. 394, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 584) recommending that S.B. No. 678, 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 S.B. No. 678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 585) recommending that S.B. No. 1077, 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 S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 586) recommending that S.B. No. 1314 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 S.B. No. 1314, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING

REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 587) recommending that S.B. No. 1319, 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 S.B. No. 1319, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 588) recommending that S.B. No. 1323 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 S.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 589) recommending that S.B. No. 1325 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 S.B. No. 1325, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 590) recommending that S.B. No. 1630 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 S.B. No. 1630, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 591) recommending that S.B. No. 368 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 S.B. No. 368, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 592) recommending that S.B. No. 390 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 S.B. No. 390, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 593) recommending that S.B. No. 616 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 S.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO HATE CRIMES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 594) recommending that S.B. No. 617 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 S.B. No. 617, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 595) recommending that S.B. No. 685 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 S.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBERS PLACED IN POLL BOOKS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 596) recommending that S.B. No. 830, 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 S.B. No. 830, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 597) recommending that S.B. No. 1130 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 S.B. No. 1130, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 598) recommending that S.B. No. 1131 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 S.B. No. 1131, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 599) recommending that S.B. No. 29, 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 S.B. No. 29, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL WASTES RECYCLING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 600) recommending that S.B. No. 1611 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 S.B. No. 1611, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 601) recommending that S.B. No. 538, 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 S.B. No. 538, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 602) recommending that S.B. No. 1403 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1403, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME-RELATED USES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 603) recommending that S.B. No. 958, 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 joint report of the Committees was adopted and S.B. No. 958, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY,"

passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 604) recommending that S.B. No. 1058, 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 S.B. No. 1058, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 605) recommending that S.B. No. 1200, 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 S.B. No. 1200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 606) recommending that S.B. No. 1306 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 S.B. No. 1306, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 607) recommending that S.B. No. 1589, 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 S.B. No. 1589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 608) recommending that S.B. No. 345, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 608 and S.B. No. 345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 609) recommending that S.B. No. 373, 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 S.B. No. 373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 610) recommending that S.B. No. 562 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 610 and S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 611) recommending that S.B. No. 676 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 611 and S.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 612) recommending that S.B. No. 1468, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 612 and S.B. No. 1468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," was Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 613) recommending that S.B. No. 550, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 613 and S.B. No. 550, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," was deferred until Tuesday, March 4, 2003.

Senators Hanabusa and Taniguchi, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 614) recommending that S.B. No. 38 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 614 and S.B. No. 38, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 615) recommending that S.B. No. 1002 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 615 and S.B. No. 1002, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 616) recommending that S.B. No. 1242 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 616 and S.B. No. 1242, entitled: "A BILL FOR AN ACT RELATING TO FAIR ACCESS FOR STATE GOVERNMENT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 617) recommending that S.B. No. 1449, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 617 and S.B. No. 1449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 618) recommending that S.B. No. 1415 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 618 and S.B. No. 1415, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 619) recommending that S.B. No. 1594 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 619 and S.B. No. 1594, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 620) recommending that S.B. No. 792, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 620 and S.B. No. 792, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 621) recommending that S.B. No. 1318, 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 S.B. No. 1318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 622) recommending that S.B. No. 1320, 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 S.B. No. 1320, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO MEDICAL SAVINGS ACCOUNTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 623) recommending that S.B. No. 254, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Water, Land, and Agriculture.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was recommitted to the Committee on Water, Land, and Agriculture.

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

The Senate reconvened at 12:05 o'clock p.m.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 624) recommending that the Senate advise and consent to the nomination of RUSSELL SAITO as Comptroller of the Department of Accounting and General Services, in accordance with Gov. Msg. No. 3.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 624 and Gov. Msg. No. 3 was deferred until Friday, February 28, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 625) recommending that the Senate advise and consent to the nomination of BRIGADIER GENERAL ROBERT G.F. LEE as Adjutant General and Director of Civil Defense, in accordance with Gov. Msg. No. 8.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 625 and Gov. Msg. No. 8 was deferred until Friday, February 28, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 626) recommending that the Senate advise and consent to the nomination of RODNEY HARAGA as Director of the Department of Transportation, in accordance with Gov. Msg. No. 102.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 626 and Gov. Msg. No. 102 was deferred until Friday, February 28, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 627) recommending that the Senate advise and consent to the nomination of MARK J. BENNETT as Attorney General of the State of Hawai'i, in accordance with Gov. Msg. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 627 and Gov. Msg. No. 1 was deferred until Friday, February 28, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 628) recommending that the Senate advise and consent to the nomination of MICAH A. KANE as Chairman of the Department of Hawaiian Home Lands, in accordance with Gov. Msg. No. 5.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 628 and Gov. Msg. No. 5 was deferred until Friday, February 28, 2003.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

ORDER OF THE DAY

THIRD READING

S.B. No. 1290, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator English and carried, S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCT PROCUREMENT PREFERENCES BY STATE AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1334:

On motion by Senator Ige, seconded by Senator Aduja and carried, S.B. No. 1334, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, February 18, 2003:

Senate Concurrent Resolution	Referred to:
No. 21	Committee on Transportation, Military Affairs, and Government Operations
No. 22	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
No. 23	Committee on Judiciary and Hawaiian Affairs
No. 24	Committee on Tourism
No. 25	Committee on Education
No. 26	Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Economic Development and the Committee on Judiciary and Hawaiian Affairs

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Tuesday, February 18, 2003:

Senate Resolution	Referred to:
No. 11	Committee on Transportation, Military Affairs, and Government Operations
No. 12	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
No. 13	Committee on Judiciary and Hawaiian Affairs
No. 14	Committee on Education
No. 15	Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Economic Development and the Committee on Judiciary and Hawaiian Affairs

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 254, S.D. 1	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Ways and Means
No. 358	Jointly to the Committee on Economic Development and the Committee on Ways and Means
No. 918, S.D. 1	Committee on Human Services, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTION

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

Senate Resolution	Referred to:
No. 6	Jointly to the Committee on Health and the Committee on Education

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

- S.B. No. 1274;
- S.B. No. 1275;
- S.B. No. 1560; and
- S.B. No. 1635.

Senator Hanabusa noted:

"Mr. President, for S.B. No. 1274 and S.B. No. 1275 our notice was decked yesterday afternoon. These two matters are part of the law enforcement coalition.

"The second two bills should be a 48-hour notice. We decked that notice this morning. One is relating to property left in a dangerous condition, S.B. No. 1560. The second is S.B. No. 1635, relating to public officers and employees – this prohibits state agencies from using private funds in whole or in part."

The Chair then granted the waiver.

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 254.

Senator Inouye noted:

“Mr. President, this bill amends an existing appropriation of CIP funds to provide for the demolition of the Puukapu Homesteads bridge in South Kohala and for the construction of a new pedestrian bridge over the agricultural irrigation system.”

The Chair then granted the waiver.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 327 and 1263.

Senator Kawamoto noted:

“Mr. President, S.B. No. 1263, S.D. 1, allows for the purchase of goods and services and awarding of construction contracts through an online electronic procurement system, and was previously heard by your Committee on Science, Arts and Technology.

“S.B. No. 327 relates to the State Procurement Office, and your Committee on TMG would like to reconsider its decision from yesterday.”

The Chair then granted the waiver.

At 12:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:40 o'clock p.m.

ADJOURNMENT

At 12:41 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, February 28, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-FIFTH DAY

Friday, February 28, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend O.W. "Dub" Efurd, Executive Director, Hawaii Pacific Baptist Convention, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 225 and 226) were read by the Clerk and were placed on file:

Gov. Msg. No. 225, dated February 11, 2003, transmitting the Hawaii Community Development Authority's Project-Funded Staff Services Budget Report, pursuant to Act 177, SLH 2002.

Gov. Msg. No. 226, letter dated February 26, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of S.B. No. 254, which amends an existing appropriation of capital improvement funds to provide for the demolition of a bridge in Puukapu Homesteads, Second Series, South Kohala, Island of Hawaii, and the construction of a new bridge.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 12 to 65) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 12, transmitting H.B. No. 52, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 52, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed First Reading by title and was deferred.

Hse. Com. No. 13, transmitting H.B. No. 53, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME RELATED USES," passed First Reading by title and was deferred.

Hse. Com. No. 14, transmitting H.B. No. 58, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was deferred.

Hse. Com. No. 15, transmitting H.B. No. 86, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was deferred.

Hse. Com. No. 16, transmitting H.B. No. 122, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 122, entitled: "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," passed First Reading by title and was deferred.

Hse. Com. No. 17, transmitting H.B. No. 123, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 123, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY," passed First Reading by title and was deferred.

Hse. Com. No. 18, transmitting H.B. No. 133, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 133, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed First Reading by title and was deferred.

Hse. Com. No. 19, transmitting H.B. No. 192, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 192, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed First Reading by title and was deferred.

Hse. Com. No. 20, transmitting H.B. No. 218, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES," passed First Reading by title and was deferred.

Hse. Com. No. 21, transmitting H.B. No. 277, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 22, transmitting H.B. No. 285, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 285, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed First Reading by title and was deferred.

Hse. Com. No. 23, transmitting H.B. No. 286, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 286, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed First Reading by title and was deferred.

Hse. Com. No. 24, transmitting H.B. No. 320, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 320, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 25, transmitting H.B. No. 436, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 436, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND A SECOND AMBULANCE TO SERVE THE WAIANAE COAST," passed First Reading by title and was deferred.

Hse. Com. No. 26, transmitting H.B. No. 475, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 27, transmitting H.B. No. 485, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 485, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU'OLI SCHOOL," passed First Reading by title and was deferred.

Hse. Com. No. 28, transmitting H.B. No. 488, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," passed First Reading by title and was deferred.

Hse. Com. No. 29, transmitting H.B. No. 509, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 509, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING

IN PUBLIC EMPLOYMENT," passed First Reading by title and was deferred.

Hse. Com. No. 30, transmitting H.B. No. 548, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 548, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed First Reading by title and was deferred.

Hse. Com. No. 31, transmitting H.B. No. 604, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was deferred.

Hse. Com. No. 32, transmitting H.B. No. 657, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 657, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 33, transmitting H.B. No. 659, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," passed First Reading by title and was deferred.

Hse. Com. No. 34, transmitting H.B. No. 730, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 730, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," passed First Reading by title and was deferred.

Hse. Com. No. 35, transmitting H.B. No. 731, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 731, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was deferred.

Hse. Com. No. 36, transmitting H.B. No. 744, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 744, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL," passed First Reading by title and was deferred.

Hse. Com. No. 37, transmitting H.B. No. 754, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 754, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," passed First Reading by title and was deferred.

Hse. Com. No. 38, transmitting H.B. No. 762, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 762, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS," passed First Reading by title and was deferred.

Hse. Com. No. 39, transmitting H.B. No. 802, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 802, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES," passed First Reading by title and was deferred.

Hse. Com. No. 40, transmitting H.B. No. 813, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading by title and was deferred.

Hse. Com. No. 41, transmitting H.B. No. 814, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 814, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 42, transmitting H.B. No. 815, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 815, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," passed First Reading by title and was deferred.

Hse. Com. No. 43, transmitting H.B. No. 818, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 818, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," passed First Reading by title and was deferred.

Hse. Com. No. 44, transmitting H.B. No. 884, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 884, entitled: "A BILL FOR AN

ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was deferred.

Hse. Com. No. 45, transmitting H.B. No. 939, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL," passed First Reading by title and was deferred.

Hse. Com. No. 46, transmitting H.B. No. 1010, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1010, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," passed First Reading by title and was deferred.

Hse. Com. No. 47, transmitting H.B. No. 1022, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1022, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 48, transmitting H.B. No. 1155, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1155, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed First Reading by title and was deferred.

Hse. Com. No. 49, transmitting H.B. No. 1157, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 50, transmitting H.B. No. 1161, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 51, transmitting H.B. No. 1163, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 52, transmitting H.B. No. 1172, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1172, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed First Reading by title and was deferred.

Hse. Com. No. 53, transmitting H.B. No. 1255, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1255, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 54, transmitting H.B. No. 1276, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 55, transmitting H.B. No. 1277, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1277, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 16, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO PROVIDE THE LEGISLATURE WITH THE POWER TO RECALL A BILL PRESENTED TO THE GOVERNOR," passed First Reading by title and was deferred.

Hse. Com. No. 56, transmitting H.B. No. 1294, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 57, transmitting H.B. No. 1307, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1307, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was deferred.

Hse. Com. No. 58, transmitting H.B. No. 1362, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1362, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," passed First Reading by title and was deferred.

Hse. Com. No. 59, transmitting H.B. No. 1405, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1405, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOFUEL," passed First Reading by title and was deferred.

Hse. Com. No. 60, transmitting H.B. No. 1453, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed First Reading by title and was deferred.

Hse. Com. No. 61, transmitting H.B. No. 1479, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1479, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NATIONAL KOREAN WAR MUSEUM IN HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 62, transmitting H.B. No. 1495, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1495, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREMATION," passed First Reading by title and was deferred.

Hse. Com. No. 63, transmitting H.B. No. 1564, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1564, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY," passed First Reading by title and was deferred.

Hse. Com. No. 64, transmitting H.B. No. 1630, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1630, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," passed First Reading by title and was deferred.

Hse. Com. No. 65, transmitting H.B. No. 83, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 37 to 43) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PETITION THE UNITED STATES CONGRESS AND PRESIDENT TO ASSIST IN INCREASING FEDERAL CONTRACTING OPPORTUNITIES FOR NATIVE HAWAIIAN ORGANIZATION OWNED 8(a) SMALL BUSINESSES."

Offered by: Senator Bunda.

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO PROMOTE HAWAII FILMMAKERS AND LOCALLY MADE FILMS AS A MEANS OF PROMOTING TOURISM."

Offered by: Senators Espero, Kim, Tsutsui.

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING THE FILM INDUSTRY BRANCH OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST HAWAII FILMMAKERS IN EXPORTING THEIR PRODUCTS OUT-OF-STATE AND TO DO ALL THINGS NECESSARY TO PROMOTE LOCALLY MADE FILMS."

Offered by: Senators Espero, Kim, Tsutsui.

No. 40 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ESTABLISHING A PHOTO RED LIGHT ENFORCEMENT PILOT PROJECT TO ENHANCE PEDESTRIAN SAFETY."

Offered by: Senators Kawamoto, Espero, Aduja, Kanno, Whalen.

No. 41 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST IN THE ACCOMMODATION OF A PLASMA-ARC TORCH FACILITY IN THE STATE."

Offered by: Senator Hanabusa.

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO DESIGN, IMPLEMENT, AND EVALUATE A CULTURAL TELEVISION AND FILM PILOT PROJECT."

Offered by: Senators Kim, Espero, Tsutsui, English, Taniguchi, Bunda, Kokubun, Hanabusa, Slom, Whalen, Hemmings, Sakamoto, Kawamoto, Menor, Hooser.

No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO REVIEW ALL SPECIAL AND REVOLVING FUNDS AND PROVIDE A LIST OF ALL FUNDS WITH APPROPRIATE RECOMMENDATIONS FOR EACH FUND."

Offered by: Senators Kim, Hanabusa, Kokubun, Espero, Tsutsui, Taniguchi, English, Bunda, Hemmings, Slom, Sakamoto, Kawamoto, Trimble, Hooser, Ihara.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 24 to 27) were read by the Clerk and were deferred:

Senate Resolution

No. 24 "SENATE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO PROMOTE HAWAII FILMMAKERS AND LOCALLY MADE FILMS AS A MEANS OF PROMOTING TOURISM."

Offered by: Senators Espero, Kim, Tsutsui.

No. 25 "SENATE RESOLUTION REQUESTING THE FILM INDUSTRY BRANCH OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST HAWAII FILMMAKERS IN EXPORTING THEIR PRODUCTS OUT-OF-STATE AND TO DO ALL THINGS NECESSARY TO PROMOTE LOCALLY MADE FILMS."

Offered by: Senators Espero, Kim, Tsutsui.

No. 26 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ESTABLISHING A PHOTO RED LIGHT ENFORCEMENT PILOT PROJECT TO ENHANCE PEDESTRIAN SAFETY."

Offered by: Senators Kawamoto, Espero, Aduja, Kanno, Whalen.

No. 27 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO REVIEW ALL SPECIAL AND REVOLVING FUNDS AND PROVIDE A LIST OF ALL FUNDS WITH APPROPRIATE RECOMMENDATIONS FOR EACH FUND."

Offered by: Senators Kim, Hanabusa, Kokubun, Espero, Tsutsui, Taniguchi, English, Bunda, Hemmings, Slom, Sakamoto, Kawamoto, Trimble, Hooser, Ihara.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 629) recommending that S.B. No. 552, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 629 and S.B. No. 552, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 630) recommending that S.B. No. 658, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 630 and S.B. No. 658, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 631) recommending that S.B. No. 881, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 631 and S.B. No. 881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 632) recommending that S.B. No. 1234, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 632 and S.B. No. 1234, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 633) recommending that S.B. No. 1360, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 633 and S.B. No. 1360, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 634) recommending that S.B. No. 1469, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 634 and S.B. No. 1469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEER SUPPORT COUNSELING SESSIONS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 635) recommending that S.B. No. 630, 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 S.B. No. 630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 636) recommending that S.B. No. 1041, 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 S.B. No. 1041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 637) recommending that S.B. No. 1107, 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 S.B. No. 1107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED

STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 638) recommending that S.B. No. 1132, 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 S.B. No. 1132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Sakamoto and Kawamoto, for the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 639) recommending that S.B. No. 11 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY PUBLIC SCHOOL FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 640) recommending that S.B. No. 1061, 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 joint report of the Committees was adopted and S.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 641) recommending that S.B. No. 1505, 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 S.B. No. 1505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 642) recommending that S.B. No. 51 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 S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a

report (Stand. Com. Rep. No. 643) recommending that S.B. No. 302 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 S.B. No. 302, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 644) recommending that S.B. No. 460 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 S.B. No. 460, entitled: "A BILL FOR AN ACT RELATING TO DUNE BUGGIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 645) recommending that S.B. No. 689 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 S.B. No. 689, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 646) recommending that S.B. No. 1266, 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 S.B. No. 1266, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 647) recommending that S.B. No. 1405 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 S.B. No. 1405, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 648) recommending that S.B. No. 1406 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 S.B. No. 1406, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 649) recommending that S.B. No. 1407 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 S.B. No. 1407, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 650) recommending that S.B. No. 363 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 363, entitled: "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 651) recommending that S.B. No. 299, 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 S.B. No. 299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 652) recommending that S.B. No. 713 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 652 and S.B. No. 713, entitled: "A BILL FOR AN ACT RELATING TO CLOSURE OF MUNICIPAL FACILITIES," was deferred until Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 653) recommending that S.B. No. 527 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 653 and S.B. No. 527, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 654) recommending that S.B. No. 41 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 654 and S.B. No. 41, entitled: "A BILL FOR AN ACT RELATING

TO PUBLIC CONTRACTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 655) recommending that S.B. No. 248, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 655 and S.B. No. 248, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 656) recommending that S.B. No. 1210 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 656 and S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 657) recommending that S.B. No. 1461 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 657 and S.B. No. 1461, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 658) recommending that S.B. No. 1533, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 658 and S.B. No. 1533, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 659) recommending that S.B. No. 319, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 659 and S.B. No. 319, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 660) recommending that S.B. No. 492 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 660 and S.B. No. 492, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR ENERGY EFFICIENCY IN STATE FACILITIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 661) recommending that S.B. No. 505 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 661 and S.B. No. 505, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 662) recommending that S.B. No. 848 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 662 and S.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOO LAWE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 663) recommending that S.B. No. 857, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 663 and S.B. No. 857, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN INVASIVE SPECIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 664) recommending that S.B. No. 919, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 664 and S.B. No. 919, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIOREMEDIATION RESEARCH," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 665) recommending that S.B. No. 1517, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 665 and S.B. No. 1517, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 666) recommending that S.B. No. 6, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 666 and S.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES' STIPENDS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 667) recommending that S.B. No. 14, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 667 and S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED SCHOOL ADMINISTRATORS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 668) recommending that S.B. No. 16, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 668 and S.B. No. 16, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 669) recommending that S.B. No. 17, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 669 and S.B. No. 17, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 670) recommending that S.B. No. 24, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 670 and S.B. No. 24, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 671) recommending that S.B. No. 58, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 671 and S.B. No. 58, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 672) recommending that S.B. No. 60 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 672 and S.B. No. 60, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ASSESSMENT LIAISONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 673) recommending that S.B. No. 209, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 673 and S.B. No. 209, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 674) recommending that S.B. No. 337, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 674 and S.B. No. 337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 675) recommending that S.B. No. 339, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 675 and S.B. No. 339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 676) recommending that S.B. No. 342 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 676 and S.B. No. 342, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE

REVENUE BONDS FOR HANAHAUOLI SCHOOL," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 677) recommending that S.B. No. 343 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 677 and S.B. No. 343, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 678) recommending that S.B. No. 353, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 678 and S.B. No. 353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 679) recommending that S.B. No. 395, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 679 and S.B. No. 395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HO'ALA SCHOOL," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 680) recommending that S.B. No. 397 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 680 and S.B. No. 397, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 681) recommending that S.B. No. 402, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 681 and S.B. No. 402, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 682) recommending that S.B. No. 666, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 682 and S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 683) recommending that S.B. No. 832, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 683 and S.B. No. 832, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 684) recommending that S.B. No. 995, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 684 and S.B. No. 995, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 685) recommending that S.B. No. 1072, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 685 and S.B. No. 1072, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 686) recommending that S.B. No. 1183 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 686 and S.B. No. 1183, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 687) recommending that S.B. No. 1381, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 687 and S.B. No. 1381, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 688) recommending that S.B. No. 1411, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 688 and S.B. No. 1411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RISK MANAGEMENT SPECIAL FUND," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 689) recommending that S.B. No. 1700, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 689 and S.B. No. 1700, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 690) recommending that S.B. No. 39, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 690 and S.B. No. 39, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 691) recommending that S.B. No. 560, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 691 and S.B. No. 560, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS DEVELOPMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 692) recommending that S.B. No. 1172, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 692 and S.B. No. 1172, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRLINES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 693) recommending that S.B. No. 12, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 693 and S.B. No. 12, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 694) recommending that S.B. No. 381, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 694 and S.B. No. 381, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 695) recommending that S.B. No. 474, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 695 and S.B. No. 474, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 696) recommending that S.B. No. 477, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 696 and S.B. No. 477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS COMMISSION ACT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 697) recommending that S.B. No. 610, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 697 and S.B. No. 610, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL CLAIMS RESOLUTION

UNDER THE HAWAIIAN HOME LANDS TRUST," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 698) recommending that S.B. No. 611, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 698 and S.B. No. 611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 699) recommending that S.B. No. 635, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 699 and S.B. No. 635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC FINES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 700) recommending that S.B. No. 1139, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 700 and S.B. No. 1139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 701) recommending that S.B. No. 1142 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 701 and S.B. No. 1142, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 702) recommending that S.B. No. 1151 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 702 and S.B. No. 1151, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 703) recommending that S.B. No. 1333, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 703 and S.B. No. 1333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 704) recommending that S.B. No. 1393, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 704 and S.B. No. 1393, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS OF

STATE GOVERNMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 705) recommending that S.B. No. 1410, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705 and S.B. No. 1410, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 706) recommending that S.B. No. 1413 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 706 and S.B. No. 1413, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 707) recommending that S.B. No. 1437 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 707 and S.B. No. 1437, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 708) recommending that S.B. No. 1465, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 708 and S.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 709) recommending that S.B. No. 516, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 709 and S.B. No. 516, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY PIERS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 710) recommending that S.B. No. 534, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 710 and S.B. No. 534, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 711) recommending that S.B. No. 540, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 711 and S.B. No. 540, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 712) recommending that S.B. No. 643, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 712 and S.B. No. 643, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOPROSPECTING," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 713) recommending that S.B. No. 719 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 713 and S.B. No. 719, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 714) recommending that S.B. No. 1066 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 714 and S.B. No. 1066, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUEA CEMETERY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 715) recommending that S.B. No. 1076, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715 and S.B. No. 1076, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 716) recommending that S.B. No. 1258, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 716 and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 717) recommending that S.B. No. 1435 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 717 and S.B. No. 1435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 718) recommending that S.B. No. 1495, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 718 and S.B. No. 1495, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII DROUGHT PLAN," was deferred until Tuesday, March 4, 2003.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM THURSDAY, FEBRUARY 27, 2003

H.B. No. 182 (Hse. Com. No. 6):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 182, entitled: "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture.

H.B. No. 562 (Hse. Com. No. 7):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

H.B. No. 652 (Hse. Com. No. 8):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 652, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

H.B. No. 899 (Hse. Com. No. 9):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 899, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed First Reading by title and was referred to the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

H.B. No. 991 (Hse. Com. No. 10):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 991, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

H.B. No. 1113 (Hse. Com. No. 11):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1113, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," passed First Reading by title and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

ADVISE AND CONSENT

Stand. Com. Rep. No. 624 (Gov. Msg. No. 3):

Senator Kawamoto moved that Stand. Com. Rep. No. 624 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of RUSSELL SAITO as Comptroller of the Department of Accounting and General Services, term to expire December 4, 2006, seconded by Senator Espero.

Senator Hogue rose to speak in support of the nominee and said:

"Mr. President, I rise as a point to confirm the nomination of Comptroller of the Department of Accounting and General Services gubernatorial nominee Russ Saito.

"As you know, in the past we have often called DAGS the great black hole, and we are hopeful, through Mr. Saito's guidance, that it will brighten up and that we will finally, in some cases, see the bottom of that bottomless pit.

"I have seen him to be very open. I have seen him to be open for much needed change in the procurement process and he has given us hope through his great leadership in this transition period. So I stand in support of gubernatorial nominee Russ Saito as head of DAGS – no longer the black hole.

"Thank you."

Senator Kawamoto rose in support of the nominee and stated:

"Mr. President, your Committee on Transportation, Military Affairs and Government Operations, to which was referred Gov. Msg. No. 3, submitting for study and consideration the nomination of Russ Saito, gubernatorial nominee as Comptroller of the Department of Accounting and General Services for a term to expire December 4, 2006 begs leave to report as follows:

"Your Committee received testimony from 46 individuals in support of Mr. Saito's nomination. There was no testimony submitted in opposition. Among those who testified in support of the nomination were a representative of the Office of the Governor, 18 current employees of the Department of Accounting and General Services, and many individuals from the private sector.

"Your Committee finds that the nominee has years of experience as an engineer, manager, and director responsible for engineering, construction, planning, service staff, operations, and product development. Every testifier highlighted the nominee's skills and dedication in each of these areas.

"Your Committee finds that the nominee will work diligently to improve DAGS in two important areas: restoring trust in government, and making our government work more efficiently. Importantly, your Committee notes that the State Procurement Office operates under DAGS, and hopes that the nominee can improve state procurement procedures.

"Upon review of the statements submitted by the nominee, your Committee finds that the nominee will work with compassion and commitment in heading DAGS. In his previous professional experience, the nominee demonstrated the ability to lead and to carry out the responsibilities of his position. Your Committee finds that the nominee has been appointed based upon his credentials, integrity, and a desire to make Hawaii better through his participation as Comptroller.

"As affirmed by the record of votes of the members of your Committee on Transportation, Military Affairs and Government Operations that is attached to this report, your Committee, after full consideration of the background, character, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

"I urge all colleagues to vote 'aye' on this nomination. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Kawamoto introduced Mr. Saito to the members of the Senate.

Stand. Com. Rep. No. 625 (Gov. Msg. No. 8):

Senator Kawamoto moved that Stand. Com. Rep. No. 625 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of BRIGADIER GENERAL ROBERT G.F. LEE as Adjutant General and Director of Civil Defense, term to expire December 4, 2006, seconded by Senator Espero.

Senator Kawamoto rose to speak in support of the nominee and said:

"Mr. President, your Committee on Transportation, Military Affairs and Government Operations, to which was referred Gov. Msg. No. 8, submitting for study and consideration the nomination of Robert G.F. Lee, gubernatorial nominee as Adjutant General/Director of Civil Defense for a term to expire December 4, 2006, begs leave to report as follows:

"The Office of Veterans Services, Oahu Civil Defense Agency, Chief of Staff of the Hawaii Army National Guard, Judge Advocate General, The Chamber of Commerce of Hawaii, and seven individuals testified in support of the nominee.

"Mr. Robert G.F. Lee holds the rank of Brigadier General in the United States Army Reserve. As Commanding General of the 9th Regional Support Command, General Lee is responsible for all Army Reserve forces in the Pacific region, which consists of over 3,000 soldiers in Alaska, Hawaii, American Samoa, Guam, Saipan, Japan, and Korea.

"General Lee received his commission through the University of Hawaii ROTC program in 1971. Upon completion of the Air Defense Artillery Basic Course, he was assigned to the Army Reserve and served successive assignments as platoon leader in the 411th Engineer Battalion and the 322nd Civil Affairs Group.

"In 1972, General Lee was assigned to the 100th Battalion, 442nd Infantry, and served as mortar platoon leader, company executive officer, company commander, assistant battalion operations officer, and battalion operations officer.

"In 1982, General Lee was reassigned as ground liaison officer, corps operations staff, with the IX Corps (Reinforcement). In 1988, he returned to the 100th Battalion, 442nd Infantry as its commanding officer. In 1991, he served as assistant chief of staff for operations and training (G-3), IX Corps (Reinforcement)/9th Army Reserve Command. General Lee was appointed Chief of Staff of the 9th Army Reserve Command/9th Regional Support Command in 1996.

"General Lee holds a Bachelor's degree in mechanical engineering and a Master's degree in business administration from the University of Hawaii and is licensed in mechanical and nuclear engineering. He is a graduate of the Army War College, the Command and General Staff Officer Course, the Infantry Officer Advanced Course, and the Air Force Air Ground Operations School. General Lee's awards and

decorations include the Meritorious Service Medal, Army Commendation Medal, and Army Achievement Medal.

“Prior to his nomination, General Lee was employed by Perot Systems Government Services as its General Manager of Pacific Operations. He has more than 25 years of experience in the maintenance and testing of nuclear systems and associated support systems for the United States Navy.

“As affirmed by the record of votes of the members of your Committee on Transportation, Military Affairs and Government Operations that is attached to this report, your Committee, after full consideration of the background, character, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.”

Senator Hemmings rose to speak in favor of the nomination as follows:

“Mr. President, I rise to speak in favor of Gov. Msg. No. 8.

“I think it’s really important for all of us to consider the context in which this nomination is coming to us. In times of peace, this particular division of government probably was not as important as it is now. We are living in the shadow of a terrible threat. We have homeland defense now, a brand new department in the federal government. That’s why I’m especially pleased to stand up and speak laudably and proudly of General Robert G.F. Lee.

“To summarize, he has a resume, which the good Senator from the promised land or God’s country mentioned, that makes him eminently qualified for this position. He’s been a professional soldier his entire life and devoted his life to defending our country and our people in this State. He’s also demonstrated, via the testimony heard, that he is a leader – a leader willing to lead in good times, but more importantly, a leader qualified to lead in difficult times, which these are.

“Therefore, I am very proud to endorse and support Gov. Msg. No. 8 nominating Brigadier General Robert G.F. Lee.

“Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Kawamoto then introduced General Lee, who was seated in the gallery, to the members of the Senate.

Stand. Com. Rep. No. 626 (Gov. Msg. No. 102):

Senator Kawamoto moved that Stand. Com. Rep. No. 626 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of RODNEY HARAGA as Director of the Department of Transportation, term to expire December 4, 2006, seconded by Senator Espero.

Senator Hogue rose to speak in support of the nominee and said:

“Mr. President, I rise for confirmation as Director of the Department of Transportation, gubernatorial nominee Rodney Haraga.

“I rise in support because, as you know, the DOT, the Department of Transportation, has long been at odds with the community, oftentimes not getting out into the community to answer the much needed questions about its policies and its procedures. Immediately upon taking over the job as the appointed director of DOT, Rodney Haraga did just exactly what the community wanted him to do – and that is to get out and talk with them at neighborhood boards to answer their questions and really interact with them.

“This is truly a new beginning and one that we need, and therefore I hope that this body unanimously supports Rodney Haraga as the Director of the Department of Transportation.

“Thank you very much, Mr. President.”

Senator Kawamoto rose to speak in support of the nomination and stated:

“Mr. President, your Committee on Transportation, Military Affairs and Government Operations, to which was referred Gov. Msg. No. 102, submitting for study and consideration the nomination of Rodney Haraga, gubernatorial nominee as Director of the Department of Transportation for a term to expire December 4, 2006, begs leave to report as follows:

“Your Committee received testimony from 37 individuals in support of Mr. Haraga’s nomination. There was no testimony submitted in opposition. Among those who testified in support of the nomination were many representatives of agencies at both the state and county levels, and many individuals from the private sector.

Your Committee finds that the nominee is a civil and structural engineer licensed in California and Hawaii who has decades of experience working in the public sector on transportation issues, primarily with the Department of Public Works, Bureau of Engineering for the City of Los Angeles. Although the nominee spent most of his professional life away from the islands, your Committee finds that he can quickly familiarize himself with local transportation issues.

“Many testifiers highlighted the nominee’s skill in interacting with people, and his tireless approach to problem solving. Your Committee finds that this can-do attitude will be very important as Director of Transportation, as so many critical state issues are under the purview of the Department of Transportation.

“Upon review of the statements submitted by the nominee, your Committee finds that the nominee will work with compassion and commitment in heading the DOT. In his previous professional experience, the nominee demonstrated the ability to lead and to carry out the responsibilities of his position. Your Committee finds that the nominee has been appointed based upon his credentials, integrity, and a desire to make Hawaii better through his participation as Director of Transportation.

As affirmed by the record of votes of the members of your Committee on Transportation, Military Affairs and Government Operations that is attached to this report, your Committee, after full consideration of the background, character, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Kawamoto introduced Mr. Haraga to the members of the Senate.

Stand. Com. Rep. No. 627 (Gov. Msg. No. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 627 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of MARK J. BENNETT as Attorney General of the State of Hawai'i, term to expire December 4, 2006, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 1, the confirmation of Mark Bennett as Attorney General of the State of Hawaii.

"Mr. President, I'm in a unique position. I have had the honor, I don't know if you'd call it a privilege, of being an adversary to the nominee. And it is even with that experience that I am here to speak in high praise of him.

"Mr. Bennett has expertise like no other Attorney General. He has both the criminal and the civil law background. In his hearing, US Attorney Dan Bent and fellow colleagues all came to say and to express what a very unusual, talented, and unique individual we have in Mark Bennett.

"His academic credentials are beyond reproach. He has his Juris Doctorate from Cornell Law School, Magna Cum Laude; his undergraduate degree from Union College, Summa Cum Laude. Unequivocally, Mr. President, I believe he is probably the brightest, the most skilled, the most competent Attorney General that we have ever seen. And with it comes integrity, honesty and a high level of ethics.

"Lorraine Akiba, his former partner, said it well when she said she can attest to his 'impeccable personal integrity and his adherence to the highest standard of legal conduct and professional ethics.' She believes that his 'professionalism will further improve the quality of the administration of the Office of the Attorney General.' She did not forget to also point out that though they are politically and philosophically different, she says that without any hesitation.

"This opinion of Mr. Bennett is shared by many, and many were his adversaries like I was: Jeffrey Ono of the Galihier Law Firm, we all know them for tobacco and gas; Spencer Hosie, the lead attorney from San Francisco, also took time to submit testimony in favor of his adversary, Mr. Bennett; Rick Fried of Cronin Fried. Members, Mr. President, these are all plaintiff attorneys, his adversaries. Warren Price and Robert Marks, former Attorney Generals, all came out to testify on his behalf.

"The high praise for Mr. Bennett did not come from us lawyers but actually came from a very unusual person, Russell Okata of the HGEA. Mr. Okata said 'We have not always agreed,' pointing of course to the privatization lawsuit and the ERS lawsuit, but he also says, 'Mr. Bennett is very committed to forging a cooperative relationship with the employees and their unions Very importantly,' he says, 'he will help public employees do a better job. For too long, public employees go home worrying unnecessarily if their employers will represent them.' Mr. Okata said, 'Mr. Bennett knows that public employees will operate more effectively as long as they are not afraid to make decisions.'

"Mr. President and members, we have come up time and time again in the Felix context of how the Department of Education wants special attorney generals because they have fear – fear that the Attorney General's Office will not represent them. And now their union leader says he has full confidence in Mr. Bennett.

"My only concern, and I expressed this to Mr. Bennett, is why? Why? You're talented, smart. Why do you want to do this? (Laughter.) His friend, Susan Grochos said it best. She said, after 9/11 her friend Mark Bennett wanted to leave private practice for a public service job. Mr. Bennett told her, as he did to me, this may sound very trite – and you've got to experience Mr. Bennett to know how he would say this – but I feel a compulsion to refocus and find a better way to serve my country.

"We are fortunate, Mr. President, that he will serve this State.

"I would like to end by sharing with you a little event that Mr. Bennett shared with me, and he probably thought nothing of it, but members and Mr. President, I believe this should put anyone's mind to rest. Two nights ago, this nominee was in his office till almost midnight. What was he doing? He was helping a deputy write and finalize a Supreme Court brief that was due. Everyone else was gone. He rolled up his sleeves, Mr. President, went on the computer, helped her do research, helped her edit, helped her proofread, and helped her write. I think he even went out and mailed the brief too. For us lawyers, 12 o'clock is very significant to get things mailed out. Why did he do this? Because she needed help, and that's the kind of person he is. Not only is he tough and smart, but he's also very compassionate.

"Mr. Bennett said to me, 'It's wonderful being the Attorney General. I go into work everyday with a smile on my face and I leave everyday with a smile on my face.' Mr. President, what a deal! The State gets his smarts and he gets to smile. You can't refuse that.

"Mr. President and colleagues, I ask that you advise and consent to the Governor's nominee for Attorney General of the State of Hawaii, Mark Jeremy Bennett."

Senator Hogue rose to add his remarks in support of the nominee as follows:

"Mr. President, I rise in support of gubernatorial nominee, Mark Bennett for Attorney General.

"It's going to be tough to top that, indeed. It almost sounds like he's a nominee for one of these reality TV shows. The way we're going about here, we could nominate him for sainthood. He is a terrific, terrific guy.

"Not only is Mark Bennett an outstanding attorney, but speaking for someone who is not an attorney, I also find him refreshingly non-intimidating. That means that I can go and I can ask him questions, me just a lowly sportscaster, and get some answers that even I understand. I really appreciate that.

"His openness, his accessibility, and his very quick answers to our questions is much needed in the Attorney General's Office. His opinions have been consistent with the law and the constitution and he's not worried about politics. They've been concise; they've been thorough. He is a tremendous guy and maybe he should be a saint after he's the Attorney General.

"But in any case, I hope you give him your unanimous support – Mark Bennett for Attorney General. Thank you very much, Mr. President."

Senator Slom rose to support the nominee and said:

"Mr. President, colleagues, I rise, too, in support of the Governor's nominee, number one, Mark Bennett for Attorney General.

"In the past, I haven't had too many nice things to say about attorneys. And I must admit, in attending the confirmation hearing with a standing room only, overflowing room of attorneys of every shape, size, color and stripe, it was awesome and perhaps humbling. The accolades that the Judiciary Chairman said took place that day from adversaries, I think, is significant. The fact that we can agree to disagree on issues but still understand that it is integrity and personal commitment that really makes things happen in our community and around the nation, that's what's really important.

"Mr. Bennett said that his chief concern is rooting out and ending fraud against government – no matter who causes it, no matter what source.

"Those of us that know him, or know of him, know that we are getting a cerebral candidate. We are getting the hardest working candidate, and as long as he doesn't injure his back by carrying the tons of material that he always has around with him, perhaps maybe a backpack would help, we know that we're getting someone that is extremely dedicated and does not look at the clock and does not look at billable hours.

"We are extremely fortunate because many people have wanted this individual over the years and currently for all kinds of projects. We are fortunate that we have him as our Attorney General. It also shows the tremendous persuasive powers of our Governor.

"And so I'm very happy to support the confirmation of the man who will be in charge of the running the largest law firm in the State. He'll run it well. He'll improve efficiency and responsiveness. We'll keep his feet to the fire, however. We'll be watching him, but we know that finally Hawaii is going to have an Attorney General that will represent all the people of our State.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Hanabusa introduced Mr. Bennett and his family to the members of the Senate.

Stand. Com. Rep. No. 628 (Gov. Msg. No. 5):

Senator Hanabusa moved that Stand. Com. Rep. No. 628 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of MICAH A. KANE as Chairman of the Department of Hawaiian Home Lands, term to expire December 4, 2006, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and stated:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 5, the confirmation of Micah Alike Kane as Chairman of the Department of Hawaiian Home Lands.

"Mr. President, as you may recall, when I first served this body, it was in 1999 and I Chaired Water, Land, and Hawaiian Affairs. It was during my tenure that *Rice v. Cayetano* was decided, the first Akaka bill introduced, and the federal court challenges began based upon the 14th amendment of Hawaiian entitlements.

"My constituent base is the largest percentage of Native Hawaiians, whether you define them with a large 'N' or a small 'n.' The primary indicia for me, Mr. President and colleagues, when it comes to the Chairman of the Department of Hawaiian Home Lands, is the sentiments of the beneficiaries of the Department of Hawaiian Home Lands. After all, it is to them that the Chairman owes his fiduciary obligation.

"Let me state very clearly at the outset, Micah Kane is qualified to serve as the Chairman. He is a Kamehameha School graduate. He graduated Cum Laude with a business degree from Menlo College and then a Masters of Business Administration from the University of Hawaii.

"When you look at the purpose of the Department of Hawaiian Home Lands, Mr. Kane also has very unique experience. He was part of the Building Industry Association, and that is why he had testimony from both contractors and unions alike, all in support.

"But what I believe is critical is what was stated by my constituent Kamaki Kanahale when he came to testify on his behalf. Kamaki, of course, first reminded me that Micah is one of us. He grew up on First Road in Nanakuli. So he said, 'You know, sista, he's like us.' But he said Mr. Kane has the book knowledge and is very capable but what matters is his spiritual sense, or as they would say, his Na`ao.

"Mr. Kane is committed to the goal of fulfilling this State's obligation to the beneficiaries in five years. He's committed to federal recognition. But foremost, he is committed to fulfill his fiduciary obligation.

"Mr. Kane selected as his first deputy, Ben Henderson. This showed a great sensitivity to the beneficiaries, especially in this time of uncertainty. Ben said of Mr. Kane that:

He is passionate in his desire to serve the Hawaiian people;
He is a good listener and open to new ideas;
Ohana is very important to him;
He has genuine concerns for the employees of DHHL;
He has courage and he's not afraid to make tough decisions;
and
He has integrity and his word is good.

Mr. Henderson spoke in support of this person with the backing of 123 DHHL employees.

"The beneficiaries, through their State Council of Hawaiian Homestead Association and their President Anthony Sang, spoke in favor, as did other representatives who went out of their way to come here – Perry Artatis from Kula, Maui; from Anahola; from Kalawahine through Richard Soo; from Waianae Valley, Auntie Pikake came; and of course, from Nanakuli, Kamaki – all singing his praise.

"The Hawaiian Civic Clubs were represented, as was OHA, and of course, Dr. McCubbin had to come forward to speak in support of his Kamehameha graduate.

"One testimony that comes to mind is that of Mahealani Kamauu. We know her as the Executive Director of the Native Hawaiian Legal Corporation. She said she was impressed in that he has such a no nonsense approach to problem solving.

"But what was impressive to me was when she defended Mr. Kane when he came under some criticism of the action he took on Keaukaha. What Keaukaha did was to show everyone the courage that Micah Kane has. He could have waited. He could have avoided it until after his confirmation, but no, he did it the week before because it was something that had to be done. Mahealani spoke in favor of him, and remember, it is her entity that defended these six families.

"The most touching testimony was that by Ray Soon. We all know Ray. He was not only the former Chair, but he has had a long career with the Department of Hawaiian Home Lands. He said he found Mr. Kane to be bright, but above all else, he is totally committed to the mission of the Hawaiian Home Lands Trust and to the people. Mr. Soon said, and these were very touching words, 'Mr. Kane will fight for their causes and cry with their pain. And in the end, he will always take the right course.' That is very high praise.

"Mr. Soon, by the way if you don't know, is on the waiting list. He is also a beneficiary, someone who Mr. Kane will owe his fiduciary duty to.

"I'd like to share what Russell Okata said in support of Mr. Kane, and he said so on behalf of his 42,449 members, he said 'Mr. Kane represents the future. He will work tirelessly to do whatever it takes to ensure that government will protect the best interest of his daughters and our community.' Again, it is the ohana that matters to him.

"His uncle, Shad Kane, testified that the family is that which will guide Micah Kane.

"Mr. President, colleagues, I ask that you join me and advise and consent to the Governor's nominee for Chairman of the Department of Hawaiian Home Lands, a good Nanakuli boy, Micah Alike Kane."

Senator Hemmings rose to speak in favor of the nominee and said:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 5, nominating gubernatorial nominee Micah A. Kane.

"It's somewhat difficult to stand up after the eloquent words of the good Senator from Waianae.

"I've known Micah for a number of years now and he has a difficult task. We do have a beleaguered people amongst our midst and the challenges are great. And we have, as we've had with many government programs, a beleaguered department, and the challenges of that department are great. But I think, as the previous speaker so accurately and eloquently pointed out, we have in Micah Kane a son of Hawaii who will respond to the call.

"In closing, I'd like to say be proud and abiding, sons and daughters of Hawaii, you have a leader.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Hanabusa then introduced Mr. Kane and his family to the members of the Senate.

At this time, Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and colleagues, I recall shortly after last year's election, I recall with amusement that personages in the media and in the political arena were saying, 'Well, now that you've got a new Governor, how will she ever find capable people and experienced people to serve in the cabinet?' We don't know of anybody. It's been 40 years since this Party took over."

"There was a diligent and very detailed search to try to find the very best candidates in our community. You know the good news? They had hundreds of well experienced, qualified individuals who were willing and able to serve the people of Hawaii. The five people that we have just consented to and confirmed today represent the very beginning of all of these wonderful people.

"But it is a reflection on the people and on the new administration that she reached not for Republicans or Democrats or Independents or those that claimed no political affiliation. She reached for people that had the qualifications and the desire, above financial return or personal benefit, to serve the people of Hawaii. And we can all take pride in these confirmations today, the ones that will come, and others that are waiting to help make the new beginning a reality.

"Thank you, Mr. President."

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1356.

Senator Baker noted:

"Mr. President, the Committee on Health heard this bill yesterday and acted on it. However, we need to reconsider our action in light of new information that was presented to us subsequent to the decision making yesterday afternoon in a joint House and Senate Health Committee informational briefing on compliance with the Health Insurance Portability and Accountability Act (HIPAA) of 1996."

The Chair then granted the waiver.

STANDING COMMITTEE REPORTS

Senator Kawamoto moved that the Senate authorize the adoption of standing committee reports recommending that Senate bills pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Hogue.

Senator Ihara rose and said:

"Mr. President, I'm not sure if this is being taken up as a request or an amendment to the motion. I'll be voting 'no' on this motion.

"I'd like to find out if I can have my 'no' vote cast on S.B. No. 1532. That was a bill that was heard by the Water, Land

Committee on February 5. It was passed unamended and it should be decked today and pass Second Reading while we're in recess. And if that should happen, I'd like to have my vote be registered as a 'no' vote as well as any other bills that I may choose to vote 'no' on. I ask that my vote be cast as 'no.'"

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

Senator Ihara rose again and said:

"Mr. President, I think in consulting with you and the Clerk that the best way to handle this is that I'll be speaking in opposition to this motion and noting that the reason I'm voting 'no' is that this motion does not allow me to cast a 'no' vote for bills that we have not yet received.

"I know one particular bill I know the contents of, S.B. No. 1532, I am opposed to that bill and would like to hereby register it in the Journal as such, as well as other bills that I have not read because it's not in front of us and I may want to vote 'no' on these bills. But not having them in front of me, I object to this motion because there may be some of these bills that I may want to vote 'no' and I wish I had the opportunity to vote 'no' on such bills.

"I should note that this is a constitutionally required vote on all the Second Reading votes. Two weeks ago on first lateral there were 213 bills that we unanimously, or at least the quorum here at the time, passed on Second Reading. The Journal reflects that all of these bills . . . actually, in the Journal it's interesting. It lists every single bill and on every single bill it says (I only have last year's Journal) on motion by Senator English, seconded by Senator Hemmings and carried, the Committee on whatever certain committee, adopted a particular bill on Second Reading. And it actually didn't happen. What we actually did was we passed a motion that authorized unknown bills to pass Second Reading and I have a problem with that and that's why I'm voting 'no' on this motion.

"Thank you."

The motion was put by the Chair and carried, the Senate authorized the adoption of standing committee reports recommending that Senate bills pass Second Reading and be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that Senate bills be placed on the calendar for Third Reading. In consequence thereof, and subsequent to its recessing at 12:45 o'clock p.m., the Senate took the following actions on the following Senate bills and standing committee reports:

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 719) recommending that S.B. No. 205, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 719 and S.B. No. 205, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 720) recommending that S.B. No. 759, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 720 and S.B. No. 759, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE EMPLOYER-UNION BENEFITS TRUST PLAN," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 721) recommending that S.B. No. 761 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 721 and S.B. No. 761, entitled: "A BILL FOR AN ACT RELATING TO THE HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 722) recommending that S.B. No. 762, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 722 and S.B. No. 762, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 723) recommending that S.B. No. 765, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 723 and S.B. No. 765, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RETIREMENT ALLOWANCE FOR PRINCIPALS AND VICE PRINCIPALS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 724) recommending that S.B. No. 768, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 724 and S.B. No. 768, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 725) recommending that S.B. No. 773 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 725 and S.B. No. 773, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 726) recommending that S.B. No. 787 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 726 and S.B. No. 787, entitled: "A BILL FOR AN ACT RELATING TO DISASTER LEAVE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 727) recommending that S.B. No. 789, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 727 and S.B. No. 789, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 728) recommending that S.B. No. 797, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 728 and S.B. No. 797, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 729) recommending that S.B. No. 936, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 729 and S.B. No. 936, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS' UNEMPLOYMENT BENEFITS ACT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 730) recommending that S.B. No. 1065 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 730 and S.B. No. 1065, entitled: "A BILL FOR AN ACT RELATING TO MANAGED COMPETITION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 731) recommending that S.B. No. 1155, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 731 and S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 732) recommending that S.B. No. 1309, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 732 and S.B. No. 1309, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 733) recommending that S.B. No. 1312, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 733 and S.B. No. 1312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 734) recommending that S.B. No. 1373, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 734 and S.B. No. 1373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 735) recommending that S.B. No. 1438 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 735 and S.B. No. 1438, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 736) recommending that S.B. No. 1439 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 736 and S.B. No. 1439, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 737) recommending that S.B. No. 1440 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 737 and S.B. No. 1440, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 738) recommending that S.B. No. 1441 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 738 and S.B. No. 1441, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 739) recommending that S.B. No. 1442 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 739 and S.B. No. 1442, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 740) recommending that S.B. No. 1443 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 740 and S.B. No. 1443, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 741) recommending that S.B. No. 1444 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 741 and S.B. No. 1444, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 742) recommending that S.B. No. 1445 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 742 and S.B. No. 1445, entitled: "A BILL FOR AN ACT

RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 743) recommending that S.B. No. 683, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 743 and S.B. No. 683, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIABETES EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 744) recommending that S.B. No. 747, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 744 and S.B. No. 747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 745) recommending that S.B. No. 1201, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 745 and S.B. No. 1201, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 746) recommending that S.B. No. 1321 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 746 and S.B. No. 1321, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 747) recommending that S.B. No. 1361, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 747 and S.B. No. 1361, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 748) recommending that S.B. No. 295, 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 S.B. No. 295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 749) recommending that S.B. No. 374, 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 S.B. No. 374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 750) recommending that S.B. No. 1049, 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 S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 751) recommending that S.B. No. 1229, 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 S.B. No. 1229, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 752) recommending that S.B. No. 1313 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 S.B. No. 1313, entitled: "A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 753) recommending that S.B. No. 1317, 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 S.B. No. 1317, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 754) recommending that S.B. No. 1484 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 S.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," passed

Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 755) recommending that S.B. No. 1549, 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 S.B. No. 1549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 756) recommending that S.B. No. 1553, 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 S.B. No. 1553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Menor and Hanabusa, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 757) recommending that S.B. No. 1270, 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 joint report of the Committees was adopted and S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 758) recommending that S.B. No. 993, 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 S.B. No. 993, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 759) recommending that S.B. No. 1364, 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 S.B. No. 1364, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHIATRIC FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 760) recommending that S.B. No. 1070 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 majority of the Committee was adopted and S.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 761) recommending that S.B. No. 1426, 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 S.B. No. 1426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 762) recommending that S.B. No. 396, 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 S.B. No. 396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 763) recommending that S.B. No. 1237, 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 S.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 764) recommending that S.B. No. 1326, 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 S.B. No. 1326, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 765) recommending that S.B. No. 1284, 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 S.B. No. 1284, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 766) recommending that S.B. No. 1109, 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 S.B. No. 1109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPENDENT ADULTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 767) recommending that S.B. No. 1427 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 S.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO RELAY SERVICES FOR DEAF, HARD-OF-HEARING, AND SPEECH-IMPAIRED PERSONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 768) recommending that S.B. No. 1492, 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 S.B. No. 1492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTED LIVING FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 769) recommending that S.B. No. 549, 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 joint report of the majority of the Committees was adopted and S.B. No. 549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 770) recommending that S.B. No. 553, 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 S.B. No. 553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OR ERADICATION OF PESTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Inouye, for the majority of the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 771) recommending that S.B. No. 1532 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 majority of the Committee was adopted and S.B. No. 1532, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003, with Senator Ihara voting "No."

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 772) recommending that S.B. No. 255, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 772 and S.B. No. 255, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 4, 2003.

Senators Inouye and Taniguchi, for the Committee on Water, Land, and Agriculture and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 773) recommending that S.B. No. 1619, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 773 and S.B. No. 1619, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 4, 2003.

Senators Kim, Fukunaga and Taniguchi, for the Committee on Tourism, the Committee on Economic Development and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 774) recommending that S.B. No. 1040, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 774 and S.B. No. 1040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 775) recommending that S.B. No. 85 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 775 and S.B. No. 85, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 776) recommending that S.B. No. 91, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 776 and S.B. No. 91, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 777) recommending that S.B. No. 378, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 777 and S.B. No. 378, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 778) recommending that S.B. No. 463, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 778 and S.B. No. 463, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAHŌ'OLAWĒ ISLAND RESERVE," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 779) recommending that S.B. No. 473, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 779 and S.B. No. 473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HALFWAY HOUSES," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 780) recommending that S.B. No. 542, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 780 and S.B. No. 542, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIC LABELING," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 781) recommending that S.B. No. 690, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 781 and S.B. No. 690, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 782) recommending that S.B. No. 843, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 782 and S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 783) recommending that S.B. No. 1051 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 783 and S.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL TRANSPORTATION," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 784) recommending that S.B. No. 1418, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 784 and S.B. No. 1418, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 785) recommending that S.B. No. 1554, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 785 and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HISTORIC SITES," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 786) recommending that S.B. No. 1636, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 786 and S.B. No. 1636, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Tuesday, March 4, 2003.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 787) recommending that S.B. No. 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 majority of the Committee was adopted and S.B. No. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 788) recommending that S.B. No. 665, 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 S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE PLAN," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 789) recommending that S.B. No. 687, 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 S.B. No. 687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Ige and Hanabusa, for the Committee on Science, Arts, and Technology and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 790) recommending that S.B. No. 427, 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 joint report of the Committees was adopted and S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 791) recommending that S.B. No. 1248, 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 S.B. No. 1248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL/COMMUNITY-BASED MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 792) recommending that S.B. No. 327, 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 S.B. No. 327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT OFFICE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 793) recommending that S.B. No. 489 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 793 and S.B. No. 489, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 794) recommending that S.B. No. 498, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 794 and S.B. No. 498, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 795) recommending that S.B. No. 574, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 795 and S.B. No. 574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 796) recommending that S.B. No. 614, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 796 and S.B. No. 614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 797) recommending that S.B. No. 695, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 797 and S.B. No. 695, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 798) recommending that S.B. No. 913 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 798 and S.B. No. 913, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 799) recommending that S.B. No. 1055, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 799 and S.B. No. 1055, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 800) recommending that S.B. No. 1087, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 800 and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 801) recommending that S.B. No. 1283 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 801 and S.B. No. 1283, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 802) recommending that S.B. No. 1315 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 802 and S.B. No. 1315, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 803) recommending that S.B. No. 1316 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 803 and S.B. No. 1316, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 804) recommending that S.B. No. 1322, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 804 and S.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 805) recommending that S.B. No. 1421, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 805 and S.B. No. 1421, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 806) recommending that S.B. No. 1629, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 806 and S.B. No. 1629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807) recommending that S.B. No. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 807 and S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 808) recommending that S.B. No. 325 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 808 and S.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 809) recommending that S.B. No. 457, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 809 and S.B. No. 457, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIPAHU COMMUNITY ADULT DAY HEALTH CENTER AND YOUTH DAY CARE CENTER PILOT PROJECT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 810) recommending that S.B. No. 740 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 810 and S.B. No. 740, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 811) recommending that S.B. No. 748, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 811 and S.B. No. 748, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 812) recommending that S.B. No. 1068, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 812 and S.B. No. 1068, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH CARE FACILITIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 813) recommending that S.B. No. 1088, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 813 and S.B. No. 1088, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 814) recommending that S.B. No. 1238, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 814 and S.B. No. 1238, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 815) recommending that S.B. No. 1241 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 815 and S.B. No. 1241, entitled: "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 816) recommending that S.B. No. 1243, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 816 and S.B. No. 1243, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRIMARY HEALTH CARE FOR THE UNINSURED," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 817) recommending that S.B. No. 1279, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 817 and S.B. No. 1279, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 818) recommending that S.B. No. 1357, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 818 and S.B. No. 1357, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION DISTRICTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 819) recommending that S.B. No. 1358, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 819 and S.B. No. 1358, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, HEALTH INSURANCE

PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) COMPLIANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 820) recommending that S.B. No. 1367, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 820 and S.B. No. 1367, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 821) recommending that S.B. No. 1399, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 821 and S.B. No. 1399, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 822) recommending that S.B. No. 1519, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 822 and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 823) recommending that S.B. No. 1675 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 823 and S.B. No. 1675, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 824) recommending that S.B. No. 1676 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 824 and S.B. No. 1676, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 825) recommending that S.B. No. 582 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 S.B. No. 582, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 826) recommending that S.B. No. 585, 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 S.B. No. 585, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 827) recommending that S.B. No. 1305, 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 S.B. No. 1305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 828) recommending that S.B. No. 1307, 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 majority of the Committee was adopted and S.B. No. 1307, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 829) recommending that S.B. No. 1395, 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 S.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 830) recommending that S.B. No. 1396 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 S.B. No. 1396, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 831) recommending that S.B. No. 1397, 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 S.B. No. 1397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SIMPLIFIED TAX ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 832) recommending that S.B. No. 1621 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 S.B. No. 1621, entitled: "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION AMOUNT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 833) recommending that S.B. No. 1626, 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 majority of the Committee was adopted and S.B. No. 1626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 834) recommending that S.B. No. 1394, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 834 and S.B. No. 1394, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 835) recommending that S.B. No. 420, 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 S.B. No. 420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 836) recommending that S.B. No. 637 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 836 and S.B. No. 637, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 837) recommending that S.B. No. 859, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 837 and S.B. No. 859, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 838) recommending that S.B. No. 864, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 838 and S.B. No. 864, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 839) recommending that S.B. No. 870, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 839 and S.B. No. 870, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 840) recommending that S.B. No. 883, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 840 and S.B. No. 883, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 841) recommending that S.B. No. 884, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 841 and S.B. No. 884, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MEDICAID PROGRAMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 842) recommending that S.B. No. 956, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 842 and S.B. No. 956, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 843) recommending that S.B. No. 959, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 843 and S.B. No. 959, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 844) recommending that S.B. No. 961, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 844 and S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOOD BEGINNINGS ALLIANCE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 845) recommending that S.B. No. 964, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 845 and S.B. No. 964, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TREATMENT SERVICES FOR CHILD VICTIMS OF INTRAFAMILIAL SEXUAL ABUSE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 846) recommending that S.B. No. 974, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 846 and S.B. No. 974, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOL OPEN DOORS PROGRAM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 847) recommending that S.B. No. 1286, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 847 and S.B. No. 1286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 848) recommending that S.B. No. 1351 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 848 and S.B. No. 1351, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS FOR ADULT SERVICES PROGRAMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 849) recommending that S.B. No. 1352, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 849 and S.B. No. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 850) recommending that S.B. No. 1353 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 850 and S.B. No. 1353, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 851) recommending that S.B. No. 1354, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 851 and S.B. No. 1354, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 852) recommending that S.B. No. 1423, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 852 and S.B. No. 1423, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 853) recommending that S.B. No. 1580 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 853 and S.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 854) recommending that S.B. No. 1584, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 854 and S.B. No. 1584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 855) recommending that S.B. No. 945, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 855 and S.B. No. 945, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 856) recommending that S.B. No. 1240, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 856 and S.B. No. 1240, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 857) recommending that S.B. No. 1647, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857 and S.B. No. 1647, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 858) recommending that S.B. No. 425, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 858 and S.B. No. 425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 859) recommending that S.B. No. 426, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 859 and S.B. No. 426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 860) recommending that S.B. No. 455, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 860 and S.B. No. 455, S.D. 1, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION TO THE FRIENDS OF WAIPAHAU CULTURAL GARDEN PARK," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 861) recommending that S.B. No. 726 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 861 and S.B. No. 726, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL ADVISORY COUNCIL FOR TECHNOLOGY DEVELOPMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 862) recommending that S.B. No. 1249, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 862 and S.B. No. 1249, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TECHNOLOGY TRANSFER GRANTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 863) recommending that S.B. No. 1251, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 863 and S.B. No. 1251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE CHIEF INFORMATION OFFICER," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864) recommending that S.B. No. 1489, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 864 and S.B. No. 1489, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 865) recommending that S.B. No. 376, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 865 and S.B. No. 376, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ART," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 866) recommending that S.B. No. 780, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 866 and S.B. No. 780, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 867) recommending that S.B. No. 1582, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 867 and S.B. No. 1582, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CHIROPRACTIC," was deferred until Tuesday, March 4, 2003.

Senators Menor and Kawamoto, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 868) recommending that S.B. No. 1057 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1057, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE COMMISSIONER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Baker and Kawamoto, for the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 869) recommending that S.B. No. 889 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 889, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Inouye and Hanabusa, for the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 870) recommending that S.B. No. 1152, 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 joint report of the Committees was adopted and S.B. No. 1152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPRESENTATION OF THE OFFICE OF HAWAIIAN AFFAIRS ON BOARDS, COMMISSIONS, AND ADVISORY BODIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Inouye and Baker, for the Committee on Water, Land, and Agriculture and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 871) recommending that S.B. No. 1260, 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 joint report of the Committees was adopted and S.B. No. 1260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 872) recommending that S.B. No. 1281, 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 S.B. No. 1281, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading

and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Inouye and Taniguchi, for the Committee on Water, Land, and Agriculture and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 873) recommending that S.B. No. 254, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 873 and S.B. No. 254, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 4, 2003.

Senators Fukunaga and Taniguchi, for the Committee on Economic Development and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 874) recommending that S.B. No. 358, 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 joint report of the Committees was adopted and S.B. No. 358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Fukunaga and Kanno, for the Committee on Economic Development and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 875) recommending that S.B. No. 837, 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 joint report of the Committees was adopted and S.B. No. 837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 876) recommending that S.B. No. 1262, 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 S.B. No. 1262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Kawamoto, Fukunaga and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Economic Development and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 877) recommending that S.B. No. 975 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 975, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a

report (Stand. Com. Rep. No. 878) recommending that S.B. No. 807, 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 S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE APPLICATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 879) recommending that S.B. No. 1263, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 879 and S.B. No. 1263, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PROCUREMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 880) recommending that S.B. No. 26 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 880 and S.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 881) recommending that S.B. No. 44, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 881 and S.B. No. 44, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 882) recommending that S.B. No. 235, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 882 and S.B. No. 235, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 883) recommending that S.B. No. 296, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 883 and S.B. No. 296, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 884) recommending that S.B. No. 317, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 884 and S.B. No. 317, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 885) recommending that S.B. No. 318, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 885 and S.B. No. 318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 886) recommending that S.B. No. 344, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 886 and S.B. No. 344, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 887) recommending that S.B. No. 386 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 887 and S.B. No. 386, entitled: "A BILL FOR AN ACT RELATING TO UTILIZATION OF FEDERAL FUNDS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 888) recommending that S.B. No. 399, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 888 and S.B. No. 399, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMSTAT PROGRAM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 889) recommending that S.B. No. 458, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 889 and S.B. No. 458, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 890) recommending that S.B. No. 464, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 890 and S.B. No. 464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 891) recommending that S.B. No. 528, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 891 and S.B. No. 528, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 892) recommending that S.B. No. 579, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 892 and S.B. No. 579, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-1," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 893) recommending that S.B. No. 684, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 893 and S.B. No. 684, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 894) recommending that S.B. No. 686, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 894 and S.B. No. 686, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 895) recommending that S.B. No. 711, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 895 and S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 896) recommending that S.B. No. 835, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 896 and S.B. No. 835, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STORED VEHICLES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 897) recommending that S.B. No. 880 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 897 and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 898) recommending that S.B. No. 966, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 898 and S.B. No. 966, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESOURCE MAXIMIZATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 899) recommending

that S.B. No. 1050, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 899 and S.B. No. 1050, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 900) recommending that S.B. No. 1136, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 900 and S.B. No. 1136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 901) recommending that S.B. No. 1149 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 901 and S.B. No. 1149, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 902) recommending that S.B. No. 1261 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 902 and S.B. No. 1261, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CARD PAYMENTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 903) recommending that S.B. No. 1347, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 903 and S.B. No. 1347, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 904) recommending that S.B. No. 1374 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 904 and S.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 905) recommending that S.B. No. 1401 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 905 and S.B. No. 1401, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 906) recommending that S.B. No. 1404, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 906 and S.B. No. 1404, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 907) recommending that S.B. No. 1408, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 907 and S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSPORTATION PLANNING," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 908) recommending that S.B. No. 1477, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 908 and S.B. No. 1477, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 909) recommending that S.B. No. 1478, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 909 and S.B. No. 1478, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONAIRES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 910) recommending that S.B. No. 1479, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 910 and S.B. No. 1479, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 911) recommending that S.B. No. 1657, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 911 and S.B. No. 1657, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 912) recommending that S.B. No. 1311, 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 S.B. No. 1311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 913) recommending that S.B. No. 1400, 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 S.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second

Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 914) recommending that S.B. No. 1661, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 914 and S.B. No. 1661, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 915) recommending that S.B. No. 75, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 915 and S.B. No. 75, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 916) recommending that S.B. No. 360 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 916 and S.B. No. 360, entitled: "A BILL FOR AN ACT RELATING TO REUSABLE RESOURCE CENTER," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 917) recommending that S.B. No. 576 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 917 and S.B. No. 576, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 918) recommending that S.B. No. 667, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 918 and S.B. No. 667, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 919) recommending that S.B. No. 929, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 919 and S.B. No. 929, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 920) recommending that S.B. No. 354, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 920 and S.B. No. 354, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 921) recommending that S.B. No. 506 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 921 and S.B. No. 506, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ROYALTIES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 922) recommending that S.B. No. 855, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 922 and S.B. No. 855, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 923) recommending that S.B. No. 1239, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 923 and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 924) recommending that S.B. No. 1593, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 924 and S.B. No. 1593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL JUSTICE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 925) recommending that S.B. No. 1034, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 925 and S.B. No. 1034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 926) recommending that S.B. No. 1255, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 926 and S.B. No. 1255, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 927) recommending that S.B. No. 1257 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 927 and S.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING TO THE IRRIGATION WATER DEVELOPMENT SPECIAL FUND," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 928) recommending that S.B. No. 1287 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 928 and S.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 929) recommending that S.B. No. 1432, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 929 and S.B. No. 1432, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIVERSIFIED AGRICULTURE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 930) recommending that S.B. No. 1496 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 930 and S.B. No. 1496, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 931) recommending that S.B. No. 1555 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 931 and S.B. No. 1555, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE BOY SCOUTS OF AMERICA," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 932) recommending that S.B. No. 361, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 932 and S.B. No. 361, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 933) recommending that S.B. No. 618, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 933 and S.B. No. 618, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 934) recommending that S.B. No. 632, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 934 and S.B. No. 632, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 935) recommending that S.B. No. 634, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 935 and S.B. No. 634, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWO COUNSELORS TO TREAT WOMEN INCARCERATED FOR DRUG-RELATED OFFENSES ON MAUI," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 936) recommending that S.B. No. 638, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 936 and S.B. No. 638, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 937) recommending that S.B. No. 802, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 937 and S.B. No. 802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 938) recommending that S.B. No. 877, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 938 and S.B. No. 877, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 939) recommending that S.B. No. 996, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 939 and S.B. No. 996, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 940) recommending that S.B. No. 1134, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 940 and S.B. No. 1134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 941) recommending that S.B. No. 1135, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 941 and S.B. No. 1135, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT FEES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 942) recommending that S.B. No. 1138, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 942 and S.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 943) recommending that S.B. No. 1154 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 943 and S.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 944) recommending that S.B. No. 1156 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 944 and S.B. No. 1156, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 945) recommending that S.B. No. 1264, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 945 and S.B. No. 1264, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 946) recommending that S.B. No. 62, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 946 and S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 947) recommending that S.B. No. 94, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 947 and S.B. No. 94, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 948) recommending that S.B. No. 312, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 948 and S.B. No. 312, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 949) recommending that S.B. No. 435 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 949 and S.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 950) recommending that S.B. No. 577 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 950 and S.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 951) recommending that S.B. No. 779, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 951 and S.B. No. 779, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 952) recommending that S.B. No. 783, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 952 and S.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM FOR EMERGENCY MEDICAL TECHNICIANS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 953) recommending that S.B. No. 799, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 953 and S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 954) recommending that S.B. No. 895, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 954 and S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE FOR PUBLIC EMPLOYEES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 955) recommending that S.B. No. 1332, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 955 and S.B. No. 1332, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 956) recommending that S.B. No. 1425, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 956 and S.B. No. 1425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS MENTORING OF YOUTH AND YOUNG ADULTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 957) recommending that S.B. No. 377, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 957 and S.B. No. 377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 958) recommending that S.B. No. 661, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 958 and S.B. No. 661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 959) recommending that S.B. No. 664, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 959 and S.B. No. 664, S.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR THE DEVELOPMENT OF A VETERANS AFFAIRS LONG-TERM CARE FACILITY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 960) recommending that S.B. No. 739 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 960 and S.B. No. 739, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 961) recommending that S.B. No. 745, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 961 and S.B. No. 745, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 962) recommending that S.B. No. 963, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 962 and S.B. No. 963, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE POISON CENTER," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 963) recommending that S.B. No. 1446, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 963 and S.B. No. 1446, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 964) recommending that S.B. No. 65, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 964 and S.B. No. 65, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRIBUSINESS INCUBATORS," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 965) recommending that S.B. No. 359, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 965 and S.B. No. 359, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FILM INDUSTRY," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 966) recommending that S.B. No. 1253, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 966 and S.B. No. 1253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DATA," was deferred until Tuesday, March 4, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 967) recommending that S.B. No. 1599, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 967 and S.B. No. 1599, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT," was deferred until Tuesday, March 4, 2003.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 968) recommending that S.B. No. 481, 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 majority of the Committee was adopted and S.B. No. 481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 969) recommending that S.B. No. 482, 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 S.B. No. 482, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Menor and Taniguchi, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 970) recommending that S.B. No. 918, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 970 and S.B. No. 918, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO NONPROFIT CORPORATIONS AND ORGANIZATIONS," was deferred until Tuesday, March 4, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 971) recommending that S.B. No. 1356, 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 S.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VITAL STATISTICS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Kawamoto and Menor, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 972) recommending that S.B. No. 88, 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 joint report of the Committees was adopted and S.B. No. 88, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 973) recommending that S.B. No. 456 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 S.B. No. 456, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN ADVERTISING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senators Hanabusa and Kawamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 974) recommending that S.B. No. 459, 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 joint report of the majority of the Committees was adopted and S.B. No. 459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 975) recommending that S.B. No. 831, 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 S.B. No. 831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 1044 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 S.B. No. 1044, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE COMMUNICATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 1075, 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 S.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTED CASES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 1274, 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 S.B. No. 1274, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 1275 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 S.B. No. 1275, entitled: "A BILL FOR AN ACT RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No. 1324, 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 S.B. No. 1324, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCILIATION PANELS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 1392 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 S.B. No. 1392, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 1514, 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 S.B. No. 1514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 1581 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 majority of the Committee was adopted and S.B. No. 1581, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 1603, 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 S.B. No. 1603, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 1604, 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 S.B. No. 1604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CITIZENS RIGHT TO VOTE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 986) recommending that S.B. No. 1605, 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 S.B. No. 1605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT COMPLIANCE WITH THE UNIFORM INFORMATION PRACTICES ACT," passed

Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 987) recommending that S.B. No. 78, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 987 and S.B. No. 78, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 946 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 988 and S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 469 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 989 and S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 990) recommending that S.B. No. 694, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 990 and S.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 991) recommending that S.B. No. 764, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 991 and S.B. No. 764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 992) recommending that S.B. No. 921, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 992 and S.B. No. 921, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 993) recommending that S.B. No. 931, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 993 and S.B. No. 931, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS LEAVE ACT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 994) recommending that S.B. No. 1638 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 994 and S.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 995) recommending that S.B. No. 548 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 995 and S.B. No. 548, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 996) recommending that S.B. No. 624, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 996 and S.B. No. 624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 997) recommending that S.B. No. 784, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 997 and S.B. No. 784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 998) recommending that S.B. No. 827, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 998 and S.B. No. 827, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 999) recommending that S.B. No. 1560 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 999 and S.B. No. 1560, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY LEFT IN A DANGEROUS CONDITION," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1000) recommending that S.B. No. 1606, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1000 and S.B. No. 1606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS," was deferred until Tuesday, March 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1001) recommending that S.B. No. 1635 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1001 and S.B. No. 1635, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," was deferred until Tuesday, March 4, 2003.

ADJOURNMENT

At 10:00 o'clock p.m., the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 4, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-SIXTH DAY

Tuesday, March 4, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 10:19 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Rosalyn Baker, Hawaii State Senate, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Fifth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 227 and 228) were read by the Clerk and were referred to committees:

Gov. Msg. No. 227, submitting for consideration and confirmation as Director of the Department of Public Safety, the nomination of JOHN F. PEYTON JR., term to expire December 4, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 228, submitting for consideration and confirmation as Director of the Department of Taxation, the nomination of KURT K. KAWAFUCHI, term to expire December 4, 2006, was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 26, from the State Auditor dated February 28, 2003, transmitting a report, "Financial Audit of the John A. Burns School of Medicine of the University of Hawaii," (Report No. 03-02), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 66 to 108) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 66, transmitting H.C.R. No. 26, H.D. 1, which was adopted by the House of Representatives on February 28, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 26, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES TO EDUCATE AND SENSITIZE MEMBERS OF CONGRESS ON THE UNFORTUNATE CIRCUMSTANCES OF THE INTERNMENT OF CIVILIANS DURING WORLD WAR II," was deferred until Thursday, March 6, 2003.

Hse. Com. No. 67, transmitting H.B. No. 29, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 29, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed First Reading by title and was deferred.

Hse. Com. No. 68, transmitting H.B. No. 73, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed First Reading by title and was deferred.

Hse. Com. No. 69, transmitting H.B. No. 127, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed First Reading by title and was deferred.

Hse. Com. No. 70, transmitting H.B. No. 129, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE," passed First Reading by title and was deferred.

Hse. Com. No. 71, transmitting H.B. No. 179, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 179, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND IN NORTH KONA," passed First Reading by title and was deferred.

Hse. Com. No. 72, transmitting H.B. No. 294, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 294, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed First Reading by title and was deferred.

Hse. Com. No. 73, transmitting H.B. No. 314, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 314, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS," passed First Reading by title and was deferred.

Hse. Com. No. 74, transmitting H.B. No. 324, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 324, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed First Reading by title and was deferred.

Hse. Com. No. 75, transmitting H.B. No. 401, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 401, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 76, transmitting H.B. No. 418, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 418, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 77, transmitting H.B. No. 531, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 78, transmitting H.B. No. 533, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 533, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ETHICS," passed First Reading by title and was deferred.

Hse. Com. No. 79, transmitting H.B. No. 620, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 620, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," passed First Reading by title and was deferred.

Hse. Com. No. 80, transmitting H.B. No. 638, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 638, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 81, transmitting H.B. No. 645, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 645, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed First Reading by title and was deferred.

Hse. Com. No. 82, transmitting H.B. No. 668, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 83, transmitting H.B. No. 691, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE," passed First Reading by title and was deferred.

Hse. Com. No. 84, transmitting H.B. No. 704, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 704, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CODE," passed First Reading by title and was deferred.

Hse. Com. No. 85, transmitting H.B. No. 735, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 735, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 86, transmitting H.B. No. 740, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 740, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL LITTERING," passed First Reading by title and was deferred.

Hse. Com. No. 87, transmitting H.B. No. 757, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 757, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING RECORDS," passed First Reading by title and was deferred.

Hse. Com. No. 88, transmitting H.B. No. 851, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 851, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed First Reading by title and was deferred.

Hse. Com. No. 89, transmitting H.B. No. 887, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 887, H.D. 1, entitled: "A BILL FOR AN ACT CORPORATE DISCLOSURE FOR

CAMPAIGN SPENDING,” passed First Reading by title and was deferred.

Hse. Com. No. 90, transmitting H.B. No. 969, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 969, H.D. 1, entitled: “A BILL FOR AN ACT RELATED TO COLLECTIVE BARGAINING,” passed First Reading by title and was deferred.

Hse. Com. No. 91, transmitting H.B. No. 981, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 981, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COURTS,” passed First Reading by title and was deferred.

Hse. Com. No. 92, transmitting H.B. No. 1053, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1053, entitled: “A BILL FOR AN ACT RELATING TO CONSERVATION,” passed First Reading by title and was deferred.

Hse. Com. No. 93, transmitting H.B. No. 1064, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1064, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” passed First Reading by title and was deferred.

Hse. Com. No. 94, transmitting H.B. No. 1081, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1081, entitled: “A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL,” passed First Reading by title and was deferred.

Hse. Com. No. 95, transmitting H.B. No. 1160, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1160, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT,” passed First Reading by title and was deferred.

Hse. Com. No. 96, transmitting H.B. No. 1164, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1164, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” passed First Reading by title and was deferred.

Hse. Com. No. 97, transmitting H.B. No. 1165, H.D. 2, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1165, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION,” passed First Reading by title and was deferred.

Hse. Com. No. 98, transmitting H.B. No. 1176, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1176, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” passed First Reading by title and was deferred.

Hse. Com. No. 99, transmitting H.B. No. 1217, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1217, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,” passed First Reading by title and was deferred.

Hse. Com. No. 100, transmitting H.B. No. 1225, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1225, entitled: “A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES,” passed First Reading by title and was deferred.

Hse. Com. No. 101, transmitting H.B. No. 1247, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1247, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CONTRAFLOW LANE ON FARRINGTON HIGHWAY ALONG THE WAIANAE COAST FROM MOHIHI STREET TO PILIOKAHI AVENUE,” passed First Reading by title and was deferred.

Hse. Com. No. 102, transmitting H.B. No. 1272, H.D. 2, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1272, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES,” passed First Reading by title and was deferred.

Hse. Com. No. 103, transmitting H.B. No. 1302, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1302, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,” passed First Reading by title and was deferred.

Hse. Com. No. 104, transmitting H.B. No. 1303, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1303, entitled: “A BILL FOR AN

ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was deferred.

Hse. Com. No. 105, transmitting H.B. No. 1342, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1342, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YOUTH SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 106, transmitting H.B. No. 1373, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1373, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 107, transmitting H.B. No. 1511, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was deferred.

Hse. Com. No. 108, transmitting H.B. No. 1660, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1660, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 44 to 52) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 44 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES OF AMERICA TO ISSUE AN EXECUTIVE ORDER GRANTING FEDERAL VETERANS EQUITY BENEFITS AND SERVICES TO FILIPINO WORLD WAR II VETERANS, THEIR SPOUSES, AND THEIR CHILDREN."

Offered by: Senators Chun Oakland, Espero, Kawamoto.

No. 45 "SENATE CONCURRENT RESOLUTION ENDORSING THE GOOD BEGINNINGS ALLIANCE INTERDEPARTMENTAL COUNCIL'S SCHOOL READINESS TASK FORCE HAWAII STATE PRESCHOOL CONTENT STANDARDS."

Offered by: Senators Chun Oakland, Kim, Inouye, Kawamoto, Hooser, Hanabusa, Kanno, Aduja, Fukunaga, Sakamoto.

No. 46 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF DEVELOPING HAWAII MARKETS FOR WOOD WASTE."

Offered by: Senators Fukunaga, Aduja, Inouye, Kokubun, Ige, Ihara, Hanabusa, English, Sakamoto, Hogue, Kanno, Chun Oakland, Tsutsui, Taniguchi, Kawamoto, Trimble, Espero, Baker.

No. 47 "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF STATEWIDE PRESCHOOL CONTENT STANDARDS FOR EARLY EDUCATION PROGRAMS IN HAWAII."

Offered by: Senators Chun Oakland, Inouye, English, Slom, Hanabusa, Aduja, Hooser, Baker, Ige, Hemmings, Espero, Taniguchi, Kokubun, Ihara, Tsutsui.

No. 48 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HEALTH'S QUALITY ASSURANCE FOR PROVIDERS OF SERVICES TO THE DEVELOPMENTALLY DISABLED AND TO RECOMMEND A LEVEL OF BUDGET FUNDING TO ENSURE COMPLIANCE WITH FEDERAL MANDATES."

Offered by: Senators Chun Oakland, Inouye, Trimble, Aduja, Tsutsui, Fukunaga, Baker, Ige.

No. 49 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ASSIST AN ADVISORY COMMITTEE CONCERNING ESTABLISHING AN OFFICE OF INTERNATIONAL AFFAIRS."

Offered by: Senators Kokubun, Fukunaga.

No. 50 "SENATE CONCURRENT RESOLUTION REQUESTING STATE AND COUNTY DEPARTMENTS AND AGENCIES TO ACCEPT THE OFFICIAL MEXICAN CONSULAR IDENTIFICATION CARDS AS VALID IDENTIFICATION."

Offered by: Senator Bunda.

No. 51 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS."

Offered by: Senators Sakamoto, Baker, Hooser, Kawamoto.

No. 52 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A SCHOOL FACILITY USE POLICY THAT ESTABLISHES PRIORITY USES FOR THE BENEFIT OF THE SURROUNDING COMMUNITY."

Offered by: Senators Sakamoto, Baker, Hooser, Kawamoto.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 28 to 32) were read by the Clerk and were deferred:

Senate Resolution

No. 28 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ASSIST AN ADVISORY COMMITTEE CONCERNING ESTABLISHING AN OFFICE OF INTERNATIONAL AFFAIRS."

Offered by: Senators Kokubun, Fukunaga.

No. 29 "SENATE RESOLUTION REQUESTING THAT PUBLIC SCHOOLS OFFER GIRLS FOOTBALL AS A VARSITY SPORT."

Offered by: Senators Chun Oakland, Fukunaga, Hogue, Hanabusa, Aduja, Baker, Kanno.

No. 30 "SENATE RESOLUTION REQUESTING STATE AND COUNTY DEPARTMENTS AND AGENCIES TO ACCEPT THE OFFICIAL MEXICAN CONSULAR IDENTIFICATION CARDS AS VALID IDENTIFICATION."

Offered by: Senator Bunda.

No. 31 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS."

Offered by: Senators Sakamoto, Baker, Hooser, Kawamoto.

No. 32 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A SCHOOL FACILITY USE POLICY THAT ESTABLISHES PRIORITY USES FOR THE BENEFIT OF THE SURROUNDING COMMUNITY."

Offered by: Senators Sakamoto, Baker, Hooser, Kawamoto.

ORDER OF THE DAY

HOUSE COMMUNICATION

MATTER DEFERRED FROM TUESDAY, FEBRUARY 18, 2003

H.B. No. 564 (Hse. Com. No. 5):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 564, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed First Reading by title.

REFERRAL OF HOUSE BILLS

MATTERS DEFERRED FROM FRIDAY, FEBRUARY 28, 2003

H.B. No. 52, H.D. 2 (Hse. Com. No. 12):

By unanimous consent, action on H.B. No. 52, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," was deferred until Thursday, March 6, 2003.

H.B. No. 53 (Hse. Com. No. 13):

By unanimous consent, action on H.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME RELATED USES," was deferred until Thursday, March 6, 2003.

H.B. No. 58 (Hse. Com. No. 14):

By unanimous consent, action on H.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Thursday, March 6, 2003.

H.B. No. 86, H.D. 1 (Hse. Com. No. 15):

By unanimous consent, action on H.B. No. 86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Thursday, March 6, 2003.

H.B. No. 122 (Hse. Com. No. 16):

By unanimous consent, action on H.B. No. 122, entitled: "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," was deferred until Thursday, March 6, 2003.

H.B. No. 123, H.D. 1 (Hse. Com. No. 17):

By unanimous consent, action on H.B. No. 123, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY," was deferred until Thursday, March 6, 2003.

H.B. No. 133, H.D. 1 (Hse. Com. No. 18):

By unanimous consent, action on H.B. No. 133, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was deferred until Thursday, March 6, 2003.

H.B. No. 192, H.D. 1 (Hse. Com. No. 19):

By unanimous consent, action on H.B. No. 192, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," was deferred until Thursday, March 6, 2003.

H.B. No. 218 (Hse. Com. No. 20):

By unanimous consent, action on H.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES," was deferred until Thursday, March 6, 2003.

H.B. No. 277, H.D. 1 (Hse. Com. No. 21):

By unanimous consent, action on H.B. No. 277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Thursday, March 6, 2003.

H.B. No. 285, H.D. 1 (Hse. Com. No. 22):

By unanimous consent, action on H.B. No. 285, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred until Thursday, March 6, 2003.

H.B. No. 286 (Hse. Com. No. 23):

By unanimous consent, action on H.B. No. 286, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," was deferred until Thursday, March 6, 2003.

H.B. No. 320, H.D. 2 (Hse. Com. No. 24):

By unanimous consent, action on H.B. No. 320, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT," was deferred until Thursday, March 6, 2003.

H.B. No. 436 (Hse. Com. No. 25):

By unanimous consent, action on H.B. No. 436, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO

FUND A SECOND AMBULANCE TO SERVE THE WAIANAE COAST," was deferred until Thursday, March 6, 2003.

H.B. No. 475 (Hse. Com. No. 26):

By unanimous consent, action on H.B. No. 475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Thursday, March 6, 2003.

H.B. No. 485 (Hse. Com. No. 27):

By unanimous consent, action on H.B. No. 485, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAUOLI SCHOOL," was deferred until Thursday, March 6, 2003.

H.B. No. 488 (Hse. Com. No. 28):

By unanimous consent, action on H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," was deferred until Thursday, March 6, 2003.

H.B. No. 509, H.D. 1 (Hse. Com. No. 29):

By unanimous consent, action on H.B. No. 509, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," was deferred until Thursday, March 6, 2003.

H.B. No. 548, H.D. 2 (Hse. Com. No. 30):

By unanimous consent, action on H.B. No. 548, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Thursday, March 6, 2003.

H.B. No. 604 (Hse. Com. No. 31):

By unanimous consent, action on H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Thursday, March 6, 2003.

H.B. No. 657, H.D. 1 (Hse. Com. No. 32):

By unanimous consent, action on H.B. No. 657, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," was deferred until Thursday, March 6, 2003.

H.B. No. 659 (Hse. Com. No. 33):

By unanimous consent, action on H.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," was deferred until Thursday, March 6, 2003.

H.B. No. 730 (Hse. Com. No. 34):

By unanimous consent, action on H.B. No. 730, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," was deferred until Thursday, March 6, 2003.

H.B. No. 731, H.D. 1 (Hse. Com. No. 35):

By unanimous consent, action on H.B. No. 731, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

WORKERS' COMPENSATION," was deferred until Thursday, March 6, 2003.

H.B. No. 744, H.D. 1 (Hse. Com. No. 36):

By unanimous consent, action on H.B. No. 744, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL," was deferred until Thursday, March 6, 2003.

H.B. No. 754 (Hse. Com. No. 37):

By unanimous consent, action on H.B. No. 754, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," was deferred until Thursday, March 6, 2003.

H.B. No. 762, H.D. 1 (Hse. Com. No. 38):

By unanimous consent, action on H.B. No. 762, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS," was deferred until Thursday, March 6, 2003.

H.B. No. 802, H.D. 1 (Hse. Com. No. 39):

By unanimous consent, action on H.B. No. 802, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES," was deferred until Thursday, March 6, 2003.

H.B. No. 813 (Hse. Com. No. 40):

By unanimous consent, action on H.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," was deferred until Thursday, March 6, 2003.

H.B. No. 814 (Hse. Com. No. 41):

By unanimous consent, action on H.B. No. 814, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred until Thursday, March 6, 2003.

H.B. No. 815 (Hse. Com. No. 42):

By unanimous consent, action on H.B. No. 815, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," was deferred until Thursday, March 6, 2003.

H.B. No. 818, H.D. 1 (Hse. Com. No. 43)

By unanimous consent, action on H.B. No. 818, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," was deferred until Thursday, March 6, 2003.

H.B. No. 884 (Hse. Com. No. 44):

By unanimous consent, action on H.B. No. 884, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Thursday, March 6, 2003.

H.B. No. 939 (Hse. Com. No. 45):

By unanimous consent, action on H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL," was deferred until Thursday, March 6, 2003.

H.B. No. 1010, H.D. 1 (Hse. Com. No. 46):

By unanimous consent, action on H.B. No. 1010, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE

OF INTOXICANTS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1022 (Hse. Com. No. 47):

By unanimous consent, action on H.B. No. 1022, entitled: “A BILL FOR AN ACT RELATING TO EXPUNGEMENT,” was deferred until Thursday, March 6, 2003.

H.B. No. 1155, H.D. 1 (Hse. Com. No. 48):

By unanimous consent, action on H.B. No. 1155, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY,” was deferred until Thursday, March 6, 2003.

H.B. No. 1157 (Hse. Com. No. 49):

By unanimous consent, action on H.B. No. 1157, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM,” was deferred until Thursday, March 6, 2003.

H.B. No. 1161, H.D. 1 (Hse. Com. No. 50):

By unanimous consent, action on H.B. No. 1161, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1163 (Hse. Com. No. 51):

By unanimous consent, action on H.B. No. 1163, entitled: “A BILL FOR AN ACT RELATING TO DENTAL INSURANCE,” was deferred until Thursday, March 6, 2003.

H.B. No. 1172 (Hse. Com. No. 52):

By unanimous consent, action on H.B. No. 1172, entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT,” was deferred until Thursday, March 6, 2003.

H.B. No. 1255 (Hse. Com. No. 53):

By unanimous consent, action on H.B. No. 1255, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1276, H.D. 1 (Hse. Com. No. 54):

By unanimous consent, action on H.B. No. 1276, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTIONS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1277 (Hse. Com. No. 55):

By unanimous consent, action on H.B. No. 1277, entitled: “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 16, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO PROVIDE THE LEGISLATURE WITH THE POWER TO RECALL A BILL PRESENTED TO THE GOVERNOR,” was deferred until Thursday, March 6, 2003.

H.B. No. 1294 (Hse. Com. No. 56):

By unanimous consent, action on H.B. No. 1294, entitled: “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL

IMPACT STATEMENTS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1307, H.D. 1 (Hse. Com. No. 57):

By unanimous consent, action on H.B. No. 1307, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1362 (Hse. Com. No. 58):

By unanimous consent, action on H.B. No. 1362, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL,” was deferred until Thursday, March 6, 2003.

H.B. No. 1405, H.D. 1 (Hse. Com. No. 59):

By unanimous consent, action on H.B. No. 1405, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BIOFUEL,” was deferred until Thursday, March 6, 2003.

H.B. No. 1453, H.D. 1 (Hse. Com. No. 60):

By unanimous consent, action on H.B. No. 1453, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS,” was deferred until Thursday, March 6, 2003.

H.B. No. 1479, H.D. 1 (Hse. Com. No. 61):

By unanimous consent, action on H.B. No. 1479, H.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NATIONAL KOREAN WAR MUSEUM IN HAWAII,” was deferred until Thursday, March 6, 2003.

H.B. No. 1495, H.D. 1 (Hse. Com. No. 62):

By unanimous consent, action on H.B. No. 1495, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CREMATION,” was deferred until Thursday, March 6, 2003.

H.B. No. 1564 (Hse. Com. No. 63):

By unanimous consent, action on H.B. No. 1564, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY,” was deferred until Thursday, March 6, 2003.

H.B. No. 1630, H.D. 1 (Hse. Com. No. 64):

By unanimous consent, action on H.B. No. 1630, H.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES,” was deferred until Thursday, March 6, 2003.

H.B. No. 83, H.D. 1 (Hse. Com. No. 65):

By unanimous consent, action on H.B. No. 83, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA,” was deferred until Thursday, March 6, 2003.

THIRD READING

S.B. No. 69, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, S.B. No. 69, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 394:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 394, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 678, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1077, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1314:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1314, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1319, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1319, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1323:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1325:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1325, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1630:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1630, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 368:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 368, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 390:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 390, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 685:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBERS PLACED IN POLL BOOKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 830, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 830, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1130:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1130, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1131:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1131, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1403:

On motion by Senator Inouye, seconded by Senator Kawamoto and carried, S.B. No. 1403, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME-RELATED USES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1058, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1058, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1200, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1306:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1306, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 373, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 610 (S.B. No. 562):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 610 was adopted and S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE

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

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

Stand. Com. Rep. No. 611 (S.B. No. 676):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 611 was adopted and S.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 612 (S.B. No. 1468, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 612 was adopted and S.B. No. 1468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 613 (S.B. No. 550, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 613 was adopted and S.B. No. 550, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 616 (S.B. No. 1242):

Senator Hanabusa moved that Stand. Com. Rep. No. 616 be adopted and S.B. No. 1242, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Baker rose and said:

"Mr. President, I rise to request that remarks I have on several bills appearing on the consent calendar be inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1242. Access to government information has always been a concern for citizens from the Neighbor Islands. Distance and isolation have been the primary barriers to fair government access. Advances in telecommunication including cable television availability have done much to lower that barrier, but access to those conduits of information is still uneven for some communities. By making fair access a statewide concern, this measure will enable the development of a fair system of information distribution to all citizens who seek to know more about government, how it works and its impact on their lives.

"This measure empowers the Governor to appoint a statewide fair access commission and mandates that commission along with the existing joint legislative access committee to review, evaluate, and make recommendations for improving the level of access by neighbor island and rural Oahu residents to proceedings, information, and services of government and the Legislature. It's time to take down the

geographical barriers to equal access to information for all our citizens. Innovative solutions for removing those barriers would benefit all citizens of the State. We cannot have an effective democracy if not all of our citizens have equal access to their government. S.B. No. 1242 moves us closer to this fair access goal.

"I urge my colleagues to join me to support this important measure.

"Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 616 was adopted and S.B. No. 1242, entitled: "A BILL FOR AN ACT RELATING TO FAIR ACCESS FOR STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 617 (S.B. No. 1449, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 617 was adopted and S.B. No. 1449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 619 (S.B. No. 1594):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 619 was adopted and S.B. No. 1594, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1318, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 629 (S.B. No. 552, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 629 was adopted and S.B. No. 552, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 631 (S.B. No. 881, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 631 was adopted and S.B. No. 881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 632 (S.B. No. 1234, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 632 was adopted and S.B. No. 1234, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 633 (S.B. No. 1360, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 633 was adopted and S.B. No. 1360, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 634 (S.B. No. 1469, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 634 be adopted and S.B. No. 1469, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Baker rose and said:

"Mr. President, I rise to request that remarks I have on several bills appearing on the consent calendar be inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1469, S.D. 1, relating to peer support counseling also known as critical incident stress management sessions for law enforcement and emergency personal. Hawaii's law enforcement and emergency personnel are responsible for saving thousands of lives each year and providing a wide variety of services for the people of Hawaii. However, their diligent efforts to ensure public safety can take a tremendous toll on their physical and mental well being. Stress levels among Hawaii's law enforcement and emergency personal is extremely high, as they must deal with crises that can involve horrific injuries and fatalities.

"Peer support counseling is a useful tool to help law enforcement and emergency personnel cope with the traumatic events they face on a daily basis. These critical incidents create extreme stress, which can be severe enough to disrupt both the personal and professional lives of law enforcement and emergency personnel. Protecting their privacy while helping them to manage their stress is of paramount importance. If the right steps are taken immediately following a critical incident the stress levels can be lessened and managed. During a critical stress incident stress debriefing, only the debriefing team and those who were at the critical incident may attend. No one may take notes or repeat what was said and no reports are made other than to advise that a debriefing took place. Peer support counseling sessions must be private and completely

confidential, if not, they will not work. This measure ensures such confidentiality.

"I urge my colleagues to join me to support this important measure on behalf of our State's law enforcement and emergency personnel.

"Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 634 was adopted and S.B. No. 1469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEER SUPPORT COUNSELING SESSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 630, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1041, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1107, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1132, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 51:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 689:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 689, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1266, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 1266, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1405:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 1405, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1406:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 1406, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1407:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 1407, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 363:

On motion by Senator Kanno, seconded by Senator Kawamoto and carried, S.B. No. 363, entitled: "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 299, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 652 (S.B. No. 713):

On motion by Senator Kawamoto, seconded by Senator Espero and carried, Stand. Com. Rep. No. 652 was adopted and S.B. No. 713, entitled: "A BILL FOR AN ACT RELATING TO CLOSURE OF MUNICIPAL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 653 (S.B. No. 527):

On motion by Senator Kawamoto, seconded by Senator Espero and carried, Stand. Com. Rep. No. 653 was adopted and S.B. No. 527, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 654 (S.B. No. 41):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 654 was adopted and S.B. No. 41, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 656 (S.B. No. 1210):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 656 was adopted and S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 660 (S.B. No. 492):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 660 was adopted and S.B. No. 492, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR ENERGY EFFICIENCY IN STATE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 661 (S.B. No. 505):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 661 was adopted and S.B. No. 505, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 663 (S.B. No. 857, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 663 was adopted and S.B. No. 857, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN INVASIVE SPECIES," having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 664 (S.B. No. 919, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 664 was adopted and S.B. No. 919, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIOREMEDIATION RESEARCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 666 (S.B. No. 6, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 666 was adopted and S.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES' STIPENDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 668 (S.B. No. 16, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 668 was adopted and S.B. No. 16, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 671 (S.B. No. 58, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 671 was adopted and S.B. No. 58, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 682 (S.B. No. 666, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 682 was adopted and S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 691 (S.B. No. 560, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 691 was adopted and S.B. No. 560, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 694 (S.B. No. 381, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 694 was adopted and S.B. No. 381, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 695 (S.B. No. 474, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 695 was adopted and S.B. No. 474, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 697 (S.B. No. 610, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 697 was adopted and S.B. No. 610, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL CLAIMS RESOLUTION UNDER THE HAWAIIAN HOME LANDS TRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 706 (S.B. No. 1413):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 706 was adopted and S.B. No. 1413, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 707 (S.B. No. 1437):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 707 was adopted and S.B. No. 1437, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 708 (S.B. No. 1465, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 708 was adopted and S.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 710 (S.B. No. 534, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 710 was adopted and S.B. No. 534, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 711 (S.B. No. 540, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 711 was adopted and S.B. No. 540, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 714 (S.B. No. 1066):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 714 was adopted and S.B. No. 1066, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUEA CEMETERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 715 (S.B. No. 1076, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 715 was adopted and S.B. No. 1076, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 716 (S.B. No. 1258, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 716 was adopted and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 718 (S.B. No. 1495, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 718 was adopted and S.B. No. 1495, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII DROUGHT PLAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 720 (S.B. No. 759, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 720 was adopted and S.B. No. 759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION BENEFITS

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

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

Stand. Com. Rep. No. 732 (S.B. No. 1309, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 732 was adopted and S.B. No. 1309, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 733 (S.B. No. 1312, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 733 was adopted and S.B. No. 1312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 734 (S.B. No. 1373, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 734 was adopted and S.B. No. 1373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 745 (S.B. No. 1201, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 745 was adopted and S.B. No. 1201, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 747 (S.B. No. 1361, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 747 was adopted and S.B. No. 1361, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 295, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 374, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1049, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1229, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1229, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1313:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1313, entitled: "A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1317, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1317, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1484:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1270, S.D. 1:

On motion by Senator Menor, seconded by Senator Hanabusa and carried, S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTI-TRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 993, S.D. 1:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, S.B. No. 993, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1237, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, S.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1326, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, S.B. No. 1326, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1427:

On motion by Senator Chun Oakland, seconded by Senator Inouye and carried, S.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO RELAY SERVICES FOR DEAF, HARD-OF-HEARING, AND SPEECH-IMPAIRED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1492, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Inouye and carried, S.B. No. 1492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTED LIVING FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 553, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OR ERADICATION OF PESTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 776 (S.B. No. 91, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 776 was adopted and S.B. No. 91, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 777 (S.B. No. 378, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 777 was adopted and S.B. No. 378, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 779 (S.B. No. 473, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 779 was adopted and S.B. No. 473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HALFWAY HOUSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 780 (S.B. No. 542, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 780 was adopted and S.B. No. 542, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIC LABELING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 782 (S.B. No. 843, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 782 was adopted and S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 785 (S.B. No. 1554, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 785 was adopted and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HISTORIC SITES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 786 (S.B. No. 1636, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 786 was adopted and S.B. No. 1636, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 665, S.D. 1:

On motion by Senator Kanno, seconded by Senator Kawamoto and carried, S.B. No. 665, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO PREPAID HEALTH CARE PLAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 687, S.D. 1:

On motion by Senator Kanno, seconded by Senator Kawamoto and carried, S.B. No. 687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 427, S.D. 1:

On motion by Senator Ige, seconded by Senator Hanabusa and carried, S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 793 (S.B. No. 489):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 793 was adopted and S.B. No. 489, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 794 (S.B. No. 498, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 794 was adopted and S.B. No. 498, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 795 (S.B. No. 574, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 795 was adopted and S.B. No. 574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 796 (S.B. No. 614, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 796 was adopted and S.B. No. 614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 797 (S.B. No. 695, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 797 was adopted and S.B. No. 695, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 800 (S.B. No. 1087, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 800 was adopted and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 801 (S.B. No. 1283):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 801 was adopted and S.B. No. 1283, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 802 (S.B. No. 1315):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 802 was adopted and S.B. No. 1315, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 803 (S.B. No. 1316):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 803 was adopted and S.B. No. 1316, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 804 (S.B. No. 1322, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 804 was adopted and S.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 805 (S.B. No. 1421, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 805 was adopted and S.B. No. 1421, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 806 (S.B. No. 1629, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 806 was adopted and S.B. No. 1629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 809 (S.B. No. 457, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 809 was adopted and S.B. No. 457, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIPAHU COMMUNITY ADULT DAY HEALTH CENTER AND YOUTH DAY CARE CENTER PILOT PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 810 (S.B. No. 740):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 810 was adopted and S.B. No. 740, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 811 (S.B. No. 748, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 811 was adopted and S.B. No. 748, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 815 (S.B. No. 1241):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 815 was adopted and S.B. No. 1241, entitled: "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 816 (S.B. No. 1243, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 816 was adopted and S.B. No. 1243, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRIMARY HEALTH CARE FOR THE UNINSURED," having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 817 (S.B. No. 1279, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 817 was adopted and S.B. No. 1279, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 818 (S.B. No. 1357, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 818 was adopted and S.B. No. 1357, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION DISTRICTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 819 (S.B. No. 1358, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 819 was adopted and S.B. No. 1358, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) COMPLIANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 820 (S.B. No. 1367, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 820 was adopted and S.B. No. 1367, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 823 (S.B. No. 1675):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 823 was adopted and S.B. No. 1675, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 824 (S.B. No. 1676):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 824 was adopted and S.B. No. 1676, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 582:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 582, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1305, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1395, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1396:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1396, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1397, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SIMPLIFIED TAX ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 420, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 836 (S.B. No. 637):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 836 was adopted and S.B. No. 637, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 837 (S.B. No. 859, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 837 was adopted and S.B. No. 859, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 839 (S.B. No. 870, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 839 was adopted and S.B. No. 870, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 841 (S.B. No. 884, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 841 was adopted and S.B. No. 884, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MEDICAID PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 843 (S.B. No. 959, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 843 was adopted and S.B. No. 959, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 844 (S.B. No. 961, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 844 was adopted and S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOOD BEGINNINGS ALLIANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 845 (S.B. No. 964, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 845 was adopted and S.B. No. 964, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TREATMENT SERVICES FOR CHILD VICTIMS OF INTRAFAMILIAL SEXUAL ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 846 (S.B. No. 974, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 846 was adopted and S.B. No. 974, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOL OPEN DOORS PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 847 (S.B. No. 1286, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 847 was adopted and S.B. No. 1286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 848 (S.B. No. 1351):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 848 was adopted and S.B. No. 1351, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS FOR ADULT SERVICES PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 849 (S.B. No. 1352, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 849 was adopted and S.B. No. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 850 (S.B. No. 1353):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 850 was adopted and S.B. No. 1353, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 853 (S.B. No. 1580):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 853 was adopted and S.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 857 (S.B. No. 1647, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 857 was adopted and S.B. No. 1647, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 859 (S.B. No. 426, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 859 was adopted and S.B. No. 426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 860 (S.B. No. 455, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 860 was adopted and S.B. No. 455, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE FRIENDS OF WAIPAHU CULTURAL GARDEN PARK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 861 (S.B. No. 726):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 861 was adopted and S.B. No. 726, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL ADVISORY COUNCIL FOR TECHNOLOGY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 862 (S.B. No. 1249, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 862 was adopted and S.B. No. 1249, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TECHNOLOGY TRANSFER GRANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 864 (S.B. No. 1489, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 864 was adopted and S.B. No. 1489, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 889:

On motion by Senator Baker, seconded by Senator Kawamoto and carried, S.B. No. 889, entitled: "A BILL FOR

AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1260, S.D. 1:

On motion by Senator Inouye, seconded by Senator Baker and carried, S.B. No. 1260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1281, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 1281, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 837, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Kanno and carried, S.B. No. 837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 889 (S.B. No. 458, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 889 was adopted and S.B. No. 458, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 891 (S.B. No. 528, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 891 was adopted and S.B. No. 528, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 893 (S.B. No. 684, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 893 was adopted and S.B. No. 684, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 894 (S.B. No. 686, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 894 was adopted and S.B. No. 686, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 896 (S.B. No. 835, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 896 was adopted and S.B. No. 835, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STORED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 899 (S.B. No. 1050, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 899 was adopted and S.B. No. 1050, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 900 (S.B. No. 1136, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 900 was adopted and S.B. No. 1136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 902 (S.B. No. 1261):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 902 was adopted and S.B. No. 1261, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CARD PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 904 (S.B. No. 1374):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 904 was adopted and S.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 907 (S.B. No. 1408, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 907 was adopted and S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO STATEWIDE TRANSPORTATION PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 908 (S.B. No. 1477, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 908 was adopted and S.B. No. 1477, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 910 (S.B. No. 1479, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 910 was adopted and S.B. No. 1479, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1311, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1400, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 914 (S.B. No. 1661, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 914 was adopted and S.B. No. 1661, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 915 (S.B. No. 75, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 915 was adopted and S.B. No. 75, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 920 (S.B. No. 354, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 920 was adopted and S.B. No. 354, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 921 (S.B. No. 506):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 921 was adopted and S.B. No. 506, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ROYALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 922 (S.B. No. 855, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 922 was adopted and S.B. No. 855, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 926 (S.B. No. 1255, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 926 was adopted and S.B. No. 1255, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 927 (S.B. No. 1257):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 927 was adopted and S.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING TO THE IRRIGATION WATER DEVELOPMENT SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 929 (S.B. No. 1432, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 929 was adopted and S.B. No. 1432, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIVERSIFIED AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 931 (S.B. No. 1555):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 931 was adopted

and S.B. No. 1555, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE BOY SCOUTS OF AMERICA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 932 (S.B. No. 361, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 932 was adopted and S.B. No. 361, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 933 (S.B. No. 618, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 933 was adopted and S.B. No. 618, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 934 (S.B. No. 632, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 934 was adopted and S.B. No. 632, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 935 (S.B. No. 634, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 935 was adopted and S.B. No. 634, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWO COUNSELORS TO TREAT WOMEN INCARCERATED FOR DRUG-RELATED OFFENSES ON MAUI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 937 (S.B. No. 802, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 937 was adopted and S.B. No. 802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 938 (S.B. No. 877, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 938 was adopted and S.B. No. 877, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 939 (S.B. No. 996, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 939 was adopted and S.B. No. 996, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 941 (S.B. No. 1135, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 941 was adopted and S.B. No. 1135, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 942 (S.B. No. 1138, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 942 was adopted and S.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 943 (S.B. No. 1154):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 943 was adopted and S.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 946 (S.B. No. 62, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 946 was adopted and S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 951 (S.B. No. 779, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 951 was adopted and S.B. No. 779, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 952 (S.B. No. 783, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 952 was adopted and S.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM FOR EMERGENCY MEDICAL TECHNICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 956 (S.B. No. 1425, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 956 was adopted and S.B. No. 1425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS MENTORING OF YOUTH AND YOUNG ADULTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 959 (S.B. No. 664, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 959 was adopted and S.B. No. 664, S.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR THE DEVELOPMENT OF A VETERANS AFFAIRS LONG-TERM CARE FACILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 960 (S.B. No. 739):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 960 was adopted and S.B. No. 739, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 962 (S.B. No. 963, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 962 was adopted and S.B. No. 963, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE POISON CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 964 (S.B. No. 65, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 964 was adopted and S.B. No. 65, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRIBUSINESS INCUBATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 965 (S.B. No. 359, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 965 was adopted and S.B. No. 359, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FILM INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 966 (S.B. No. 1253, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 966 was adopted and S.B. No. 1253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DATA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1356, S.D. 1:

Senator Baker moved that S.B. No. 1356, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Baker rose and said:

"Mr. President, I rise to request that remarks I have on several bills appearing on the consent calendar be inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1356, S.D. 1, which updates and streamlines the State's vital statistics system. Specifically, this bill will update the death registry and certificate process that has been in place since 1949.

"The current death registration process is paper based and begins only after the survivors of the deceased select a mortuary. The funeral director alone is responsible for initiating and completing the registration. After the funeral director files the completed death certificate with the Department of Health a burial-transit permit can be obtained which then allows the disposal of human remains. The Department staff must then review the certificate for errors, omissions and request corrections and amendments before an accurate and complete death certificate can be produced and issued to the survivors. The Department staff must also data-enter the information off the paper certificate to create an electronic version of the death record. This cumbersome system creates delays and inhibits proper transferring of data.

"The Department of Health, working in collaboration with the Healthcare Association came up with the language necessary to facilitate a more timely registration of deaths and the transit permits by converting from a paper-based to an electronic registration process. In addition, the recording of fetal deaths will be converted to a report based process similar to that used for intentional terminations of pregnancies. In the present system fetal deaths follow the same process involving the death of living persons.

"Additionally, it was brought to the Health Committee's attention that due to implementation of the privacy provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) this bill was a good vehicle to address those concerns. Thus, a provision was inserted which allows

for a patient's next of kin to have access to their medical records if the patient or the patient's attorney is unable to do so. Currently, Hawaii has no next-of-kin law, to allow family members of the deceased to have access to the deceased's medical records, except those who have some form of legal designation. This will pose a severe problem when HIPAA's privacy provisions take effect. Under HIPAA, providers will be prohibited from allowing families to access or authorize the release of the deceased patient's records. Thus, when a surviving spouse requests that their deceased spouses' records be sent to a life insurance company, their request would be denied due to HIPAA regulations.

"The death of a loved one is a very difficult event. Without the provisions of this bill that time of grief may be even more traumatic. I urge my colleagues to join me in supporting this measure to streamline the death event registration process and create a next-of-kin provision.

"Mahalo."

The motion was put by the Chair and carried, S.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VITAL STATISTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 88, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Menor and carried, S.B. No. 88, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 831, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1044:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1044, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE COMMUNICATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1274, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1274, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1275:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1275, entitled: "A BILL FOR AN ACT RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1324, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1324, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCILIATION PANELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1392:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1392, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1603, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1603, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1604, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CITIZENS RIGHT TO VOTE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1605, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT COMPLIANCE WITH THE UNIFORM INFORMATION PRACTICES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 988 (S.B. No. 946):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 988 was adopted and S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 992 (S.B. No. 921, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 992 was adopted and S.B. No. 921, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 996 (S.B. No. 624, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 996 was adopted and S.B. No. 624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 998 (S.B. No. 827, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 998 was adopted and S.B. No. 827, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 999 (S.B. No. 1560):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 999 was adopted and S.B. No. 1560, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY LEFT IN A DANGEROUS CONDITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1000 (S.B. No. 1606, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1000 was adopted and S.B. No. 1606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 10:24 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:09 o'clock a.m.

THIRD READING

Stand. Com. Rep. No. 743 (S.B. No. 683, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 743 be adopted and S.B. No. 683, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

At 11:10 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:10 o'clock a.m.

Senator Kawamoto rose and said:

"Mr. President, basically, since we didn't offer the floor amendment, I just want to make some comments.

"Mr. President, this bill is a step forward from what we have, but not a big enough step. When we try to mandate anything as the Legislature, we mandate it because of quality and safety. Personally, I think the current education diabetes program, the quality of the program is not as good as it can be.

"I personally was affected by it. I am diabetic and have been for the last 10 years now. I attended a quality diabetes education program. I paid \$90 for six weeks of training. In that time, I learned about my eyes, my feet, and my entire body. Unfortunately for my eye situation, I was able to discover that I had bleeding in my retina and I was able to go to a specialist, Dr. Ko, and he stopped the bleeding. Today I can play golf, not good but I can play, and drive my car and do the things that normal people can do without diabetes. I owe that to, again, an education program that was run by diabetes educators and the quality of education was outstanding.

"I'm afraid that the amendments in the S.D. 1 that was put into this bill kind of diluted that insurance of quality. I rely on the word of the good Senator from Maui to revise that portion as far as insuring the quality of the education program to again work toward the standards that we believe that diabetes education is available to all diabetics throughout the State.

"We need to tell the HMOs that prevention is important, not only cure but prevention, so that we can live with this kind of illness in our bodies. Prevention is the way to go, versus waiting until something else happens or furthering other diseases.

"At this time, for the sake of the body, I will not put forward an amendment. Thank you."

Senator Baker rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of S.B. No. 683, S.D. 2.

"Members, there are approximately 80,000-120,000 people in the State of Hawaii living with diabetes. The good Senator from Waipahu is one of them. It is important, therefore, that we have the best possible education program and access to education that we can. I share that concern with the Senator. I want to assure him and the members of this body that this measure, like most that we will be considering today, are indeed works in progress, and that this Chair will take the concerns expressed by the Senator to heart as the measure moves forward so that when we return a bill to this Floor at the end of April or first of May, that we have the best possible measure that will provide quality education to the greatest number of people.

"Currently, there are only about 25 certified diabetes educators in this State. We have other in training, but there's a severe shortage of this kind of individual. So my commitment to the Senator, and to all of you, is that we will try to craft a measure that will encourage more folks to seek the training to become certified, that the programs will meet national standards, and that we can provide for those 80,000-120,000 persons in our State living with diabetes the access to the

appropriate education that will help improve their quality of life and stave off expensive treatment that this disease can require.

“Thank you, Mr. President.”

Senator Slom rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to the bill.

“I don’t think there’s any debate or any discussion about the seriousness of diabetes or many other illnesses. I think, however, the discussion comes in when we start talking about mandates and, particularly, the prepaid healthcare act in Hawaii. And this is really the problem. This bill, this law which became effective in 1974, the only law of its kind in the United States, has done much more than it said it was going to, much more in terms of cost and in terms of providing inferior medical care for growing numbers of people.

“When we talk about quality in service, mandating does not provide quality in service. And in the instance of diabetes, this bill has been bouncing back and forth for a number of years in the Legislature. One of the provisions we had several years ago was that the legislative auditor is to review any new proposed mandate. And by parliamentary maneuvers, the legislative auditor was not kept in the loop and was not provided the information and allowed to do what she is supposed to do on this particular bill.

“Everyone that testified that is in the industry or in the medical profession testified against this bill. And it may be a work in progress, but it is a poor work in progress. I think as Legislators, we should know the answers beforehand, have the plan before we mandate, before we appropriate funds.

“And so, as much as I think we should all be concerned about diabetes and other diseases and illnesses, we have to put a stop to continuing to raise the cost and to add mandates, and what we really have to do is look at the prepaid healthcare act and look for options and choices for individuals.

“One more thing I’d like to say, and that is, the good Senator from Maui was talking about certified trainers. We have an awful lot of people that involved in diabetes education right now but they are not, quote, ‘certified,’ unquote. So now we’re talking about another State requirement in terms of certification, licensing, registration, and regulation, which has not occurred as yet.

“And finally, for this injury, illness, as well as others, the education has been there. The education which is provided by physicians and by others is quality education. Too often, the patients do not take the advice of those that give that information, and for that, no mandate from this Legislature is going to solve the problem.

“So, for these and other reasons, I’m urging a ‘no’ vote, Mr. President. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 743 was adopted and S.B. No. 683, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DIABETES EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

S.B. No. 1532:

Senator Inouye moved that S.B. No. 1532, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Inouye then offered the following amendment (Floor Amendment No. 2) to S.B. No. 1532:

SECTION 1. Senate Bill No. 1532, is amended by amending section 340A-3, Hawaii Revised Statutes, as amended by Section 1 of the bill to read as follows:

“**§340A-3 Disposal of solid waste.** (a) The county agency responsible for the collection and disposal of solid waste may require that all solid waste transported by the county agency, collectors, businesses or individuals be disposed of at facilities or in areas designated by the county agency if it is found to be in the best public interest; provided that agricultural solid waste and source separated waste transported for recycling purposes shall not be subject to the provisions of this section; and provided further that if regional transfer stations are designated, transportation to the stations shall be considered so as to minimize the operating costs of the collector.

The best public interest shall be found if disposal at the designated facilities or areas will:

- (1) Result in reusable materials being recovered from solid waste; or
- (2) Achieve the solid waste volumes necessary to meet a resource recovery facility’s minimum operating requirements; or
- (3) Lessen the demand for landfill sites and encourage the use of alternative technology; or
- (4) Conserve natural resources.

~~(b) [For a county that has a resource recovery facility in use or when the design for such a facility has begun, the director shall not grant a permit for other solid waste disposal activities including landfills, for a term extending beyond the planned operational date for the resource recovery facility unless the other disposal activity is to be used for one or more of the following:~~

- (1) Disposal of ash or residue from a resource recovery facility;
- (2) Disposal of solid waste which, because of its chemical or physical characteristics, is not suitable for processing at a resource recovery facility;
- (3) Provide an emergency backup or overflow capacity for a resource recovery facility;
- (4) Provide for solid waste disposal for those areas not served by a resource recovery facility as designated by the county agency responsible for the collection and disposal of solid waste.]

A county agency may allow solid waste disposal activities, including landfills, above the underground injection control line established by the safe drinking water branch of the department of health; provided county, state, and federal environmental health standards are satisfied in the best public interest.”

Senator Inouye moved that Floor Amendment No. 2 be adopted, seconded by Senator Espero.

Senator Inouye rose and said:

“Mr. President, as for the Senate Floor Amendment on S.B. No. 1532, in the discussions that we’ve had with my colleagues, I felt that additional language should be in the bill as well as an amendment. Therefore, Mr. President, in looking at SECTION 1 in the amendment of the bill that’s before us, I’ve added additional language to the section that addresses ‘The best public interest shall be found if disposal at the designated facilities or areas will,’ we’ve added ‘(3) Lessen the demand for landfill sites’ and included words, ‘and encourage the use of alternative technology.’

"Further, Mr. President, in the bill on page 3, we have deleted the word 'shall' and we have replaced it with, and I'd like to read starting from line 3 on page 3, 'A county agency may allow solid waste disposal activities, including landfills, above the underground injection control line established by the safe drinking water branch of the department of health; provided county, state, and federal environmental health standards are satisfied in the best public interest.'

"Mr. President, at this time, I feel that we have addressed some concerns that my colleagues had put forth. I'd like, for further discussions, that we move this bill forward over to the House for further discussions with regards to the subject matter. Mr. President, it does not delete any of the approval processes approved by the counties and states addressing all the environmental health standards in their best interest. So it's still in the hands of the state and county regulations.

"Thank you, Mr. President."

Senator Ihara rose in opposition to the amendment and said:

"Mr. President, I rise to speak in opposition to this amendment.

"Mr. President, I want to acknowledge that this amendment does improve the bill a bit. The original committee referral was to the Environmental Committee and also the Transportation and Government Operations Committee, and then it was re-referred. We need a rule for that, I think, that would require bills to be referred by the subject matter, because this bill did not have the review of the committee that reviews legislation that impacts the counties.

"This amendment does, I think, address that somewhat because it does not mandate the counties step in and order the counties to approve any application for a landfill over an aquifer. This amendment, however, does not and has not allowed for environmental review of the impacts of this bill and it is for this reason that I am opposed to the amendment.

"The underground injection UIC line, I have the rules and regulations here, the purpose of these rules, it's the administrative rules 11-23-01, was to distinguish and identify those areas where landfills and other waste disposal activities can take place. The State's current policy is to not allow landfills over drinking water aquifers and this amendment, if the amendment passes, would reverse state policy and say that it is okay to site a landfill over our drinking water aquifers.

"In the rules and regulations that I cited, 11-23-03, an aquifer means a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well, tunnel or spring. The UIC line, as I said, prohibits the siting of waste disposal activities over aquifers and there's a designation, I'll read you the section. It's 11-23-04: The criteria for exempting aquifers from underground source of drinking water – there's a special designation called the underground source of drinking water, they call it USDW – and the rules specifically allow for exemptions. And the exemption, in other words, is that you cannot build over an aquifer at all except an aquifer that does not currently serve as a source of drinking water. Actually, there's a Kunia landfill site that's being contemplated on drinking water aquifers, but whether it's there or anywhere on the island, this bill, amended or not amended, would basically say you can build a landfill anywhere on the island, on any island.

"The site we're talking about and the area, Central Oahu, is not any regular aquifer. This is what EPA calls a sole-source aquifer. And in their letter dated January 15, they're saying, I

quote, 'A sole-source aquifer is defined as an aquifer that supplies drinking water to more than 50 percent of the population and is the only available local or regional source of drinking water.' This designation highlights the importance of this aquifer as a drinking water source that must be protected.

"I know there has been talk about double lining of landfills and so-forth. I'll read you a quote from a letter dated March 1 from the Board of Water Supply: 'We are concerned that chemicals, heavy metals, and other contaminants from the landfill will percolate into the underlying groundwater aquifer and be drawn up by our wells. While we understand that protective liners can be constructed to capture this liche, there is no guarantee that the liners will continue its effectiveness for the life expectancy of the landfill, which is in perpetuity.'

"According to the State Department of Health, liche protection systems are designed to last decades, not centuries. So yes, we'll have protection for a number of decades, maybe even our lifetime, if we're lucky, but my concern is for future generations and on this island and this State, if our drinking water aquifer is contaminated, that will cost hundreds of millions of dollars.

"I should note that all government agencies that are responsible for the safety of our water supply are opposed to this bill and I believe they would be opposed to even this amendment because they are opposed to the siting of a landfill over a drinking water aquifer.

"Mr. President, I'll be voting 'no' on this amendment and if the amendment passes, I will be voting 'no' on the full bill as well. Thank you."

Senator Inouye rose in support of the amendment and said:

"Mr. President, I speak in support of the amendment.

"I also want to recognize that this amendment before us to S.B. No. 1532, whether there is a perception or it is real, does not address identification of any site nor is any TMK identified. So I just want to add that because then I think perhaps this bill would not have passed the Committee, as well.

"Thank you, Mr. President."

At 11:29 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:29 o'clock a.m.

Senator Ihara rose and said:

"Mr. President, I ask for a Roll Call vote on this amendment."

The motion to adopt Floor Amendment No. 2 was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Baker, Chun Oakland, English, Fukunaga, Hogue, Hooser, Ige, Ihara, Kanno, Kawamoto, Slom, Trimble).

By unanimous consent, S.B. No. 1532, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was placed on the calendar for Third Reading on Thursday, March 6, 2003.

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

Senator Kanno moved that S.B. No. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Kanno then offered the following amendment (Floor Amendment No. 3) to S.B. No. 1, S.D. 1:

SECTION 1. Senate Bill No. 1, S.D. 1, is amended by amending section 1 to read as follows:

“SECTION 1. Chapter 394B, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§394B- Worker retention. In the event of a divestiture of an industrial, commercial, or other business entity that employs at any time in the preceding twelve-month period more than one hundred employees, the successor employer shall retain at least fifty per cent of incumbent, nonsupervisory employees of the affected establishment.

This section shall not apply to an employer whose primary business function is construction.”

Senator Kanno moved that Floor Amendment No. 3 be adopted, seconded by Senator Kawamoto.

Senator Kanno noted:

“Mr. President, the bill is being amended to affect those businesses with more than 100 employees. Previously, the bill had stated it would affect businesses with more than 50 employees.”

Senator Slom rose to speak in opposition to the amendment and said:

“Mr. President, I rise in opposition to the amendment.

“Even though the amendment has reduced the number of employees that would be affected in a successor company from . . . actually it raised it from 50 to 100, it’s still a bad bill. It’s an anti-business bill and what it does is put handcuffs on businesses in terms of their flexibility if they’re in trouble to be able to sell the business, liquidate the business, keep the business going and keep employees employed. No one is going to buy a business, invest in a business, if they have these restrictions. It’s been shown time and time again.

“So the amendment, whether it’s 50, 100, or 150, it’s still the idea, again, of the state government telling businesses what they can and cannot do. It’s a bad bill. It’s a bad amendment. I urge a ‘no’ vote.

“Thank you.”

Senator Sakamoto rose in opposition and stated:

“Mr. President, I also rise in opposition to this amendment.

“As the previous speaker, I’m in opposition to the amendment as well as the original bill, Mr. President. I think there are good intentions on creating safety nets to accept workers who may be jeopardized when the business that employs them falters, but with the way our economy is and potential more problems, it’s sort of taking fibers from the weak bridge that employers and employees are on, spanning to get across in holding our economy in place, taking fibers from that bridge that holds up these employees and placing them down on a safety net in case they fall from the bridge. So the logic here is – let’s weaken the bridge that holds everybody up successfully so we can create a net to catch you if you fall.

“This measure and many, many other measures try to address people if they fall, if they become unemployed, if, if, if . . . but let’s not do it at the expense of the fragile bridge that we’re trying to keep up and float our economy on. A hundred employees, fifty employees, one employee, thousand employees – bad idea!”

Senator Hogue rose to speak against the amendment and said:

“Mr. President, I also rise in opposition to this amendment. I’ll also be voting ‘no’ on the final bill.

“I don’t know much about fibers, but I can tell you that we need to be pro-business. The new Governor said we need to be open for business. This, unfortunately, will start closing some businesses and therefore, I’ll be voting ‘no.’

“Thank you.”

Senator Slom then rose and said:

“Mr. President, Roll Call vote, please.”

Senator Kim requested her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion to adopt Floor Amendment No. 3 was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Chun Oakland, Fukunaga, Hanabusa, Hemmings, Hogue, Ige, Ihara, Kokubun, Sakamoto, Slom, Trimble).

By unanimous consent, S.B. No. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT,” was placed on the calendar for Third Reading on Thursday, March 6, 2003.

Stand. Com. Rep. No. 866 (S.B. No. 780, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 866 be adopted and S.B. No. 780, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Kanno then offered the following amendment (Floor Amendment No. 4) to S.B. No. 780, S.D. 1:

SECTION 1. Senate Bill No. 780, S.D. 1, is amended by amending section 1 by deleting the amendment to section 386-21, Hawaii Revised Statutes, and replacing it with an amendment to section 386-32, Hawaii Revised Statutes, to read as follows:

“SECTION 1. Section 386-32, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Temporary partial disability. Where a work injury causes partial disability, not determined to be permanent, which diminishes the employee’s capacity for work, the employer, beginning with the first day of the disability and during the continuance thereof, shall pay the injured employee weekly benefits equal to sixty-six and two-thirds per cent of the difference between the employee’s average weekly wages before the injury and the employee’s weekly earnings thereafter, subject to the schedule for the maximum and minimum weekly benefit rates prescribed in section 386-31.

An employee who is not currently receiving temporary total disability or temporary partial disability benefits, but who from time to time requires treatment prescribed by a physician for a

work injury and who cannot reasonably obtain such treatment during non-working hours, shall be entitled to temporary partial disability for time spent obtaining treatment and traveling directly to and from their place of employment for treatment.”

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

Senator Kanno moved that Floor Amendment No. 4 be adopted, seconded by Senator Menor.

Senator Kanno noted:

“Mr. President, in discussion with the Chairperson of the Consumer Protection Committee, what was thought to be technical non-substantive amendments really changed the intent of the legislation. What we discussed was reverting back to the original bill language that was found in S.B. No. 780. That's the amendment we have this morning.”

Senator Whalen rose to speak in opposition to the amendment and stated:

“Mr. President, I stand in opposition to the amendments, and I will keep my comments based on the amendment, not on the merits of the bill. That might be a new thing for this body. (Laughter.)

“The S.D. 1 shifted the payment out of the workers' comp. As we know, a few years ago, workers' comp went through tremendous difficulties as employers were being dropped left and right and couldn't afford their premiums. We tried to do a number of revisions and reforms to make it affordable. This is just one more thing to increase the cost of workers' comp to employers.

“Now, I'm not excited about even putting it on the prepaid health, however, it seems to be more along the lines of that's where it should go since we're talking about an ongoing health-type issue getting to and from work. I'm not speaking to the merits of the bill, but by sticking it back on the workers' comp, it would do nothing but raise the cost of that, and I think it's a step in the wrong direction.

“Thank you.”

Senator Sakamoto rose and inquired:

“Mr. President, I guess I'd like to ask the Chairs to clarify if indeed what the previous speaker said is the correct interpretation of what this amendment does.”

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

Senator Kanno rose to reply:

“Mr. President, in the S.D. 1, the changes are made to Section 386-21 as compared to Section 386-32 in the original bill. The S.D. 1 also handles the travel time differently than in the original legislation.

“Thank you.”

Senator Sakamoto rose with reservations and said:

“Mr. President, with those concerns, I rise to speak with reservations.

“Sometimes things are technical but indeed do change cost structure, and who pays? There's a critical balance in how do we protect workers. Yet, with concerns over changes and who pays for travel time should the provider end up being in Las Vegas, who pays?

“There are concerns, so, with reservations, Mr. President.”

Senators Hogue, Hemmings, Slom and Trimble then requested their votes be cast 'No.'

The motion to adopt Floor Amendment No. 4 was put by the Chair and carried with Senators Hemmings, Hogue, Slom, Trimble and Whalen voting “No.”

At 11:48 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.

Senator Kanno then moved that Stand. Com. Rep. No. 866 be received and placed on file, seconded by Senator Menor and carried.

By unanimous consent, S.B. No. 780, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY,” was placed on the calendar for Third Reading on Thursday, March 6, 2003.

Stand. Com. Rep. No. 879 (S.B. No. 1263, S.D. 2):

Senator Kawamoto moved that Stand. Com. Rep. No. 879 be adopted and S.B. No. 1263, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Sakamoto then offered the following amendment (Floor Amendment No. 5) to S.B. No. 1263, S.D. 2:

SECTION 1. Senate Bill No. 1263, S.D. 2, is amended by amending section 3 to read as follows:

“SECTION 3. Section 103D-104, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read:

““Electronic bidding” means the solicitation and receipt of offers for the procurement of goods, services, and construction by which offers may be accepted and contracts may be executed through an electronic procurement system.”

SECTION 2. Senate Bill No. 1263, S.D. 2, is amended by deleting sections 2 and 4 and renumbering the remaining section numbers in the bill accordingly.

Senator Sakamoto moved that Floor Amendment No. 5 be adopted, seconded by Senator Kawamoto.

Senator Sakamoto noted:

“Mr. President, the amendment removes the portion of the bill that talks about a reverse auction. A reverse auction, the way it's been explained to me, is someone can bid \$10,000 to provide this service or product for government and it's on the Web and somebody else can then say \$9,900, and the second before bid closing, someone else can then say \$9,800. That's very much different from the present way we do business where you present your sealed bids at 10:00 and the various providers

get to provide their bids in a closed-bid fashion and may the lowest bidder, responsible bidder win.

"I believe if we change to the reverse auction, we will find that many of the services that we currently get will be given to, yes, the lowest bidder, but, ultimately, certain bidders can drive others out of the market by continually underbidding them until there are not many competitors left. So for the businesses in our State and for the good of fair, ethical government, I propose that we move with the amendment, Mr. President.

"Thank you."

The motion to adopt Floor Amendment No. 5 was put by the Chair and carried.

Senator Sakamoto moved that Stand. Com. Rep. No. 879 be received and placed on file, seconded by Senator Kawamoto and carried.

By unanimous consent, S.B. No. 1263, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PROCUREMENT," was placed on the calendar for Third Reading on Thursday, March 6, 2003.

S.B. No. 42, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Fukunaga and carried, S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERCRAFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1245:

Senator Sakamoto moved that S.B. No. 1245, having been read throughout, pass Third Reading, seconded by Senator Hooser.

Senator Kanno requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1245, entitled: "A BILL FOR AN ACT RELATING TO THE EVALUATION OF TEACHERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 840, S.D. 1:

On motion by Senator English, seconded by Senator Kokubun and carried, S.B. No. 840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

S.B. No. 1080, S.D. 1:

Senator English moved that S.B. No. 1080, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Mr. President, I cannot support a bill that will place another burden on already beleaguered small businesses in our State. While the efforts to protect the sanctity of our State's environment are commendable, such efforts cannot be undertaken at unfair expense to business owners.

"The original law allows small businesses, when there's an infraction, that small business who has corrected the violation within a minimum of 30 days and the violation was unintentional, or a result of excusable negligence, or because of misunderstanding, they were allowed not to be penalized. What this bill does is say even if the small business corrected the violation, even if the violation was unintentional or the result of excusable neglect, or there was a misunderstanding, even if that, after they're down on their knees, kick them in the back anyway.

"I don't think that's a good policy, Mr. President, so I encourage our members to vote 'no.'"

The motion was put by the Chair and carried, S.B. No. 1080, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Sakamoto, Slom, Trimble, Whalen).

S.B. No. 616:

Senator Hanabusa moved that S.B. No. 616, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Slom rose to speak against the measure as follows:

"Mr. President, I'm going to be voting 'no' on this bill.

"I have voted 'no,' previously, with the establishment of the bill, not because I support hate crimes, but because I do not support legislation which we continue to add to and we seem to pick different candidates or different proclivities each session. But we could clear up the whole thing by just saying gender identity to apply to everyone. And yet this bill, in fact, does not apply to anyone and everyone. If one protected group happens to do the same kinds of activities against a non-protective group, then we don't have the hate crime bill coming into play.

"I think that we should be equal, if we're talking about real equality, and include gender identity. Until we do, I'll continue to oppose it.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO HATE CRIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Whalen).

S.B. No. 617:

Senator Hanabusa moved that S.B. No. 617, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this particular bill.

“Members, you may remember that this past election cycle we had a constitutional amendment regarding information charging. It was number three. The voters overwhelmingly supported it, voting yes on three. And yet, because there were some concerns, I guess, some legal concerns regarding that particular vote, this bill has been put forward trying to set up a task force to convene the judicial council.

“The Judiciary, by the way, is against this particular bill. So they want to convene the judicial council. The Judiciary is against that. The Judiciary says they are there to advise about administrative matters and yet we want them to set policy. The prosecuting attorney is against this bill. He says, ‘let’s just get on with it. The people have voted. We need to get on with the procedures.’

“For these reasons, I will be voting ‘no.’ Thank you.”

The motion was put by the Chair and carried, S.B. No. 617, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Whalen).

At 11:57 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o’clock a.m.

S.B. No. 29, S.D. 1:

On motion by Senator English, seconded by Senator Kokubun and carried, S.B. No. 29, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SPECIAL WASTES RECYCLING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 11:59 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o’clock a.m.

S.B. No. 1611:

On motion by Senator English, seconded by Senator Kokubun and carried, S.B. No. 1611, entitled: “A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 538, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 538, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 958, S.D. 1:

Senator Menor moved that S.B. No. 958, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Baker rose to speak in support of the measure as follows:

“Mr. President, I rise to speak in support of S.B. No. 958, S.D. 1.

“Mr. President, this bill expands the practice of pharmacy to include the dispensing of emergency contraceptives, in accordance with a collaborative agreement approved by the Board of Pharmacy, between a physician and an appropriately trained pharmacist. Access to emergency contraceptives is critical during the first 72 hours after unprotected sex. It is vital that a woman be able to access this medical option in order to prevent an unwanted pregnancy.

“Currently, emergency contraceptives must be administered by a physician, which can limit accessibility because women may not have an established provider upon whom they may call. And, if emergency contraceptives are needed during the evening, weekend or on a holiday, it can be equally difficult for a woman to reach her doctor and secure a prescription within the critical 72 hours.

“In 2002, Healthy Mothers, Healthy Babies Coalition of Hawaii conducted a survey of access to Emergency Contraception in Hawaii. The survey concluded that only 56 percent of family planning clinics and none of the 14 private pregnancy/counseling organizations were able to provide EC within the 72-hour time frame. In addition, only 10 percent of emergency rooms were able to provide access to EC within that critical 72 hours.

“Expanding the practice of pharmacy under the pharmacist licensing law, to include the dispensing of emergency contraceptives, will allow women to have adequate, and timely access to the medical treatment they need, especially on nights and weekends when a physician may not be available. Additionally, it will reduce health care costs, reduce unwanted pregnancy and provide options to a woman who may have been abused or assaulted.

“I urge my colleagues to join me in supporting this important measure which is part of the women’s coalition legislative package. Mahalo.”

Senator Whalen rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the bill.

“Mr. President, this issue is not new. We’ve heard it for a couple of years now. The testimony was quite clear that doctors would not prescribe these emergency contraceptives because of the chance of severe medical reactions or health reactions that women could have by taking these pills.

“Now we’re going to give the pharmacists, without any training in actual medicine, to give these to a woman who, by the very definition that we just heard, probably has not seen a doctor at all or doesn’t have any sort of relation with the doctor, and just give these pills without any sort of background, experience, anything else, and just giving it to them across the counter. This could be abused by some as a type of contraception, period – in other words, regular use of taking these instead of other forms of contraception.

“Mr. President, this is not a good decision to pass a bill like this to allow people to obtain what could be very detrimental drugs to their body without any sort of review process in terms of what’s happening to them, how is it going to affect their health, how frequently are they using this. Doctors won’t give these because of the liability nature. Yet, we’re going to let pharmacists do it.

“In our zeal to provide people a way to not get pregnant, I think we’re compromising our health standards in this State and I’ll be voting against it.”

The motion was put by the Chair and carried, S.B. No. 958, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Aduja, Hemmings, Slom, Whalen).

S.B. No. 1589, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1589, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 608 (S.B. No. 345, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 608 be adopted and S.B. No. 345, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Sakamoto rose to speak in support of the measure and said:

“Mr. President, I rise in support and I have remarks that maybe can be inserted into the Journal.

“Basically, this will deter auto theft and fraud, and encourage doing things the right way, Mr. President.”

The Chair having so ordered, Senator Sakamoto’s remarks read as follows:

“Mr. President, I rise in support of S.B. No. 345, S.D. 1, which provides that any person who sells three or more vehicles within a calendar year shall be considered a dealer subject to the Motor Vehicle Industry Licensing Act.

“Mr. President, I agree with the car dealers who testified in support of this measure when they stated that this measure would clearly define who should be considered a motor vehicle dealer and who is not, and enhance the Department of Commerce and Consumer Affairs’ ability to enforce this statute.

“In Hawaii, there is currently no limit to the number of vehicles an unlicensed individual may purchase and subsequently offer for sale to the general public. At least nine other states, which include Alaska, Arizona, Colorado, Florida, Georgia, Illinois, New York, Texas, and Washington, enforce vehicle limits.

“The passage of this measure should deter auto fraud and encourage those unlicensed individuals to become licensed, holding them accountable for selling a vehicle which is legitimately registered and titled.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 608 was adopted and S.B. No. 345, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 614 (S.B. No. 38):

Senator Hanabusa moved that Stand. Com. Rep. No. 614 be adopted and S.B. No. 38, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to the bill.

“Mr. President, this is the first of several bills we’ll be discussing today. They all have one thing in common – they ask for attorneys outside of the Attorney General’s Office. This is not a new problem. We have discussed it for years. And for years, there probably was a reason to go outside the Attorney General’s Office – sloppy work, ill-prepared attorneys, non-responsiveness, and so forth.

“At the hearing, the example that was used by the Hawaii Tourism Authority was a particularly glaring example of how the Attorney General’s Office, the former Attorney General’s Office had not performed and had delayed and did not have the expertise to look at contracts. However, we have a new attorney general now. We have no less an expert than the head of the Senate Judiciary Committee who had complete confidence and faith in the new attorney general and his work ethic and his ability to get the job done.

“So, instead of going in addition to the 175 practicing deputy attorneys that we have in the State’s largest law firm, and encumbering more funds from the taxpayers, we should require that all of these departments go to the attorney general, and if there is a problem, then we hold the attorney general’s feet to the fire and make changes at that time. But to carte blanche, give additional attorneys to the HTA, to the DOE, to every organization that comes forward here would be costly and would circumvent the real purpose of the AG’s Office.

“I urge a ‘no’ vote. Thank you.”

Senator Kim rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor.

“Mr. President, currently, the process allows for different departments to go to the attorney general to ask for attorneys in a situation when they may not be in a position to be able to help the agencies in a particular contract. And this is true with the Hawaii Tourism Authority.

“With the Hawaii Tourism Authority, if you know some of their contracts that they have to deal with – with the NFL, with the PGA, with the Hawaii Visitors and Convention Bureau – these are very unique kinds of contracts and there may not be the kinds of resources in the largest attorney firm in this State.

“Recently, when the HTA went to the AG’s Office to request for a list of attorneys, which is part of the process, it took the Attorney General’s Office one month, in fact, over one month to just provide the list of qualified attorneys on the list so that

they (HTA) could then hire an attorney. Because of that, there have been delays. Currently, as we speak now, there is no signed contract between the HTA and the HVCB. We are in March. Their contract ended December 31 of last year. There is no contract signed. Part of that is because of this delay; part of that is because of the incompetence of some of the attorneys in the Attorney General's Office. I'm not faulting the attorney general himself, but there are problems in any large firm.

"All HTA is asking is that they be allowed, when they see fit, to go out and hire attorneys without having to go through the red tape and the bureaucracy that we all are not in favor of.

"So, they will not be using any additional state funds. They have their own funds in their special funds from HTA funds. So, in that case, I think that they should be allowed to be able to do that.

"Thank you."

Senators Ige and English requested their votes be cast "aye, with reservations," and the Chair so ordered

The motion was put by the Chair and carried, Stand. Com. Rep. No. 614 was adopted and S.B. No. 38, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Hooser, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 615 (S.B. No. 1002):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 615 was adopted and S.B. No. 1002, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Baker, English).

Stand. Com. Rep. No. 618 (S.B. No. 1415):

Senator Hanabusa moved that Stand. Com. Rep. No. 618 be adopted and S.B. No. 1415, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Sakamoto rose to speak with reservations on the measure and said:

"Mr. President, I rise to speak with reservations on this measure.

"This measure proposes to allow penalties to violators, and I'm not trying to help violators, except this bill says after written or verbal notification from the department. So my concern, Mr. President, is that many times something may be going wrong and someone says, 'Hey, no can do that!' 'I beg your pardon?' I said, 'No can do that.' 'Excuse me?' And then the next thing you know, you get slapped with \$2,000 a day.

"I hope the measure gets revised so that in addition to verbal, we perhaps need some other clarification or a better way to not let loose language get in the way. We need to communicate clearly.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 618 was adopted and S.B. No. 1415, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 620 (S.B. No. 792, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 620 be adopted and S.B. No. 792, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"This bill is similar to one we just passed a little while ago in terms of the emergency contraceptives with pharmacists. As the good Senator from the Big Island had pointed out, the problem there is that you've got malpractice insurance involved. Now we're saying in this bill that we're going to prohibit the insurers from discriminating, which means looking at the facts and the concerns involved in various actions.

"We're also saying that we are going to encourage these collateral agreements and collegial agreements. I think past experience has shown that physicians are very wary of entering into the agreements because they are the ones that are paying the malpractice insurance.

"The real problem here is malpractice insurance. We don't solve that problem by increasing liability and then telling insurers that they can't surcharge for that or they can't take that into consideration.

"So, we're looking at the problem from the standpoint of the symptom rather than the cure. I urge a 'no' vote.

"Thank you."

Senator Baker rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in support of S.B. No. 792, S.D. 2.

"I have some written remarks that I would like inserted in the Journal, but I believe it's important to address some of the concerns that the good Senator from Hawaii Kai raised.

"First of all, this does not expand the scope of practice of advanced practice nurses. And I would also note that advanced practice registered nurses also have to carry liability insurance.

"All this measure does is to prohibit insurance companies from surcharging physicians who happen to have a collaborative relationship with the advanced practice registered nurse. It's actually a restraint of trade or tantamount to restraint of trade and that's what your Committee found when we heard this measure.

"It's a good bill. It fulfills the mandate that the 1994 Legislature provided when it gave limited prescriptive authority to advanced practice registered nurses. It simply says that an insurance company cannot penalize either the nurse or the

physician for other collaborative arrangements that are legal under the law.

“Thank you, Mr. President.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of S.B. No. 792, S.D. 2, which prohibits malpractice insurers from imposing a surcharge or discriminating against a physician who enters into a professional collaboration with an advanced practice registered nurse (APRN).

“In 1994, the Legislature gave APRNs limited prescriptive authority. This came about in response to the unmet need for medical practitioners in mostly rural medically underserved communities. The Board of Medical Examiners subsequently promulgated rules that required the establishment of a collegial or collaborative relationship with a physician in order to prescribe medication.

“It is not uncommon for a physician who collaborates with an APRN to be assessed a surcharge for malpractice insurance simply because of that physician’s collaboration with the APRN. Note that each APRN carries malpractice insurance too. These insurance company practices have created long-standing problems for APRNs in numerous states. Physicians are forced to either pay the surcharges, or have their malpractice insurance coverage canceled. Such surcharges are tantamount to restraint of trade on the part of the insurance carriers.

“Without the collaborative relationship, the APRN cannot provide the health care services that they were authorized to perform by the 1994 Legislature. In the eyes of your Health Committee, this indeed constitutes restraint of trade. By creating this atmosphere of fear among physicians regarding collaboration with an APRN, the insurance companies have undermined the efforts of the Legislature to provide much needed medical services to underserved communities. This measure does not increase the scope of practice of the APRN, it merely prohibits the collaboration surcharge. By prohibiting discrimination of insurance companies against physicians who would otherwise collaborate with APRNs, this measure will allow APRNs to continue to provide the type of care the 1994 law meant for them to provide. I urge my colleagues to join me in supporting this important measure.

“Mahalo.”

Senator Hemmings rose to speak against the measure as follows:

“Mr. President, I rise to speak against this legislation.

“What this bill says, or does not say, is that the doctor cannot be sued. And unfortunately, as the good Senator from Hawaii Kai did point out, the real problem in malpractice law is the malpractice law that has open season on doctors and everyone else.

“Until we make those changes, this does not make sense. Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 620 was adopted and S.B. No. 792, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 1320, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1320, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 630 (S.B. No. 658, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 630 be adopted and S.B. No. 658, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Baker rose to speak in support of the measure as follows:

“Mr. President, I have some remarks in support of this measure I’d like inserted into the Journal. Thank you.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of S.B. No. 658, S.D. 1, which authorizes non-religious hospitals to provide emergency contraception to sexual assault survivors. Of the more than 300,000 women who are sexually assaulted each year in the United States, an estimated 25,000 will become pregnant. Women who have been sexually assaulted have a compelling need for quick and easy access to emergency contraception.

“Sexual assault survivors are under extreme physical and mental trauma. Female survivors of sexual assault also face the additional stress of unwanted pregnancy. Currently, emergency contraceptives are a part of the treatment protocol for identified victims of sexual assault. However, many victims fear being publicly shamed or blamed for the assault and it is for these reasons that they choose not to identify themselves. Yet, it is important that these women be offered the same type of protection from an unwanted pregnancy as identified victims, because the threat of pregnancy remains the same for both women.

“Emergency contraception has been shown to be safe and effective. It is important that the survivors of sexual assault be allowed to gain access to the medical options available to them. Every effort should be made to help victims of sexual assault, in order to allow them to begin to rebuild their lives.

“I urge my colleagues to join me in supporting this important measure.

“Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 630 was adopted and S.B. No. 658, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:14 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o’clock p.m.

S.B. No. 11:

On motion by Senator Sakamoto, seconded by Senator Kawamoto and carried, S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY PUBLIC SCHOOL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1061, S.D. 1:

Senator Chun Oakland moved that S.B. No. 1061, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose in support of the measure with reservations and stated:

"Mr. President, I rise to speak in support of this bill with reservations.

"This has to do with announced or unannounced visits. It certainly is a very contentious issue and I have certainly heard good arguments both ways.

"However, the Department of Health is saying that they can really handle this better through administrative rules. We have a new director of the Department of Health. I believe that we should allow them time to see if that is in fact true.

"Therefore, I certainly encourage us to look at the process, listen to the Department of Health, and if it turns out that they can do this better, we may not need this bill at the end of this Session.

"Thank you."

Senator Sakamoto rose in support of the measure with reservations as follows:

"Mr. President, I rise in support with reservations.

"I believe care for our elderly through the adult care homes is something we want to encourage and I would hope that we can work better with the industry involved so that their concerns can be addressed as we go forward."

Senator Baker rose to speak in support of the measure as follows:

"Mr. President, I have some remarks in support of this measure I'd like to have inserted into the Journal. Thank you."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1061, S.D. 1, which codifies licensing qualifications and personnel, staff and family requirements for Type I and Type II adult residential care homes (ARCHs) and expanded adult residential care homes. In addition, this bill will allow unannounced annual inspections of ARCHs during or outside of normal business hours.

"According to the State Long-Term Care Ombudsman, there are 8,400 elders living in licensed nursing homes, assisted living facilities and adult residential care homes. These homes and facilities provide care and services for some of our frailest elderly who are no longer capable of caring for themselves.

While these caregivers provide a much-needed service for our elderly, we must continue to do everything we can to ensure a quality standard of care.

"Within the past few months, we've seen the results of abuses that this bill and others are designed to deter. In 2002, a care home operator was convicted of manslaughter and on January 10th of this year another care home operator was arrested on charges of abuse and neglect. Under current law, the Department of Health is required to give advance notice to conduct an annual inspection of a care home. Annual unannounced inspections of Adult Residential Care Homes and Expanded Adult Residential Care Homes would help to ensure that our elders receive the quality care they so rightfully deserve.

"This bill is not intended to cast aspersions on the care home industry, which provides an important service in the long-term continuum of care. Rather, it is intended to correct a deficiency in current law and practice. Care homes are the last of the residential long-term care facilities to have unannounced visits. S.B. No. 1061, S.D. 1, is needed to ensure proper oversight and to protect our frail elderly, who may have no family to look out for them and may not be able to access the Ombudsman or another advocate should abuse or neglect occur.

"It is not our intent to make care home management an onerous duty. But we must give the department this capability to ensure that all care homes are capable of providing the level of care they have promised to provide. And we as a Legislature must also make sure that the department takes this duty seriously, because the well being of our seniors are at stake.

"Hawaii's senior citizens have contributed much to the success of this State. We must assure them that we will see to their well being in the later, and more vulnerable, years of their lives. For these reasons, I urge my colleagues to join me in supporting this important measure. Mahalo."

Senator Espero rose and said:

"Mr. President, please note my vote with reservations. Thank you."

Senator Menor rose in support of the measure with reservations and stated:

"Mr. President, I'd like the Clerk to note that I will be casting an 'aye' vote with reservations."

Senator Kawamoto then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

S.B. No. 1505, S.D. 1:

Senator English moved that S.B. No. 1505, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

Senator Hogue rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this bill, particularly an amendment that was added to help attack the green monster, *Salvinia molesta*, as you may have heard it called.

“I want to acknowledge the help from the Senate President’s Office and also the good Chair of Energy and Environment. Thank you very much for advancing this.

“Certainly, we need to get out there and do the best we can to attack the green monster. I know that the state is really moving forward on that particular issue out at Lake Wilson with help from the city and county and the federal government. Over at Kawai Nui Marsh we have also gotten involved as a community as well to fight the *Salvinia*.

“So we appreciate the efforts of the Legislature to pass through this measure which will outlaw the sale, importation, or distribution of *Salvinia molesta* and allows the opportunity, if there are other invasive species, to be added to the list as well.

“Thank you very much.”

Senator English rose to speak in support of the measure as follows:

“Mr. President, I rise in support of this measure.

“Mr. President, this is truly a bipartisan approach. We worked very closely with our Minority, as well as other interested parties.

“Mr. President, this bill deals with invasive species in two very distinct ways. The first, as the good Senator just reiterated, saying that it bans the sale of this ‘green monster’ in Lake Wilson, the *Salvinia molesta*. But it also does other things and it codifies the Hawaii Invasive Species Council that was created by Executive Order 2002-03. It also gives this council, which is made up of various department heads, the ability to act quickly and swiftly when there’s an invasive plant, animal, or species within Hawaii. It allows them to add, as an interim measure, to the Department of Agriculture’s list of banned plants, animals and species to immediately add an organism to that list. And it gives them a one-year extension to then go through the Chapter 91 rule making process.

“So, what we’re trying to do is take a holistic approach to all of the invasive species that are coming into Hawaii and allowing the administration a first-strike response mechanism. I’ll also note that this has no financial implications because it is using existing resources. It just helps to more efficiently and wisely use existing resources.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, S.B. No. 1505, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 302:

Senator Kawamoto moved that S.B. No. 302, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Tsutsui rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition.

“Mr. President, I believe this bill would create undue paperwork and have additional cost to the vehicle registration department, therefore outweighing the potential benefit of this bill.

“Thank you.”

Senators Ihara, Kim, Baker, Ige and Fukunaga requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 302, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (English, Hooser, Trimble, Tsutsui).

S.B. No. 460:

Senator Kawamoto moved that S.B. No. 460, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Tsutsui rose to speak in opposition and said:

“Mr. President, I rise in opposition, noting the testimony from the Department of Transportation.

“Thank you.”

Senator Kim requested her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 460, entitled: “A BILL FOR AN ACT RELATING TO DUNE BUGGIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Baker, English, Fukunaga, Inouye, Tsutsui).

Stand. Com. Rep. No. 655 (S.B. No. 248, S.D. 3):

Senator Taniguchi moved that Stand. Com. Rep. No. 655 be adopted and S.B. No. 248, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the bill.

“What the bill basically does is remove the cap on the special fund for the convention center to allow more money to go into this special fund and less money to go into the general fund. So it will cause additional problems with our budgeting, number one. Number two, it raises the cap from the current \$31 million to \$34 million.

“We know how much it cost to build the center, the convention center. We know how much it cost to operate the center. All we know is that it is probably the most underutilized convention center in the United States and we’re pouring a great

deal of money into this. We're diverting funds from it. And the fact that it's gone through three drafts shows you that we have a difficult time with this measure, and I don't think this bill should be passed.

"Thank you."

Senator Kim rose to speak on the measure as follows:

"Mr. President, just for clarification, it doesn't allow more money to go into the fund."

The President interjected:

"Senator, are you rising in support of the measure?"

Senator Kim responded:

"I'm sorry. I rise to speak in favor.

"The percentage that goes to the convention center for the TAT is already set. That money already goes into the special fund. What it won't allow is any leftover monies over and above the cap to go into the general fund. So, that money is already there.

"The convention center, and we are proud of that convention center, right now, \$31 million has a cap that we put on the convention center. That is not enough money to maintain the convention center if there's any major repairs to upkeep that convention center. Right now they're at the limit. So, all this does is raises the cap to \$35 million to allow them, if in fact they need to make those repairs.

"Right now, the fund has not had any additional monies anyway to go into the general fund, so the general fund wouldn't be gaining or losing any money.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 655 was adopted and S.B. No. 248, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 657 (S.B. No. 1461):

Senator Taniguchi Stand. Com. Rep. No. 657 be adopted and S.B. No. 1461, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"The bill requires each county to earmark 2 percent of their TAT revenues for the purpose of tourist promotion and visitor industry enhancement. I don't like mandatory bills or mandates in the first place. I don't like bills that take power away from the counties in the second place. And in the third place, the counties, in their wisdom, may want to earmark 2 percent, or 3 percent, or 5 percent for something else other than tourism promotion and visitor enhancement, and by this bill, we're not allowing them to do that.

"Thank you."

Senator Hemmings rose to speak against the measure as follows:

"Mr. President, I rise to speak against this legislation.

"Mr. President, I want the record to reflect I did sign this bill. But after further examination and addressing the county home rule issue, I will be voting against it."

Senator Kim rose to speak on measure as follows:

"Mr. President, our visitor industry is one of our most important sources of revenue for our State, so it is critical that we be sure to have enough funds for the many programs to support tourism and promotion."

President Bunda interjected:

"Senator, are you rising in support?"

Senator Kim replied:

"I'm rising in support, thank you, Mr. President.

"Let me just point out that the counties already do play a meaningful role in promoting and supporting tourism. And while I support home rule, they are using the TAT funds for the balancing of their budget. Therefore, a 2 percent earmarking of the TAT funds should not be burdensome because many of them are already spending money to support tourism.

"Since the amount of revenues generated by the TAT is directly related to the number of visitors, it is appropriate for a mere 2 percent – and this is just a minimum, they can provide more monies if they so choose – should go to further that purpose, Mr. President.

"Enhancement of visitor industry programs can lead to more visitors, and in turn it will lead to an increase of the TAT revenues. So I believe this is a win/win situation.

"Thank you."

Senator Whalen rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition.

"The last speech totally misses the point. The point is that we should not be telling the counties how to spend their money, and that is the issue – not whether or not we should spend money on tourism or tourism promotion, but should we be telling the counties what to do in their budgets. I know all of us don't like it when the federal government tells us what to do or how to do it, especially when they don't give us the money to do it with. And I see no difference between that relationship and us and the counties in terms of telling them how to spend their money."

Senator Baker rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"Along some of the same lines that some of my colleagues have stood to speak in opposition to S.B. No. 1461, basically, when the counties were given the transient accommodations tax or a percentage of it, it was to replace the grant-in-aid that the state had always provided to the counties. And there were no strings attached to those funds. In addition, we, the Legislature, used TAT funds to fulfill the constitutional mandate when we

transferred active parks to the counties. When we move a responsibility from state to county jurisdiction, we have to provide a method of funding that activity.

"My county provides more than 2 percent of its transient accommodations tax share for tourism promotion, and I think that's because the county has determined that tourism is our number one industry and it's something we need to promote. But I share the concern that this goes against county home rule. I think our counties are capable of making those determinations.

"Tourism is very important. We all need to promote it. We all need to support it. But I don't believe this bill is the correct way and that's why I'm voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 657 was adopted and S.B. No. 1461, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Baker, Hemmings, Hogue, Hooser, Ige, Ihara, Slom, Trimble, Whalen).

At 12:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

Stand. Com. Rep. No. 658 (S.B. No. 1533, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 658 was adopted and S.B. No. 1533, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 659 (S.B. No. 319, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 659 be adopted and S.B. No. 319, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I'd like to rise in opposition to the bill.

"We're all in favor of recycling and we all want to do a better job of taking care of the resources we have right now. Unfortunately, this bill makes things worse. What it does require that Honolulu have a food waste recycling requirement. It doesn't specify the amount of the count. It does provide for a surcharge, which is going to be passed on to businesses and then on to consumers. Here we're talking about landfills and waste and it doesn't tell where the additional waste is going to be processed or where it's going to be put.

"For all of those reasons, it's a bad bill and we should not support it. Thank you."

Senator Kim rose to speak in favor of the measure and stated:

"Mr. President, I rise in favor. I wasn't going to speak but I feel moved to speak.

"Mr. President, even though our previous Senator from East Honolulu said that this requires Honolulu to have a food waste program, for your information, they already have one. The city council passed a food wet waste bill a couple years ago when I was on the city council.

"In spite of that, Mr. President, in 2001, the total food waste for Oahu was 134,500 tons. And of that, of that, only 47,000 tons were diverted, even though the city already had a food waste requirement. That means 86,600 tons went into Waimanalo Gulch, went into our landfill, took up the space of the landfill when it could have been recycled.

"This does not even match the state's diversion goal. Mr. President, this state said, by the year 2000, this state should be at least at 50 percent of the diversion. As of 2001, that figure was a dismal 32 percent – 32 percent in the year 2001 when we should have been at 50 percent in 2000. The counties need to be more vigilant in their program and this only affects Honolulu county. Also, we at the state need to be more vigilant.

"Our schools that generate food wet waste should be recycling. According to Patricia Hamamoto, our school superintendent, she admits that most of the food waste from the schools is already being recycled in various ways, including farms, recycling plants and composting, taken from her testimony. And yet, they oppose the bill. I can't understand why. I think food recycling should be used as an example to teach our students the valuable lessons about our finite resources and about recycling.

"This bill will also ask that the hospitals also be required to recycle their food waste.

"The counties already charge a recycling surcharge, Mr. President. Twelve percent of the tipping fees is already being charged by this county. Every time a ton of waste goes into the landfill, there's a 12 percent fee on top of that for recycling. Where does the money go? I'm not sure.

"Right now, the tipping fee for the state is at approximately \$79 a ton. On top of that, you pay the 12 percent recycling fee, plus a 35 cents recycling fee by the state. The state already charges a 35 cents recycling fee. So that comes up to approximately \$87 for tipping fees. Now the fees are going to go up as of 2003. The fee will increase from \$72 a ton to \$78 a ton. In 2004, the tipping fee will be raised to \$84 a ton. Again, on top of that, you add the 12 percent surcharge and the 35 cents per ton surcharge.

"Since the waste disposal charges are determined by tonnage instead of volume, it is to the benefit of schools and benefit of businesses to recycle the heavy wet waste. And it is possible that the cost for disposal into the landfills will become much more expensive than recycling because of the increase of tipping fees as the years go on.

"Businesses already include wet waste disposal as a business expense. The city law also allows for businesses to be suspended from food waste requirements if the cost of recycling is more than the cost to dispose of the materials.

"So, Mr. President, I believe that this law only goes to further and to help us recycle and will help businesses. It gives them a way out if it costs them more, and there are measures in the bill that if there is no recycling available in that county, that they do not recycle.

"Thank you."

Senator Slom rose again in opposition and said:

“Mr. President, I would just like to thank the good Senator from Kalihi. It’s amazing that she wasn’t going to give a speech, but she had several pages just handy there.

“I think what she has done is reinforce my opposition to the bill by talking about the fees that are already in place, separate from this bill, which will add additional fees. We already have, from my understanding, the highest cost tipping fee in the United States, which is going to go higher.

“I think what we should all do is be looking for alternatives and options, like the good Senator from Kaneohe, the Minority Floor Leader, who has used restraint and has reduced his food intake. Maybe that’s the answer, rather than more charges.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 659 was adopted and S.B. No. 319, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Fukunaga, Hemmings, Hogue, Ige, Slom, Whalen).

At 12:40 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:23 o’clock p.m., with the Vice President in the Chair.

Stand. Com. Rep. No. 662 (S.B. No. 848):

Senator Taniguchi moved that Stand. Com. Rep. No. 662 be adopted and S.B. No. 848, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

“Madame President, I rise to speak against S.B. No. 848.

“This bill asks for \$500,000 from a special fund to do a study regarding the development of alternate energy sources on Kahoolawe. It will only benefit one firm and it will not put in one solar panel, any batteries, no windmill, or hydrogen power, or anything else to create energy. All it does is spend a huge amount of money on a study.

“I think there is an alternative and I hope this bill survives the process and goes to Conference. I think the prudent thing to do is to allocate the money directly to an agency such as the Department of Land and Natural Resources and tell them to put in solar panels or some other renewable source of energy. It would be much more prudent use of the money than a study.

“Thank you, Madame President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 662 was adopted and S.B. No. 848, entitled: “A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOOLAWA,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 3 (Hemmings, Slom, Trimble). Excused, 3 (Ihara, Menor, Whalen).

Stand. Com. Rep. No. 665 (S.B. No. 1517, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 665 and S.B. No. 1517, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 667 (S.B. No. 14, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 667 be adopted and S.B. No. 14, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in favor of the measure with reservations and said:

“Madame President, I rise to speak in favor of this bill with reservations.

“This bill puts forth an emergency short term solution to our need for school administrators. Colleagues, I’m sure you’re aware that we really are facing a crisis in the coming years with regards to school administrators. What we really need to do is look for ways to recruit people to come in to this very important field and look for ways to retain them.

“I’m not sure if this is the impetus that we need to go towards. Besides the obvious problem of double dipping, there are many other concerns. So I think if we could move forward with the idea that we’re going to look towards recruitment and retention, rather than just hiring people that have been away for a year, we could actually be finding ourselves in the right direction and doing some good things for the future of our children.

“Thank you, Madame President.”

Senator Ige rose to speak in opposition to the measure as follows:

“Madame President, I rise to speak in opposition to this measure.

“Madame President, this is just a band-aid to a fundamental problem that the department has had. The amazing thing is the personnel office in the Department of Education knew that they would have an administrative shortage back in the 1980s and did absolutely nothing to address it. This is just another one of the DOE’s proposals to place a band-aid on a fundamental problem that they have refused to address.

“So, I really don’t think that this will help anything. I do believe it would actually have the opposite effect of encouraging people to retire sooner rather than later.

“As you can see, there are a number of bills that address principals and administrators in the system and I just believe that we need to have a comprehensive strategy and program for school administrators to ensure that we can deal with this shortage.

“For all of those reasons, I’ll be voting ‘no.’”

Senator Sakamoto rose to speak in support of the measure and stated:

“Madame President, I rise in support of the measure.

“I agree with the concerns of the two previous speakers, and unfortunately, a band-aid is better than an open wound. So, we just hope that in short time we can heal the wounds.”

Senators Ihara and Baker then requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 667 was adopted and S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED SCHOOL ADMINISTRATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Fukunaga, Hemmings, Ige, Slom, Trimble). Excused, 2 (Bunda, Menor).

Stand. Com. Rep. No. 669 (S.B. No. 17, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 669 be adopted and S.B. No. 17, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hanabusa requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Kanno rose to speak in support of the measure with reservations as follows:

"Madame President, I rise to speak in support with reservations.

"I've spoken to the Chair of the Education Committee about addressing two areas of concern as the bill goes forward.

"The bill discusses the creation of pre-kindergarten programs for 4-year-old children who would have been negatively affected by this bill. However, the bill states on page 4, line 20, that the Department of Education shall provide pre-kindergarten programs 'within available personnel and facilities.'

"The language means that the DOE is not required to offer these programs.

"The bill also discusses exceptions for 4-year-old children who are born between August 1 and December 31 who are ready for kindergarten. However, the bill states on page 3, line 21, that the DOE may establish these procedures and may grant these exceptions.

"This language means that the DOE is not required to allow exceptions for children who are ready for kindergarten.

"Madame President, recently completed brain research shows remarkable development during the infant and toddler years.

"One of the most amazing facets of the research is the 'use-it-or-lose-it' quality of the human brain. It was discovered that there is a window of opportunity for infants and toddlers. If their brain doesn't receive the stimulation required to develop, the window of opportunity closes, and the child will forever lose the opportunity to attain their full potential.

"The intent of this legislation is admirable. At the same time, we need to do everything possible to provide quality early childhood education for all children.

"What we need to guard against is having the window of opportunity close for children under 5 years old.

"I urge my colleagues to support pre-kindergarten for all children affected by the bill and exceptions for those children who are ready for kindergarten.

"Thank you."

Senator Hooser rose to speak in support of the measure as follows:

"Madame President, I rise in support of this bill.

"I'd like to speak in strong support of this measure, with the provision that we provide for the early childhood education the preschool options for the children that would be in the gap group.

"We're going to be dealing with thousands of bills this year, Madame President, and there are few that I believe rise to the level of importance of this bill. This bill truly provides systemic change to our educational system. There's no question that if this bill passes, the children that attend kindergarten will be better prepared, they'll be more mature, they'll be better students, they'll be better behaved, and less likely to fall between the cracks in later years.

"The year after this bill becomes effective, the children in first grade will likewise move up through the system. I speak in strong support and urge my colleagues to support this bill as well.

"Thank you."

Senator Slom then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Sakamoto rose to speak in support of the measure as follows:

"Madame President, I rise in support of the measure as well.

"I agree with the remarks of the Senator from Kauai, and as the bill goes forward, we'll address the remarks from the Senator from Makakilo.

"I think the window of opportunity certainly is a wonderful thing for the little kids. Unfortunately, the window sill is a little high for those who are not ready for kindergarten and many of those outside the window trying to get over the sill are being labeled slow and learning disabled and are being hampered in their classroom as the academic achievement required in kindergarten requires the window sill height to be a little higher than some already.

"I have additional remarks to be inserted in the Journal, please, but I ask for your support and we'll work on the issues as it goes forward."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Madame President, I rise today to enthusiastically support S.B. No. 17, to raise the entrance age for Kindergarten from 4½ to 5 years of age.

"Advancing the kindergarten cutoff date is the only way for Hawaii's public school students to come to the academic starting line at or ahead of mainland students when it comes to competing on nationally normed tests such as the Stanford Achievement Test (which is used for our Statewide testing), the Scholastic Aptitude Test (which is used for college entrance) and for those tests used to assess progress in the Federally mandated 'No Child Left Behind program.'

"Results from our own Statewide testing for all grades in school years 1994, 1995, 1999, and 2001 show younger

students, those born during the latter half of the year, July through December, scored statistically significantly lower than older students in both reading and math.

“Other evidence of a needed change is the disproportionate number of Specific Learning Disability (SLD) students born during the latter half of the year. The SLD criteria is not supposed to be based on age, yet there is a weighted count of 24 percent more students born between July and December. That means there are about 1,200 more children in the SLD program than would be reasonable to expect. They are simply too young when they start school and because they can’t do the work they are misidentified as learning disabled. At conservatively \$10,000/student that’s about \$12 million a year that can be better spent on other needs in education.

“The Test Development Section and Special Education Branch of the DOE affirms that changing the cutoff date will bring about higher test scores and significantly decrease the number of SLD students. Such a change will minimize the costs that will continue to be incurred complying with the ‘No Child Left Behind’ mandate. Once our students are on par with those in most other states, we can more effectively address other problems afflicting our schools.

“Most mainland schools have a September 1 cutoff date. Hawaii public school students as a group are currently four months behind in social, emotional and intellectual maturity as they start their academic careers. Advancing the cutoff date to August 1 puts us out in front of the majority of mainland schools but not outside the window of others. Why August 1? August 1 splits the difference between the private schools cutoff date for boys, June 30 and the cutoff date for girls, September 1. These private school students are the main competition for our public school students. In addition, for school year 2003-2004, over 60 percent of our public schools in Hawaii will begin on or before July 31.

“The National Education Association, in a resolution regarding early childhood education said, ‘The Association supports regulations requiring children starting kindergarten to have reached age five at the beginning of a kindergarten program.’

“Before you cast your vote ask yourself what else could account for the statistical differences between the older and younger groups? And why are there 24 percent more SLD students born during the latter half of the year? And why is Hawaii the only state in which girls outscore boys in math? If starting school earlier is supposed to benefit our children, why are these very children who are younger lagging behind throughout their school career? Test results show that the great majority of younger students never catch up when they start too early. We must stop handicapping our students.

“Advancing the kindergarten cutoff date will bring about higher test scores but more importantly many more Hawaii public school students will become successful adults.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 669 was adopted and S.B. No. 17, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 670 (S.B. No. 24, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 670 be adopted and S.B. No. 24, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to inquire as follows:

“Madame President, I rise on a point of clarification. May I be permitted a question, I guess, of the Education Chair?”

Chair: “Proceed.”

Senator Hogue continued:

“We had this question come up in caucus, Mr. Chair, and the question is, Will this move from a 10 to a 12 month salary schedule result in a pay increase for administrators or is this just a payroll procedure?”

Senator Sakamoto replied:

“The intention would be that it would result in a pay increase.”

Senator Hogue responded:

“If that is the case, I’ll be voting ‘no.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 670 was adopted and S.B. No. 24, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Menor).

Stand. Com. Rep. No. 672 (S.B. No. 60):

Senator Taniguchi moved that Stand. Com. Rep. No. 672 be adopted and S.B. No. 60, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“The bill will add 20 new employees to the Department of Education to do functions that are already supposed to be done by the Department of Education.

“Thank you.”

Senator Hemmings rose to speak against the measure and said:

“Madame President, I rise to speak against S.B. No. 60.

“Colleagues, throughout the day we’re going to be authorizing expenditures of money to hire more people, and I won’t stand up and repeat this every time it happens, but I do want to go on record with the facts concerning the way this state has, in the past, allocated money and not hired the people.

“According to a 2002 report from DHRD, we presently have 4,702 positions that are allocated funds to. They sum of adjusted comp rate, which includes days off and all the other things, adds up to \$142 million. The sum of adjusted minimum salaries that they compute adds up to \$110 million. It’s a fairly large list. It includes behavior specialists, education assistants, school basic assistance, controllers and bookkeepers. There’s

even a noxious weed specialist in this bill for those weeds that they have on Maui. (That was an attempt at humor. I'm sorry.)

"I also want to let you know that the EDM has 1,670 positions, according to this document, totaling \$33 million of allocated funds for vacant positions. One question we may wish to ask ourselves is, where's the money? It's being spent.

"But on doing things like this, we're yielding our responsibility to the executive branch of government to make a mockery of our budget process. In the past, they have come to us with over \$100 million worth of funds for vacant positions and asked for more positions. These are tight financial times. We cannot afford to hire more people, and more importantly, we cannot afford to be disingenuous with the budget process.

"I would urge my colleagues to really do what is constitutionally mandated by the constitution and to take a strong fiscal stand for responsibility in how the taxpayers' money is spent. I would urge you all to vote 'no' against this bill and other bills that are going to hire people in a system that in the past has been totally unaccountable.

"Thank you, Madame President."

Senator Sakamoto rose to speak in support of the measure as follows:

"Madame President, I rise in support of the measure.

"Certainly I agree with concerns over how our budget process is, and use or misuse of dollars from vacant positions, but just as many of you, as we visit the schools, we see what needs there are as we look at what mandates there are in it. And one in particular, the 'No Child Left Behind' from our Congress and our President, which is a good thing for children to achieve, and then we look at our principals and our teachers who are beleaguered with trying to just do what they need to do, these positions would help achieve the 'No Child Left Behind' by being able to assist in assessing test scores and hopefully coming up with better ways to assess, quicker ways for children and teachers to get together on improving education.

"So, I agree with the concerns about where are we adding. In this particular case, I believe these are important positions."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 672 was adopted and S.B. No. 60, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ASSESSMENT LIAISONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 673 (S.B. No. 209, S.D. 3):

Senator Taniguchi moved that Stand. Com. Rep. No. 673 be adopted and S.B. No. 209, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in opposition to the measure as follows:

"Madame President, I rise to speak in opposition to this measure.

"First I want to acknowledge that this measure appears to be for a worthy purpose – that is funding necessary positions on a 12-month basis rather than a 10-month basis at Kapolei Elementary School and that it's only for \$60,000. The reason

for the extra money is that Kapolei is a multi-track school, and therein lies the rub.

"A few years ago, the Legislature passed multi-track legislation stating that they were doing so because it wouldn't cost extra money. It turns out they were wrong. It probably wouldn't be the first time. I just wanted to note that.

"Thank you."

Senator Sakamoto rose to speak in support of the measure and stated:

"Madame President, I rise in support.

"Just to clarify, comments from the principals from these particular schools said that because they are on this multi-track schedule, they're saving millions of dollars in resources that would have been allocated to facilities, classrooms in particular. They're asking for this amount to help them bridge over in better dealing with the schedule complications that have come up by trying to save millions in the facilities end of it."

Senator Hemmings rose to speak against the measure as follows:

"Madame President, I rise to speak against this legislation.

"Nevertheless, we were told that this was not going to cost more money and now it is costing more money. Regarding the previous speaker's concerns about facilities, it's ironic that the very next bill does allocate money relating to management of school facilities, so we're paying twice.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 673 was adopted and S.B. No. 209, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 674 (S.B. No. 337, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 674 be adopted and S.B. No. 337, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and stated:

"Madame President, very briefly, this, once again, allocates money for more positions. There are over 200 DAGS workers presently employed that are supposed to be handling management of school facilities and management of repair work in schools. And now we're going to deploy additional workers in the individual schools.

"I would suggest the prudent thing to do would be taking people out of the DAGS workforce and putting them in the schools where they belong and can work with the principals. Hiring more people just does not make economic sense in these austere financial times.

"Thank you, Madame President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 674 was adopted and S.B. No. 337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

MANAGEMENT OF SCHOOL FACILITIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 675 (S.B. No. 339, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 675 be adopted and S.B. No. 339, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I stand in opposition to this measure.

“One can either do work or attend meetings, but there’s one undeniable fact that one cannot do both at the same time. How many boards, commissions, and councils do we need to create just to give us a sense that we are accomplishing something? I believe that it is time that we start to draw the line and say no to not only all new councils, commissions, and boards, but to review the ones we already have on the books.

“Thank you.”

Senator Sakamoto rose in support of the measure and said:

“Madame President, I rise in support of the measure.

“Certainly, as we look at how education is doing annually or thereabouts, we read in the newspaper and we see these scores that are portrayed as a barometer or thermometer on how our schools are doing. My hope would be, rather than relying on that or national publications that pontificate A, B, C, D, E, F or whatever, that we can actually come up with measures that will accurately predict where we’re sagging in our system, where we’re on the level, and where we’re actually doing better.

“So, I think this one-time commission, and I agree with the previous speaker, and obviously we shouldn’t be just having meetings and meetings, but we do need to have a better way to assess our whole education system.”

Senator Hogue rose to oppose the measure as follows:

“Madame President, I just wanted to note that in opposition to this measure, the legislative auditor, the DOE and several comments from the University of Hawaii, as well. I think the best time to kill this well intended but poor bill is right now.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 675 was adopted and S.B. No. 339, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 676 (S.B. No. 342):

Senator Taniguchi moved that Stand. Com. Rep. No. 676 be adopted and S.B. No. 342, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak with reservations and said:

“Madame President, I stand with reservations.

“There are a few things we should remember – and I will be voting with reservations on all succeeding special revenue purpose bonds – and that is the capital markets are very different today than they were six years ago or eight years ago when this legislation was created.

“Number two, if one of these were to go awry, we would be amazed at the number of widows and orphans that have come to rely on fixed income securities. If we go back a generation, it’s Manoa Finance. If we go to the present, it’s a bridge over the Hamakua Ditch.

“The final point is that in the process of ushering these through, we are putting a stamp on them, regardless of what our legal counsel advises us.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 676 was adopted and S.B. No. 342, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAUOLI SCHOOL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, English, Hooser, Tsutsui).

Stand. Com. Rep. No. 677 (S.B. No. 343):

Senator Taniguchi moved that Stand. Com. Rep. No. 677 be adopted and S.B. No. 343, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 677 was adopted and S.B. No. 343, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, English, Hooser, Tsutsui).

Stand. Com. Rep. No. 678 (S.B. No. 353, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 678 be adopted and S.B. No. 353, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in support of the measure as follows:

“Madame President, I rise in support of this measure.

“Over the interim there were a number of legislators and others that formed focus groups to look at what things might help education, what things make sense. And many parts of this are from that. I’ve passed out to the members either yesterday or today, a chart showing some of the points.

“Part of this does establish a public school finance system organized by school complexes and attempts to link complex based student performance goals. Another part defines certain roles and responsibilities of the board of education, the

superintendent of education, complex administrators, teachers, and parents within the state system.

“Another part would hope to enhance partnerships between community-based organizations, private businesses and public schools. And fourthly, establish initiatives to improve the quality of schools.

“So these recommendations, again, were created by legislators and a group of educators, leaders, community advocates during the interim. And in this long process, there was rich discussion that led to innovative ideas, as well as reinforced previous ideas. I hope we can support this and move forward and at the end of the Session to really come up with good things to help education.

“Thank you.”

Senator Hogue rose to speak with reservations and said:

“Madame President, I rise with strong reservations about this bill.

“This is essentially a wish list and certainly there are some interesting ideas moved forward in this. One is allowing the DOE to keep 5 percent of its carryover funds for each school complex. It requires money to be expended on school complex based in structural goods and services. It defines school complexes. It directs not less than a specified percentage of the general fund to be appropriated by the Legislature for the education budget, although that one certainly would cause some flexibility concerns. It allows the Legislature to appropriate additional funds besides the specified percentage.

“So, you get your money and then you put crocodile tears on, I guess, and then you come back and you ask for more. So there are not only some concerns there but there are several concerns later.

“It expands the amount of administrative overhead the department is permitted to spend. So we want to increase overhead instead of getting it into the classroom? I don’t think so. It repeals school-based budget flexibility provisions, including language requiring the DOE to distribute the full appropriation due to charter or conversion charter schools, directly to the charter school. We already have problems with funding our charter schools. This will fly in the face of that.

“It deletes the requirement that the salaries of the superintendent, teachers, and office force, and all employees of the department and various expenses be reported in the budget. Certainly these are all very problematical. I hope that this measure is cleaned up, and when it gets all the way to the end of the process, it represents true reform and not just a wish list and an impediment of the process.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 678 was adopted and S.B. No. 353, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 679 (S.B. No. 395, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 679 be adopted and S.B. No. 395, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 679 was adopted and S.B. No. 395, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HO’ALA SCHOOL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, English, Hooser, Tsutsui).

Stand. Com. Rep. No. 680 (S.B. No. 397):

Senator Taniguchi moved that Stand. Com. Rep. No. 680 be adopted and S.B. No. 397, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 680 was adopted and S.B. No. 397, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, English, Hooser, Tsutsui).

Stand. Com. Rep. No. 681 (S.B. No. 402, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 681 be adopted and S.B. No. 402, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“This is a twofer, Madame President. I am voting against this bill because it creates a special fund. I need not rise and speak against each additional special fund which we’ll create today. Suffice it to say, it is bad accounting procedures. It hides funds. There’s non-accountability.

“We’re now in the process, finally, of eliminating some of these funds, but as we’ve learned over the years, they make very convenient hiding places and they were not so special, special funds, not being used for the purposes that they were intended.

“In addition to that, I pick up on the remarks of the good Senator from Downtown who said a little while ago that we really have to start working and stop having some more councils and commissions and panels and task forces and everything else.

“I don’t think we need a medical education council. I think we have the information at hand. We have to get to work, so I urge a ‘no’ vote.

“Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“Madame President, I rise in support of the measure.

“Dean Cadman at the medical school and some of his colleagues have patterned this measure after Utah. Utah has grouped up their medical schools with the hospitals that provide residency training as well as other health care training. And they’ve been able to, by working cooperatively doing this, get a better federal match on some Medicaid dollars as well as better planning the future and not being hit and miss with each individual hospital or trainer of education.

“Indeed we don’t want committees and commissions for everything, but this is for a good purpose.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 681 was adopted and S.B. No. 402, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 683 (S.B. No. 832, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 683 be adopted and S.B. No. 832, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Hemmings rose to speak against the measure as follows:

“Madame President, I rise to speak against S.B. No. 832, S.D. 1.

“Interesting proposal – allow someone to check off on their tax return giving money to libraries. What’s wrong with giving money to the infirmed or the sick, the hungry, the elderly, and all the other social ills we face that are going unfunded or very poorly funded?

“It does not make good economic sense, especially in view of the fact that it seems to be the major problem with the library system is the head librarian, Virginia Lowell. Let me give you a couple of examples: two years ago, the good Senator from Manoa, the Chairman of the Ways and Means Committee, put into the state budget allocating money for a full-time librarian at Waimanalo Elementary School. Waimanalo is an area that is socially and economically challenged. The head librarian at that time took the money and gave them half a librarian while continuing to fund full-time librarians in libraries in much more affluent neighborhoods. So the message was, from the head librarian – we don’t care what the Legislature says, I’ll do what I please.

“Just recently, the same library, under the guise that the executive branch budget cuts were straining library resources, the head librarian closed a library on Saturday with the idea that libraries can only be open five days a week. The problem was, once again, on Saturday, the Waimanalo Library for Children was totally paid for by a private contributor. So once again, the autocratic Virginia Lowell mismanaged resources – in this instance, not even taxpayers’ resources – per her own dictatorial management.

“I don’t think we should be giving her more money until she accounts for the way she’s already spending existing resources, and most assuredly, until she starts following the laws as set forth in the budget.

“Thank you, Madame President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 683 was adopted and S.B. No. 832, S.D. 1, entitled:

“A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Kokubun).

Stand. Com. Rep. No. 684 (S.B. No. 995, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 684 be adopted and S.B. No. 995, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I speak in opposition to this measure.

“It’s finally come, we’re now putting on a new tax, and a new tax, on the very people we’re supposed to be serving – the students. I think we’re going in the wrong direction and once we start down this path, we won’t seem to be able to stop.

“Thank you.”

Senator Espero rose to speak against the measure as follows:

“Madame President, I also will be voting ‘no’ on this measure.

“I believe that charging families \$20 per student is, as our Senator from Waikiki/Ala Moana said, another tax. I think what we should be looking at is taking the money directly out of our general funds if we need to pay for books and instructional material.

“Plus, we also have a group of students that are exempt from paying this, which means that the other students will be subsidizing those students.

“So, I’d like to urge my Senators to look at this matter and consider general funding for this. Thank you very much.”

Senator Sakamoto rose in support of the measure and stated:

“Madame President, I rise in support of S.B. No. 995.

“This would implement measures that would assure or at least improve our ability to get the greatest value for our textbook dollar by consolidating textbook purchases or conducting purchasing in partnership with entities such as the Department of Defense and allows parents to purchase textbooks for home use. It also provides for a system of textbook deposits and fees that ensure the DOE can provide current textbooks.

“Many other jurisdictions use textbook fees and deposits to support textbook purchasing and replacement. This bill calls for a small contribution up to \$20 per child in the Department of Education system with a waiver for the 59,999 students that are eligible for free lunch and the 19,292 students that are eligible for reduced lunch.

“This translates into a small contribution from families that can afford it, but a big infusion to help with a central resources for the schools.

“Many would say this, perhaps, might interfere with free and appropriate education, and my response is, because we exempt those who cannot afford the contribution, we’re not requiring

them to make it but we can still benefit by getting better updated textbooks. The fee certainly would be similar to lunch fees, bus fees, and other things.

“Providing and retaining up-to-date textbooks has been a long-term struggle for schools, so I believe this small contribution will go a long way to remedy the problem.”

Senator Whalen rose to speak in opposition to the measure and stated:

“Madame President, I rise in opposition.

“I don’t think anyone has a problem with all the great ideas in this bill. I think the big thing is the fee that’s going to be charged, not a deposit but an actual fee that you have to pay for per student.

“I won’t ramble on, but I find it extremely offensive for the statement to be made that they were only charging it for families who can afford it. I don’t think it’s for us to decide the budget of the people of Hawaii in determining what they can and cannot afford. Many people who are not subscribers to a free lunch or reduced price lunch are still struggling tremendously to make it in Hawaii. And for us to say, ‘well, under our standards, you can afford what we’re going to tell you that you have to pay,’ is the height of arrogance, and that statement made me vote ‘no.’”

Senator Hogue rose in opposition to the measure and said:

“Madame President, I rise in opposition to this measure. I want to follow up on the comments made by the previous couple of speakers.

“We are, by law, forced to send our children to school. And by law, we must give them a free and appropriate education – free, is free. It’s not \$20, who we select to pay the \$20. The last time I checked, appropriate education included books, and books should come out of the general fund.

“So, not only does this fly in the face of probably the constitution, but it flies in the face of common sense. I’ll be voting ‘no’ and I hope you all do too.

“Thank you.”

Senator Sakamoto rose again and stated:

“Madame President, I rise in response.

“I apologize if I appeared to be arrogant or was arrogant and I don’t mean to imply that I know the finances of the many families out there. But I guess in addressing the free or reduced lunch, at least certainly there are people who are less able to afford anything coming out from their pockets.

“As we go forward, assuming the measure goes forward, we can look at what things other public schools elsewhere charge. Certainly, it’s not my belief that everything is free. Alternatively, we can support the other measure to raise money in the general fund so we can do what we’re obligated to do – provide textbooks for our students.”

Senator Ige rose to speak with reservations on the measure and said:

“Madame President, I just would like to note my reservations on this measure and just that we should proceed very cautiously.”

Senator Hooser rose to speak in support of the measure as follows:

“Madame President, I rise in support of the measure.

“I’d like to say the measure has many positive aspects to it. I think the ability to put a deposit for books . . .

“Many books are lost and they’re very expensive, and so deposits would add to the student responsibility. The aspect of allowing parents to buy books if they want to, extra books for the student at the same price, is a good one.

“I also have some concerns about charging students for books, but I’m happy to hear so much testimony today in support of fully funding our educational system. I look forward to the many opportunities we’re going to have to vote ‘yes’ to spend more money on education, to invest in education, and put our priorities where they belong.

“Thank you.”

Senator Slom rose in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“Isn’t this a good discussion? It also shows you the power of language and the power of words. For example, I heard the word contribution mentioned nine times, and yet there is no contribution in this bill. It is a forced fee or tax. It’s just like when we talk about social security contributions or unemployment compensation contributions. I’ve never made one of those contributions in my life, I do to my religious organizations and the Boy Scouts and other groups.

“This is not a contribution. It’s a fee and it’s a tax.

“And then I heard the word ‘free’ all the time. Well, that ‘free’ public education that we talk about costs us over a billion dollars a year because somebody’s got to pay for it. They’ve got to pay for the textbooks; they’ve got to pay for the facilities; they’ve got to pay for the teachers; they’ve got to pay for the electricity; they’ve got to pay for all those things. So we do everyone in this State a great disservice when we talk about ‘free’ because there is no such thing as a free lunch . . . oh yeah, not even the free lunches, because somebody’s got to pay for those free lunches. But now we create more people that don’t have to pay for the lunches directly, or pay for the textbooks directly, which means that other people do have to pay for the textbooks.

“So I guess the bottom line here is, yes, we want to improve education, but education is not a function of money by itself. It is a function of leadership and accountability, and it’s been lacking for decades. And throwing more money and charging more people, whether we call it contributions or fees or taxes, is not going to end that problem.

“Thank you, Madame President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 684 was adopted and S.B. No. 995, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 6 (Espero, Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Fukunaga, Ihara).

Stand. Com. Rep. No. 685 (S.B. No. 1072, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 685 be adopted and S.B. No. 1072, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“I guess this is a free ISPED typist bill except that in the original draft, there were 313 positions that were being asked for and a cost of \$13.6 million. In the current draft, S.D. 2, there’s no number of individuals so we don’t know how many are going to be needed or hired, and we don’t know how much it’s going to cost because there’s no amount of money that’s shown there.

“What we do know is it’s going to cost us more and there’s going to be more employees and we don’t see the relationship between increased productivity or doing things that should have been done already.

“Thank you.”

Senator Hogue rose to speak with reservations on the measure and said:

“Madame President, I’ll be voting with reservations.

“I just wanted to note that, essentially, this is being asked for because the Department of Education a few years ago contracted out with ISPED and they frankly didn’t know what they were doing. And so there are a lot of complaints from teachers that this has put a tremendous burden on them, and certainly it has.

“It’s just another example of the Department of Education going forward with something that they did not know what they were doing. And that’s a problem that’s got to stop.

“Thank you.”

Senator Hemmings rose to speak against the measure as follows:

“Madame President, I rise to speak against S.B. No. 1072, S.D. 2.

“It has been told to us by a previous speaker that we have to throw more money at public education in order for it to succeed. The evidence is, with over 1,670 positions being vacated, a total expenditure of \$33,920,645, that money is already appropriated to fill positions like this. This document is full of clerk positions and all other types of positions.

“So once again, this whole process makes a mockery of our budget and our initiatives to hold the education system accountable. They mismanage, misappropriate money, and they come and ask us for more positions and more money. It just doesn’t make sense.

“I urge my colleagues to stand up and be counted on this issue. Money is not the problem; mismanagement is.

“Thank you, Madame President.”

Senator Sakamoto rose to speak in support of the measure as follows:

“Madame President, I rise in support of the measure.

“As we look back, one of the biggest problems over the last, say, four or five years has been the Felix consent decree. And I agree with the Senator from Lanikai/Kailua that certainly things could have been done better. And I agree that this ISPED, integrated special education database, the software wasn’t all that it could be to be as easy to use and as timely as it could have been. There are problems there.

“However, many of the special ed teachers and assistants have struggled to input things to meet the Felix consent decree. And I applaud the teachers, and the administrators, and the complexes for at least getting us to the point we’re at right now.

“With the budget process we have, we need to do things this way. I would hope as we go forward with looking at the reform measures on bringing resources to complexes in a different manner, we can perhaps then better be able to move positions around within a complex to do what the Senator from Lanikai has proposed.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 685 was adopted and S.B. No. 1072, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 686 (S.B. No. 1183):

Senator Taniguchi moved that Stand. Com. Rep. No. 686 be adopted and S.B. No. 1183, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 686 was adopted and S.B. No. 1183, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Baker, English, Hooser, Tsutsui). Excused, 1 (Ihara).

Stand. Com. Rep. No. 687 (S.B. No. 1381, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 687 be adopted and S.B. No. 1381, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure as follows:

“Madame President, I rise to speak against S.B. No. 1381, S.D. 1.

“There she goes again. Two things that I think are relevant to this bill – number one is, if we give the head librarian \$1 million for Kapolei Library, not my opinion, but the empirical evidence will show there’s no guarantee that’s where it will be spent. Item number two is, last year in H.B. No. 800, C.D. 1, we gave five positions and \$270,000 to Kapolei Library. If those funds and positions weren’t expended properly by the state librarian, then why would this measure achieve a different result?

"The problem is not the money in this particular instance. Once again, the problem is mismanagement and unaccountability, and more importantly, a complete ignoring of legislative will by the head librarian.

"I urge my colleagues to hold her accountable, not just give her more money every time she asks for it.

"Thank you, Madame President."

Senator English rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition.

"Madame President, my vote against this measure is really a reflection of a vote of no confidence in the head librarian, Virginia Lowell. As previous speakers have stated, we have a problem with our libraries. For us on the neighbor islands, when we are told that our libraries will be cut back, will be turned into kiosks, electronic libraries in shopping centers, well, a couple of things – Moloka'i, I don't think, has what you could call a major shopping center, nor does Hana, nor does Lana'i. Some of these areas do not have high-speed connectivity that is needed, but more importantly, that our rural libraries are very important for the social fabric of the community. And to be told, 'Well, it's an all or nothing game. We get Kapolei and you guys get nothing, or . . . you guys get nothing.'

"Now, the Senator from Waimanalo has brought up a very good point as well, and that is, the head librarian has a pattern of ignoring legislative mandate when it becomes law. He speaks of the library in Waimanalo. Let me tell of a library in Makawao. Last year we appropriated monies for expansion of Makawao Library, enough to do everything that's needed. The people of Makawao and Upcountry want this library. The librarian there wants the library. It is serving one of the fastest growing communities on Maui – from Huelo all the way across to Kula – use this library. It is overflowing every day. We allocate the funds to do it and the librarian says, 'No. Unless we get Kapolei, this library in Makawao does not go.'

"So, my concern, members is twofold. The first is that we have a librarian that is choosing, willfully choosing, to ignore the law. When the budget is signed by the Governor, it becomes the law. And this is what concerns me the most. The second part of it is, while I think that Kapolei is a worthy library, it should not move forward at the cost of the neighbor island libraries.

"I would like a concomitant movement. I would like our libraries not to suffer and to be nurtured on the neighbor islands, and for Kapolei to move forward. But I cannot support this particular measure for these reasons.

"Madame President, finally I have to say, based on the past record of the head librarian following legislative mandate, the Senator from Waimanalo is absolutely correct – we have no assurances that this money will be used for what is stated in the bill.

"So, for these reasons, to protect the libraries on the neighbor islands, I cast my 'no' vote and ask my colleagues to consider it as well. Thank you."

Senator Hogue rose to speak in opposition to the measure and said:

"Madame President, I rise in opposition to this measure.

"I want to say that I appreciate the good words of the Senator from Maui. I echo his no confidence vote in our state librarian, and I'll take it one step further – I think it is time for our head librarian to step down from her job. She is arrogant. She is inflexible. She does not respond to community concerns, and much of the time, her efforts fly in the face of common sense.

"This bill asks for money for Kapolei Library. That is a worthy cause. But when the community stepped forward to volunteer their time and books for the Kapolei area, she said no. When the community stepped forward with flexibility and time and their ideas in Waimanalo, this librarian said no.

"It is time for us to say NO to this librarian. I hope you will join me in writing a letter to the head librarian asking that she do what is best for the people of the State of Hawaii and step down from her position as the head librarian. The time to do that is right now, and it is in the best interest of all the people of Hawaii.

"Thank you, Madame President."

Senator Tsutsui rose in opposition to the measure and stated:

"Madame President, I rise in opposition.

"Madame President, like my colleagues, I echo some of the same concerns that they have raised. I, too, have some concerns over the direction of our state library system and its lack of a clear vision. I think that a lot of our existing libraries are now currently suffering because of this lack of vision.

"I am not convinced that a million dollar emergency appropriation to the Kapolei Library would solve this problem. Therefore, if there is an emergency appropriation, rather I'd like to see it applied to all state libraries. Because of that, Madame President, I'll be in opposition to this measure.

"Thank you."

Senator Kanno rose to speak in support of the measure and said:

"Madame President, I rise to speak in support of the measure.

"The concerns about the library system are valid and need to be addressed, and I will join with my colleague from Hana in doing what we can to try and address the concerns for all libraries statewide.

"I did want to add some information to the discussion. In the most recent discussions about Kapolei Library, the state librarian has endorsed and supported an effort from the community to open the doors of the library with some volunteer assistance led by a member from the Board of Education. I believe that will be starting in the next month. So, that position has changed.

"We do have to, I believe, work together towards addressing our library services statewide. I just urge my colleagues to support the measure.

"In regards to the concern that the librarian will not spend these monies on Kapolei as the Legislature intends, the Education Chair amended the bill with specific language in that regard, requiring that the monies be spent at Kapolei.

"You have my commitment to support the improvement of library services for all our communities, and I agree with you

that these issues have to be addressed and are not being properly addressed currently.

“Thank you.”

Senator Hooser rose to speak with reservations on the measure and said:

“Madame President, I rise to speak with reservations on this bill. I share the concerns of my neighbor island Senators and many other Senators who spoke in opposition.

“I would like to see the library at Kapolei open, but I’m very concerned about the distribution of resources to the neighbor islands. I have libraries in my community. The town of Kapaa needs funds and a relatively small amount of funds compared to the million dollars.

“I have to say, when reviewing my e-mail and my letters and the calls I get, people dissatisfied with the library system far exceed the other, in proportion. I would think there would be many other items that people were unhappy with, but they are very unhappy with the library system.

“I have no experience with the head librarian, so I will not ‘go there’ in terms of judging the management capacity of that person. But I do have reservations over the allocation of resources to this one specific place.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 687 was adopted and S.B. No. 1381, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Baker, English, Fukunaga, Hemmings, Hogue, Slom, Trimble, Tsutsui, Whalen).

Stand. Com. Rep. No. 688 (S.B. No. 1411, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 688 be adopted and S.B. No. 1411, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure as follows:

“Madame President, I rise to speak briefly against this bill.

“We continually hear, year in and year out, about university autonomy, with the exception of when its time to pay their liabilities, and this is one that they certainly should assume autonomy with. Therefore, I’ll be voting ‘no.’

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 688 was adopted and S.B. No. 1411, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RISK MANAGEMENT SPECIAL FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 689 (S.B. No. 1700, S.D. 1):

Senator Kokubun moved that Stand. Com. Rep. No. 689 be adopted and S.B. No. 1700, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Baker rose to speak in support of the measure as follows:

“Madame President, I have some remarks in support of this measure I’d like to have inserted into the Journal.

“Thank you.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madame. President, I rise to speak in support of S.B. No. 1700, S.D. 1, relating to charter schools.

“As you know, the New Century Charter School Program was initiated in 1999 to nurture the ideal of more autonomous and flexible decision-making at the school level. It allows existing public schools and new schools to be designated as new century charter schools, and operate independent educational programs to meet specific local area needs. S.B. No. 1700, S.D. 1, will enhance the operations of New Century Charter Schools by streamlining their funding. This bill also establishes a separate budget program and governing entity for charter schools.

“This important step demonstrates the Legislature’s intent to create greater autonomy for the New Century Charter Schools. In that regard, S.B. No. 1700, S.D. 1, also requires these schools to develop and provide special education and related services for eligible students. However, direct funding for those programs must be provided.

“Kihei High School, a New Century Public Charter School, is in my district. Kihei High School fulfills a very important public need, as it is the only high school in the densely populated and growing region of South Maui. With S.B. No. 1700, S.D. 1, in place Kihei High School will continue to grow to meet the educational needs of South Maui. S.B. No. 1700, S.D. 1, will provide local New Century Charter School leaders like Principal Rick Paul and his staff the flexibility to plan and grow their program into the future.

“Support for this measure in no way diminishes my support for all other public high schools. I am committed to seeing that all public schools are provided with sufficient educational resources to meet the needs of their students. I urge my colleagues to join me to support this important measure.

“Mahalo.”

Senator Hogue rose in support of the measure with reservations and stated:

“Madame President, I rise to speak in support of this bill with reservations.

“First of all I want to say thank you to the Chair of Education for getting together many of the members of the charter school groups to talk about this very important legislation.

“Just a little bit of history . . . as you know, we have okayed 25 charter schools in the past few years. Many of them, however, are literally hanging by a thread. And the reason is because we have not done a good job of formulating our legislation on this very important topic in the past few years.

“Currently, those schools have been allocated a paltry sum of \$3,805, give or take a few cents, per student. And special education students are not even counted. So you can see with very small school populations, if many of them have as many as 20 to 25 percent of special ed students, you can see how they barely can get by. None of this allocation has anything to do with facilities, so they are really, really working and trying to proceed in harms way.

“This bill addresses some of those concerns. However, unfortunately it goes a little bit too far in a couple of areas as well. It forms some sort of special advisory council (and I don’t even remember the exact title), but essentially, that would oversee the charter schools. And in so doing, it would take away, really, what is intended in the whole charter school movement – and that is that the charter schools govern themselves.

“The Department of Education needs to take this big task themselves. We don’t need to form another commission, or council, or advisory group, or board of directors, or whatever. Not only that, but the head of the federal Department of Education, Dean Kern, who will be here in Hawaii in the coming days, has said of this legislation that it flies in the face of what is going on in a good manner on the mainland.

“Hopefully we can learn from Dean Kern when he comes to visit us. We need to learn from him and proceed as we listen, so that we can actually financially support our charter schools and have good legislation for our charter schools.

“I think it’s important that many of the members in the charter school movement are supporting this bill. So even though there are some concerns with it, I certainly don’t want to encourage a ‘no’ vote at this time. However, we must fix the problems with it so that we can move forward with the charter school movement, a very important movement. We need to get the funding to an acceptable level and they need to be able to budget and move forward with their very important task, which is educating the students at their great charter schools.

“Thank you very much, Madame President.”

Senator Slom requested his vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Sakamoto rose to speak in support of the measure as follows:

“Madame President, I rise in support of the measure.

“Now, some clarifications to some issues brought up . . . the charter school education agency would be something that would help charter schools better work together and become more independent, so perhaps we need to look at the intention of that. But it wasn’t the intention for more bureaucracy; it was the intention to help them be extricated from the DOE bureaucracy.

“I look forward to hearing what Dean Kern has to say and his comments on provisions in here.

“Certainly, this bill is a product of the Legislature as the bills before this were because this body enabled us to create the 25 charter schools and the proposed 25 new conversion-type charter schools. But just to clear the record, I feel that we as Legislators are doing what the Board of Education should have, could have, didn’t do in terms of dealing with charter schools. The auditor determined the formula. We didn’t determine the \$3,805, so I don’t think we here, sitting here, both sides of the aisle should be faulted for saying it was our call on how much money came to charter schools.

“It’s certainly my hope and I think those who crafted this measure that a certainly increased amount go to charter schools on a per pupil basis.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 689 was adopted and S.B. No. 1700, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 690 (S.B. No. 39, S.D. 1):

On motion by Senator Kokubun, seconded by Senator Aduja and carried, Stand. Com. Rep. No. 690 was adopted and S.B. No. 39, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PARKS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 692 (S.B. No. 1172, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 692 be adopted and S.B. No. 1172, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak with reservations on the measure and said:

“Madame President, I rise to speak in favor of S.B. No. 1172, S.D. 2.

“I do have reservations on this bill, but unfortunately I don’t have reservations on the two inter-island airlines because they’re overbooked. (Laughter.)

“Our neighbor islanders are suffering immensely. And it seems, in the wake of this Legislature’s wise decision last year not to allow the two airlines to merge into a monopoly, that things have gotten worse. The availability of flights has dropped and airfares have escalated.

“It might be curious to ask why? But we don’t need an answer to that because we’ve seen the results – airfares have escalated, and especially our neighbor islanders – and our Legislators here can testify to it – have a difficult time getting to Oahu, as all our people do, or go anywhere else for that matter because the airlines are overbooked.

“I think that this bill should certainly allow the airlines a little more economic breathing room, but with it should come a little more space for us to use the airlines for inter-island travel. Therefore, I hope as it weaves its way or flies through this legislative process – to use one of the good Senator from Moanalua’s metaphors – that we take a second look at it and figure out a way to encourage the local airlines to make seats available for our people.

“Thank you, Madame President.”

Senator Inouye rose in support of the measure with reservations and stated:

“Madame President, I speak in support of this measure with reservations.

“Madame President and members, I understand there are many other measures to support and alleviate many of the

problems with landing fees or tax credits that are moving in this Legislature, as well as some bills we'll be receiving from the House.

"I have very grave concerns about not supporting the airlines. However, we've all heard from the good Senator from Waimanalo and it's indeed a big problem – a problem that perhaps many of you have not experienced because you are here, but certainly experienced from our neighbor islands and our constituents out there.

"This is something that hopefully we can further discussions on. I know it's a regulation that's overseen by the federal government, but hopefully we can send a message, as well, to our inter-island carriers that indeed if they want help, then let's see if we can be on the same level playing field and provide the needed air transportation to the neighbor islands.

"Maybe, perhaps in the near future, we can look at regulating the airlines again and see that we go back to the old system of the arrival and departures at two different points, then maybe our local airlines can go back to at least providing the inter-island transportation. I think with the competition that one has from an inter-island now going overseas, I think we really have seen air transportation as one of the biggest problems in our State of Hawaii.

"Thank you, Madame President."

Senator Hooser rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition because I also cannot get reservations.

"I think what our State really needs is a third inter-island air carrier. I think if you talk to our residents, the time of glory, when traveling inter-island, was when we had three carriers.

"I want to see our air carriers survive and prosper also, but I'm not so sure that controlling the market is the best way to do it. Perhaps competition is the best way to do it. I know right now the airlines are cutting flights, and cutting wages, and raising rates.

"This is a public benefit, and I think if we're going to offer a public benefit in the form of tax credits, we need to put some parameters on that. We need to demand extra availability or increased availability.

"I think it's important to realize this is not about neighbor islanders coming to Honolulu to go shopping for the weekend. This is about doing commerce in an island state. This is about small businesses, large businesses, and all kinds of people who live on the neighbor islands and have to travel on a regular basis to Honolulu and to the various islands. There are many people in my district who have businesses with operations all over the State, and they can no longer operate their businesses.

"This is going to inhibit commerce, inhibit the economy; I think that we need to send a message to the airlines that they need to conform to our economy rather than our economy conform to their needs. They need to realize that we need flexibility. We need the ability to get on planes on a regular basis. People cannot conduct business when having to make reservations weeks in advance.

"So, for those reasons, I'd like to send as strong a message as possible and will be voting 'no' on this measure. Thank you."

Senator Trimble rose to speak with reservations on the measure and said:

"Madame President, I rise with reservations on this measure.

"Tax credits do not represent a permanent solution to this problem.

"The comments that preceded me said that the State should be looking at broadening the options of its citizens. Instead of looking at tax credits for airlines, we should be looking at broadening the options by creating a marine highway of vehicular ferries so that our small businesses and our larger businesses can enjoy larger markets, and our residents can enjoy more choices.

"Thank you."

Senator Fukunaga rose in support of the measure with reservations and stated:

"Madame President, I would like to rise and speak in support of this measure, also with reservations.

"The comments of many of the Senators who spoke before me very well demonstrate the areas of concerns that the airlines need to address. As we take a look at this measure, it represents simply one method of addressing the problem.

"I do believe that there is a lot more work that needs to be done and fully support many of the recommendations that have been made by my colleagues. Thank you."

Senator Ihara rose to speak with reservations on the measure and said:

"Madame President, I have reservations, the non-airline type."

Senators Baker, Slom, Chun Oakland, and Ige then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 692 was adopted and S.B. No. 1172, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRLINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hooser).

Stand. Com. Rep. No. 693 (S.B. No. 12, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 693 be adopted and S.B. No. 12, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I speak in opposition.

"This is another bill that asks for outside attorneys for the Department of Education.

"Thank you."

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

At 2:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:36 o'clock p.m.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 693 was adopted and S.B. No. 12, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Baker, English, Hemmings, Hogue, Hooser, Slom, Trimble, Tsutsui, Whalen). Excused, 1 (Espero).

Stand. Com. Rep. No. 696 (S.B. No. 477, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 696 be adopted and S.B. No. 477, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hanabusa rose to speak in support of the measure as follows:

"Madame President, thank you for taking me first, because before my illustrious colleague from Hawaii Kai stands up and says why he's going to vote against this bill I hope he listens to my arguments why he should be in support. I rise in support of this measure.

"Madame President, many have commented about the fact that we have had many special attorney general bills coming forward, and the good Senator from Hawaii Kai always points out the fact that this Senator, in particular, had such glowing remarks about the attorney general. However, this is a different situation, Madame President. This is a result . . . and we must look at the context of which we come. This is a Hawaiian Homes Commission Act of 1920, 1921 issue.

"Madame President, if you look at what the State gives, in terms of the Hawaiian Homes Commission, we give a little over a million dollars a year in terms of general fund monies. This past budget, \$300,000-plus of that money was asked to be transferred back to the Attorney General's Offices for services rendered to the Hawaiian Homes Commission. The reason why is very simple – because you have a different set of beneficiaries. You're not talking about the State of Hawaii – you are talking about beneficiaries as defined under the Hawaiian Homes Commission Act of 1920 or 1921, whichever year you wish to pick.

"Two years ago when the Barrett case was filed, at that time the Hawaiian Homes Commission could not have its own independent counsel. So to, in their opinion, best defend and represent the interest of those who are beneficiaries of the Act, they in essence dipped into their trust funds and transferred \$600,000 to the entity called SCHHA, which is the State Council of Hawaiian Homestead Associations. It is through SCHHA that the beneficiaries' interests were, in fact, litigated in the court. The attorney general was in a conflict because at that time he had the State of Hawaii's interest versus the beneficial class under this Act.

"Madame President, colleagues, it is for this reason that I ask that you reconsider your position against, for those who will vote that way against no attorney generals or no special attorney generals. This is a different situation. Remember, any law we pass that affects that Hawaiian Home Commission Act must, in fact, first be approved by Congress before it becomes law. These are unusual steps because it is an unusual responsibility. It is a fiduciary duty that we are talking about. And let us not

forget, as long as this law is in existence, that beneficial class is as defined under that law.

"For these reasons, Madame President, I ask that my colleagues vote in favor of permitting the Hawaiian Homes Commission to hire a special attorney general or its own counsel if it so deems fit, because its going to use its own money anyway.

"Thank you very much."

Senator English rose to also speak in support and stated:

"Madame President, I rise in support. I've been convinced by the previous speaker.

"Madame President, the truth of it is that I support this particular one, out of the others, because, well, the Hawaiian Home Lands Commission will need its own attorney to help transition it to the Hawaiian State or the Hawaiian Nation, if you want to call it that. Because once Congress approves the Akaka bill, as that moves forward, one of the discussions we've had is that the transition of some of the Hawaiian entities over would have to take place.

"So, I think that at this particular point, it would be prudent for Hawaiian Home Lands, because of its special class, to have its own attorney because it will be dealing with which lands belong to the Hawaiian State, which assets transfer to the Hawaiian State, how would this transfer happen, residual obligations of the State of Hawaii. And remember, the Hawaiian Home Lands Commission was incorporated into the State of Hawaii as a term of union with the United States. It was part of our Admissions Act.

"So, we're going to be amending a whole bunch of organic laws for Hawaii in order to create the Hawaiian State. And in order to do that, this entity will need to have a full-time, very, very hardworking attorney to make sure of its interest, as opposed to the State of Hawaii's interest.

"Let me just clarify. I'm saying the term Hawaiian State, the Hawaiian Nation. As we move to that, the interest of the Hawaiian Nation will be preserved and protected through this transition.

"Thank you, Madame President."

Senator Hemmings rose to speak against the measure as follows:

"Madame President, I rise to speak against S.B. No. 477, S.D. 1, but I rise with an open mind and I think the good Senator has made a compelling argument.

"I don't think one size fits all in legislation or ideology either. There are exceptions to every rule.

"I would like, as a point of inquiry, to ask the good Senator if she would yield to a question, and the question would be: Does Hawaiian Home Lands, the department, have the ability to currently petition the Attorney General's Office for legal assistance separate from their legal staff?"

Senator Hanabusa replied:

"I believe, like any other department, it has that right to petition."

Senator Hemmings then said:

“Thank you for the forthright answer, good Senator from Waianae.

“That ability certainly preempts the need for this bill. Therefore, I will remain with a ‘no’ vote. Thank you.”

Senator Tsutsui rose to speak with reservations on the measure and said:

“Madame President, I’ve been somewhat persuaded, so I would like to note my vote of reservations.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 696 was adopted and S.B. No. 477, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS COMMISSION ACT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 698 (S.B. No. 611, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 698 be adopted and S.B. No. 611, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this measure.

“How much is enough? When it comes to attorneys, there appears to be no limits. If we were to convert to a monthly salary, assuming that they only worked eight hours a day and that’s something in question, if it was not in court it would be equivalent to \$7,000 a month. If it was in court it would be equivalent to \$10,400 a month. I think that is adequate in these hard times.

“Thank you.”

Senator Hanabusa rose to speak in support of the measure as follows:

“Madame President, I rise to speak in favor of this measure.

“Madame President, this measure came before the Judiciary Committee as it has in many years past. The reason is that the attorneys who are court appointed – taking cases which others will not, in essence – are compensated at the rate of \$45 an hour. That may seem to be a lot of money to a lot of people, but \$45 an hour is the total gross pay. Under the federal system, if you’re a court appointed counsel, you are paid \$90 an hour.

“I understand that there may be some concern about attorneys as to whether they’re worth any money. They do spend a lot of time in school. We spend a lot of time doing that, and we spend a lot of time working on these types of cases. And in this particular case, their fees are scrutinized.

“This measure was supported by the Judiciary because it is getting to the point where people are not willing to take court appointments because of the low compensation rate, and that’s the basis of this. It is not \$10,000, it is not \$9,000 a month. It’s \$45 an hour for what they would permit them for, and we’re asking that you at least meet the federal standard of \$90 an hour. That’s what this bill is about.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 698 was adopted and S.B. No. 611, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Fukunaga).

Stand. Com. Rep. No. 699 (S.B. No. 635, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 699 be adopted and S.B. No. 635, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose in support of the measure with reservations and stated:

“Madame President, I rise in support with reservations.

“This measure proposes to use uncontested fines and forfeitures for the assistance of the judicial system. I feel a more efficient way to use these resources is to prevent, deter, and stop crime in earlier stages.

“A far more reaching impact on the community would be using these funds to upgrade the state of the art computer data system and reduce crime, real time statistics by the police department. A bill coming forward later, S.B. No. 399, with the COMSTAT system does that. Major cities across the nation have experienced great success, crime reduction, identifying and preventing drug problems.

“So I would hope that as this goes forward, upgrading the technological capacity of our law enforcement agency to combat crime would more effectively help and be a greater investment in the future of our State and for our people.”

Senator Kawamoto rose to speak with reservations on the measure and said:

“Madame President, I rise to speak with reservations.

“Again, I, too, am concerned about the unadjudicated fines and forfeitures of \$5 million that this balloon is going to take up. Five million dollars is about almost 90 percent of all total adjudicated fines. The total is about \$5.7 million.

“Also, we have another bill beside the COMSTAT. We have another bill that the police, HPD, wanted some support on the 311 program. They also were looking unadjudicated fines and forfeitures.

“So, as this bill goes forward, the money committee’s people have to decide how much of the adjudicated fines and how much of the unadjudicated fines can be used on this program. Thank you.”

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“Actually, this bill should not go forward, and it creates a new special fund – the courts problem solving special fund.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 699 was adopted and S.B. No. 635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC FINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Fukunaga).

Stand. Com. Rep. No. 700 (S.B. No. 1139, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 700 be adopted and S.B. No. 1139, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure and stated:

"Madame President, I rise in opposition to the bill.

"This bill does several things – all bad. It used to be a voluntary payment in this family court program for the kids first program. It's no longer going to be voluntary. It's going to raise the cost of the program from \$35 to \$50, and it no longer is going to be split between the two parties. It's going to be entirely the responsibility of the petitioner.

"I think, actually, while everyone talks about this program, no one really has evaluated or analyzed the worth of the program and its problem solving abilities.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 700 was adopted and S.B. No. 1139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Fukunaga).

Stand. Com. Rep. No. 701 (S.B. No. 1142):

Senator Taniguchi moved that Stand. Com. Rep. No. 701 be adopted and S.B. No. 1142, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Whalen rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition.

"It sounds great – we would all love to see people be involved with the process and come out and vote. I don't think this is the way to do it. It opens the door too far to allow fraud to come in.

"Later on in the calendar there's a bill in there to take your social security numbers off of the poll books. Anyone can come and get a driver's license in Hawaii and that would be good enough to get you registered to vote. Whether you live here, in Canada, the Philippines, South Korea, it doesn't matter. You can come here and vote as long as you've got a driver's license registering on that same day. Sure, you've got to fill out a little thing to attest to something, but despite the fact of how many people we already know accidentally register and vote . . . remember the other election they had a bunch of people that didn't do it intentionally but went down and registered to vote and voted. We have no idea what their total numbers are.

"It's too ripe for unscrupulous candidates to get people to go register and vote on the same day. You'd never catch it. And once those ballots are in the box, there's no way to sort them out or sift them out again. It's not the appropriate way to go.

"Not to belabor the point, but I'm sure all of us, deep down inside, would agree with the statement that it's much better to have an informed and qualified voter out there casting votes than just grabbing anyone and everyone off the street saying, 'Cast a vote. It doesn't matter who you vote for, just vote.' Well, if you haven't taken the time to find out what the issues are and what people stand for or anything else, I really question the wisdom in trying to get everyone in the State to vote if they haven't taken the time to become an informed voter. I realize this isn't the politically correct thing to say, but I think our government would operate at a much more efficient level if we had voters taking the time to become informed, not that I want to restrict anyone's right to vote – far from it. But this, as I said, goes too far in allowing the potential for tremendous abuse to occur."

Senator Baker rose to speak in support of the measure as follows:

"Madame President, I rise to speak in support of this measure.

"Madame President, this bill seeks to increase voter participation by allowing same day or election day voter registration. I think, as elected officials, we should be constantly seeking ways to encourage our constituents to participate in the electoral process.

"The reality is that interest in an election grows as the election draws nearer as the public receives more and more information about that election. Many of us are simply distracted by the needs of everyday life, and a citizen's need to vote may reach the level of action only after the registration deadline has passed. With our current practice of closing voter registration 30 days before the election, we exclude many potential voters from participation. This measure will allow citizens an opportunity to exercise their franchise by registering to vote at their polling place on election day.

"By removing this barrier to participation, we will be able to encourage more of our citizens to exercise their fundamental right to vote. We should make every effort to increase the rate of voter participation and I think this bill will help us do that.

"I encourage my colleagues vote 'yes.' Thank you."

Senator Hogue rose to speak in opposition to the measure and said:

"Madame President, I rise in opposition.

"I do agree that we need to look to other ways to encourage those to come forward to give them a way to franchise in the process. People work as volunteers in political parties, and I encourage their participation. That's very, very important. But one thing that I learned in my very small stint as a certified public accountant was that if there is just the appearance of conflict of interest, if there is just the appearance that there might be fraud, then the whole kit and caboodle is all messed up. This thing is rife with the potential for fraud.

"I think that we have learned throughout our history that in the election process, if there are those who want to finagle the rules, if there are those who want to get around the process, they will do it. There are so many easy ways to get driver's licenses, utility bills, or whatever it is that they're trying to get to use for

identification, and people who want to manipulate the process will have that ability. We have to have checks and balances in front. We have to have checks and balances in place.

"It's not enough to go down to the polling booth and sing Kumbaya and everybody is really thrilled that everybody got involved in the political process. There is the potential for fraud. We must be cautious. I urge you to vote 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 701 was adopted and S.B. No. 1142, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Whalen).

Stand. Com. Rep. No. 702 (S.B. No. 1151):

Senator Taniguchi moved that Stand. Com. Rep. No. 702 be adopted and S.B. No. 1151, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Whalen rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition and go a little bit further out on this thin ice.

"I won't go through the whole history. I don't want to belabor it for those who already understand what's happening with the legal history of this. This bill, as I see it, tries to give the definition of revenues so that the intent of the bill that was passed earlier on gives OHA 20 percent of the ceded funds.

"I'm voting against it because one of the problems that we've had that we experienced the first go around, which I thought we would address this time, was not addressed. The revenues include all the gross money that's raised on the ceded lands and the various activities. However, it does not take into consideration the cost for the infrastructure and the other investment that the state has put into it.

"For instance, we build a house together and rent it out, and I give you half and I take half. While it was all my money and labor that built the house and we're partners, why do you get half? Shouldn't we factor in the mortgage I have to pay and everything else so we can come to the profit? Because really, the profit is the issue, not the gross amount. And in this particular case, there's no consideration for any of that in this bill.

"Secondly, we've already heard some talk about it earlier about the organic laws, etc., the Admission Act in particular describes that the ceded lands money is supposed to go to one or more of these purposes. Well, the purposes that address OHA are for Native Hawaiians and it describes it as those falling under the Hawaiian Homes Act. That's 51 percent. It's my understanding right now, OHA already commingles their money and there's a potential lawsuit there by the beneficiaries of the Hawaiian Home Lands classification of Native Hawaiians to say that they are wasting their assets on people who aren't beneficiaries of that trust. And this bill in particular says you take the ceded land money and you could use it for the general classifications under OHA, quite clearly violating the constitution or opening the door for another lawsuit.

"I can't support something that we're not addressing the problems that are facing us and it's more of a knee-jerk, politically correct reaction to a problem that we need to fix."

Senator Ige rose in support of the measure with reservations and stated:

"Madame President, I rise to speak in support with reservations.

"I share a lot of the concerns of the previous speaker. I would like to note that I'm one of the few members here who was part of the negotiations that resulted in Act 304. This bill really does nothing more to clarify the controversy surrounding the lawsuit by OHA.

"My understanding is that we're moving this bill along so that we can have a vehicle in place that should there be a settlement, we would have a measure to implement that settlement, and it's with those reservations that I'll be supporting it.

"Thank you."

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 702 was adopted and S.B. No. 1151, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 703 (S.B. No. 1333, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 703 be adopted and S.B. No. 1333, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Whalen rose in opposition to the measure and stated:

"I rise in opposition, Madame President. Don't worry, I think I'm at the end of my road here.

"I speak against the bill because even if you read through the committee reports or in the bill itself, it talks about giving the judiciary branch the independence and the ability to operate without political influence. Our government's design, as all of us remember from our high school classes, has checks and balances. Each branch has powers and restrictions on it that are enforced by the other branches.

"The legislative branch, which is what we belong to, holds the purse strings. We in no way should give away that ability with automatic pay raises or somehow try to make another branch independent of what we're doing here because that is not the way our government is designed. There are a couple these bills in here to forward this process where pay raises, etc., automatically get done.

"I'm not going to give you a big speech about balancing the budget and not taking our proper fiduciary role. I speak in terms of, if we give away our only ability to be a check or a balance on another branch of government, what restrictions do they have anymore? It's the way our government is designed, and when we rip out the basic foundation and allow a branch of government to run its own way willy-nilly without our check that we have designed, we are forfeiting our proper role in government.

"I cannot support these types of bills because it is supposed to go through a political process. We are supposed to have the ability to reign in an unruly judiciary or an unruly executive branch, just as they are with their ability to overturn our laws, which our Supreme Court seems very free in what it does, and the executive branch in terms of how the money is expended.

"We already have one hand tied behind our back. Why do we want to cut off the other one? For those reasons, I would urge our members not to go down this road, and require these agencies to come in, just as we were talking about with the state librarian. We're unhappy with what's going on. We gave that ability away to allow the Board of Education to put that person in place – so be it. But now we have no control over how the money is going, where it's going, how it's being spent. That's been the big gripe, and the same with this. We should not use this as a mechanism to make our job easier."

Senator Ihara rose to speak in favor of the measure with reservations as follows:

"Madame President, I rise to speak in favor of this bill with reservations.

"My reservation is that I believe allowing a potential of a pay raise for judges every two years is going too far. I hope this will be fixed and perhaps make it maybe not every two years but a longer time period, but still sufficient enough to allow us to recruit excellent judges.

"Thank you."

Senator Taniguchi rose to speak in favor of the measure and stated:

"Madame President, I rise to speak in favor of this bill

"I know there were some concerns raised about the two year review of the judicial salaries. I was able to speak with the Finance Chair in the House and I believe he will try to amend this so that we can take it into Conference and have more discussion.

"This bill, along with the next one – the next one does have a defective date; this one does not. But he did provide verbal assurance that he would take this into Conference."

Senator Baker rose to speak with reservations on the measure and said:

"Madame President, reservations along the same lines as the Senator from Kaimuki."

The Chair so ordered.

Senator Hooser then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 703 was adopted and S.B. No. 1333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 704 (S.B. No. 1393, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 704 was adopted and S.B. No. 1393, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 705 (S.B. No. 1410, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 705 be adopted and S.B. No. 1410, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to the bill.

"We all have supported autonomy for the University of Hawaii. And as the good Senator from Waimanalo, Lanikai, Hawaii Kai, Portlock, Kauai and so forth and so on said earlier, autonomy brings with it responsibility and accountability. The University, however, my alma mater, has asked for autonomy except when it comes to paying the bills, then they come back to the Legislature and want us to pay their bills.

"I noticed that from one draft to the other, the cost of the bills and a number of claims continues to rise. So I'm for full autonomy to the University of Hawaii, including letting them pay for their own bills, deciding which ones that they will adjudicate.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 705 was adopted and S.B. No. 1410, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 709 (S.B. No. 516, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 709 be adopted and S.B. No. 516, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Aduja rose for a conflict ruling as follows:

"Madame President, I would like to request a ruling. This bill apparently proposes a potential conflict of interest.

"I am a member of a class of citizens that own a personal residential, noncommercial, recreational pier on Kaneohe Bay. My family and I reside in this house that was built in 1944. The pier that abuts the property was also built in the 1940s.

"As a member of this class of residents that have noncommercial, recreational piers, I am requesting, Madame President, for permission to vote on behalf of my district, as well as my family.

"Thank you."

The Chair responded:

“Senator Aduja, will you be affected financially? Will this bill affect you in any way directly financially?”

Senator Aduja replied:

“There is no personal gain.”

At this time, Senator Ige requested a recess.

At 3:07 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:11 o’clock p.m.

The Chair then stated:

“Senator Aduja, there is a no conflict ruling.”

Senator Aduja then rose and said:

“Thank you. Although there is no potential conflict of interest, there may be an appearance as such. Madame President, at this time, I request to be excused from this vote.”

At 3:12 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:13 o’clock p.m.

Senator Ihara rose with reservations and said:

“Madame President, can you note reservations for me. I have reservations about the retroactivity of this bill.”

Senators Ige, Baker, English, Fukunaga and Kim requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 709 was adopted and S.B. No. 516, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO KANEOHE BAY PIERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 712 (S.B. No. 643, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 712 be adopted and S.B. No. 643, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Whalen rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition.

“Madame President, reviewing the testimony and what’s actually found in the bill, the bill talks about protecting our biodiversity and talks about encroachment by development and lands being paved over and houses being built, etc. But this bill doesn’t talk about that. It talks about going out into the wild land that we have and removing small particles of plants and things for them to experiment with medicines and other things to see if they can use it.

“Although we did give an exemption to UH, there are still private companies that would be interested in doing this, and has nothing to do with protecting our natural habitats or

anything else. If you look carefully at the testimony and the bill itself, this totally rises out of a dispute that OHA has with who should get the money when a company comes in and wants to remove little bits and pieces of plants and things to check things out.

“If we called it what it was, then we could discuss the issue appropriately. But trying to say that we’re protecting our biodiversity by stopping this kind of thing is really not being direct or honest with what the real purpose behind this bill is. I don’t think we should operate in that direction so I’ll be voting ‘no.’”

Senator Ige rose to speak with reservations on the measure and said:

“Madame President, I just wanted to note my strong reservations also on this measure.

“I do believe that it’s overly broad and, as the previous speaker had spoken, it may have the unintended consequences of really shutting down lots of other private sector research that may be beneficial in the long run. So, I have strong reservations on this measure.

“Thank you.”

Senator Ihara rose and said:

“I support this bill with reservations, also.”

The Chair so ordered.

Senator Baker rose with reservations and said:

“Please note reservations along the lines with those of the Senator from Pearl City/Aiea.”

The Chair so ordered.

Senator Aduja requested her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 712 was adopted and S.B. No. 643, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BIOPROSPECTING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 713 (S.B. No. 719):

Senator Taniguchi moved that Stand. Com. Rep. No. 713 be adopted and S.B. No. 719, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this bill.

“We are creating a special class. What the bill attempts to do is laudable, and it should be applied to everyone that is in business in the State of Hawaii that tries to ship things from one island to another. So if we would have the option of reducing wharfage on all outbound cargo, I could vote for it. But I can’t vote for one that separates out one class of business.”

Senator Aduja rose to speak in favor of the measure and said:

"Madame President, I rise in favor of this bill and in support.

"Open water fish farming or mariculture has proved itself, over the past years, to be an economically and environmentally sound method of growing rare types of warm water fish, such as Pacific Threadfin, known locally as 'Moi.' These delicate, flavorful fish were once reserved exclusively for Hawaiian royalty, but over-fishing of wild stock depleted them to such a level that they disappeared from the table. But now, thanks to Hawaii's Oceanic Institute, island fish farmers are able to breed moi commercially.

"The market price for fish are traditionally high in Hawaii. For the most part, this is because demand exceeds supply. Hawaii's large Asian population incorporates a high percentage of seafood in their diet and are willing to pay top dollar. Fish grown in sea cages are delivered to the shore faster than if they were caught wild, ensuring a fresh consistent supply.

"In terms of rural development, aquaculture can bring employment to the less populated neighbor islands. It is also a step towards sustainability for Hawaii, vital if transport routes were interrupted for any period of time.

"In terms of industry growth, some analysts, such as John Corbin, manager of the state's aquaculture development program, predict potential for a \$100 million industry. One thing is for sure – 'aquaculture is a global growth industry and Hawaii has some of the best untapped ocean resources in the world.' This is an excerpt from an article which was printed in Venture magazine, dated February 8, 2003.

"Madame President, given the potential of growth for this industry, as well as a sustainability, as well as the environmentally safe and sound reasons, I believe that this bill should be strongly supported by the State Senate, and I request my colleagues to also support it."

Senator Ihara rose in support of the measure with reservations and stated:

"Madame President, I rise to stand in support of this bill with one reservation.

"I support the reduced rates for the purpose of this bill. However, I do not think that the State should subsidize the reduced rates. I think these reduced rates should be no more than to cover the actual costs of the department.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 713 was adopted and S.B. No. 719, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 717 (S.B. No. 1435):

Senator Taniguchi moved that Stand. Com. Rep. No. 717 be adopted and S.B. No. 1435, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 717 was adopted and S.B. No. 1435, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 719 (S.B. No. 205, S.D. 3):

Senator Taniguchi moved that Stand. Com. Rep. No. 719 be adopted and S.B. No. 205, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to the bill.

"The testimony during the committee hearing was that presently the state, the employer, provides two hours per semester or four hours year as a standard method of providing leave for the purposes of education, meetings or the health of children. It was also testified that there is flexibility if special needs arise. There was no one that presented any testimony written or in person that they had ever been denied the opportunity to take leave.

"This bill started out by mandating eight hours of paid leave. Now it's been amended to four hours of paid leave, but it is a mandate and this is something that should be more correctly allowed for collective bargaining.

"Thank you."

Senators Ihara and Hooser then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 719 was adopted and S.B. No. 205, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Fukunaga, Hemmings, Hogue, Ige, Kim, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 721 (S.B. No. 761):

Senator Taniguchi moved that Stand. Com. Rep. No. 721 be adopted and S.B. No. 761, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak against the measure and stated:

"Madame President, this bill, again, seeks outside counsel for the health benefits trust fund. I'm urging a 'no' vote. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 721 was adopted and S.B. No. 761, entitled: "A BILL FOR AN ACT RELATING TO THE HEALTH BENEFITS TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 722 (S.B. No. 762, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 722 was adopted and S.B. No. 762, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 723 (S.B. No. 765, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 723 be adopted and S.B. No. 765, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in support of the measure with reservations and said:

“Madame President, I rise in support with reservations.

“We do want to honor and appreciate the public servants that have toiled long and hard, but we must also be alert to unintended consequences of our action. If this measure passes as written, we could see an earlier exodus of our much needed and valued principals. Let’s look at other ways to help them and keep them in the system.

“Another bill did address their compensation as they move from 10-month employees to 12-month employees. The Department of Education testimony, which appears to be maybe the only agency that testified, says, ‘questions the ability of the state retirement system to fund the retired administrators’ as they retire earlier because most of them would be receiving the maximum 80 percent of retirement benefits, which would add to the woes of the retirement system. But also, there’s a real temptation or there could be a real temptation from some of our administrators to retire early and then receive double benefits, as some of you have addressed in the other issue that we moved today, in them retiring and then coming back into the system.

“So, we think this is certainly not a band-aid. This is perhaps pulling the band-aid off. So it’s a negative effect. I have grave reservations and perhaps we can look at other ways to deal with principals.”

Senator Ige rose to speak in opposition to the measure as follows:

“Madame President, I rise to speak in opposition.

“I do agree this is taking the band-aid off and causing a hemorrhage. Principals have been at issue in a lot of these bills and really allowing principals early retirement – 25 and out – really is just going to accelerate and exacerbate the problem.

“I really do think we need to look at educational offices in the Department of Education comprehensively and determine what it is that we need to do to ensure that we have qualified principals running our schools.

“For those reasons, I’ll be voting ‘no.’”

Senator Slom rose to speak in opposition to the measure and said:

“Madame President, I rise in opposition to the bill.

“Maybe I was wrong earlier, Madame President. Maybe we do need a council and committee to get together and figure out what the heck we’re talking about when we pass all these bills.

“First we try to encourage people to take early retirement, then we try to raise their salaries. Then we try to bring them back and give them double dipping in terms of the pensions that they had before. You can’t have all three.

“If the incentive is to keep people hired and to pay them benefits and compensation that is fair and equitable and that we can afford, that’s one thing. But we’re sending all these mixed messages.

“This is a bad bill. It’s a bad precedent. It’s one of a number of bad bills, and we should vote it down.

“Thank you.”

Senator Hooser requested his vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Ihara rose to speak in support of the measure with reservations and said:

“Madame President, I support this bill. I have reservations similar to what the Senator from Hawaii Kai said, and I hope that there will be better coherence of the policy that the Senate supports when we get down to Conferencing at the end of the Session.”

“Thank you.”

Senator Kanno rose to speak in support of the measure as follows:

“Madame President, I rise to support the measure.

“The measure originally started as a proposal to give principals who stay in the system an increased percentage on their retirement pension. Because of concerns that arose from the employees’ retirement system, we amended it to say that for an individual who served 10 years as principal after the effective date of this act, that they would be provided the retirement benefit of 25 and out.

“So the idea is to look at how can we get principals to stay in the system, and this measure would mean that an individual would commit to be a principal for 10 years where there are currently schools where no one is applying to be principal.

“We understand the work is still a work in progress and we are going to try and address the concerns raised by the members. Thank you.”

Senators Baker and Fukunaga requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 723 was adopted and S.B. No. 765, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE RETIREMENT ALLOWANCE FOR PRINCIPALS AND VICE PRINCIPALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 724 (S.B. No. 768, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 724 be adopted and S.B. No. 768, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“What this bill does is to interfere with Act 253 and collective bargaining and the discussion that we’ve had over the last several years revolving around the right to strike versus binding arbitration.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 724 was adopted and S.B. No. 768, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Hanabusa, Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 725 (S.B. No. 773):

Senator Taniguchi moved that Stand. Com. Rep. No. 725 be adopted and S.B. No. 773, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak against the measure and said:

“Madame President, I’m urging a ‘no’ vote on this bill.

“It basically takes the calculation and uses an alternative base period for unemployment compensation. It will increase the cost of business. No employee pays any amount of unemployment compensation tax. It is a tax, not a contribution, on all employers with employees.

“Thank you.”

Senator Sakamoto rose to speak with reservations and said:

“Madame President, reservations and an insert into the Journal, please.”

The Chair having so ordered, Senator Sakamoto’s remarks read as follows:

“Mr. President, I would like to register my ‘with reservations’ vote on S.B. No. 773, SSCR 725. As a small business owner, I am saying: ‘Here we go again! Hawaii’s reputation as being unfriendly to small businesses is being emphasized.’ I support the intent of unemployment insurance benefits for those who need them. However, I have problems with S.B. No. 773, which would allow the use of alternative base periods for calculating unemployment benefits. The premise that twelve states have used the alternative base periods for determining eligibility for benefits should not be an overriding consideration because 29 other states have not used this method. In addition, the alternative method would result in an increase of 4 to 6 percent. Members, many struggling small businesses cannot afford this increase cost of operations. I therefore urge my colleagues to vote to seek to change this bill as we move forward on S.B. No. 773.

“Members Let’s work hard to keep employees employed. If we do that, our workers will not need to rely on well intentioned expansion of the unemployment insurance system.”

Senator Ige rose and said:

“I also have reservations on this measure.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 725 was adopted and S.B. No. 773, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT

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

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 726 (S.B. No. 787):

Senator Taniguchi moved that Stand. Com. Rep. No. 726 be adopted and S.B. No. 787, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Slom, Hogue and Trimble requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 726 was adopted and S.B. No. 787, entitled: “A BILL FOR AN ACT RELATING TO DISASTER LEAVE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 727 (S.B. No. 789, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 727 be adopted and S.B. No. 789, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“Basically what this bill would do is delay the implementation of the EUTF, which is supposed to go into effect on July 1 of this year.

“Thank you.”

Senator Hanabusa rose and said:

“Please note my vote with reservations. Thank you.”

The Chair so ordered.

Senator Sakamoto rose with reservations and said:

“Madame President, reservations as well.

“I think we need a global settlement of all these health related issues.”

Senator Kokubun requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 727 was adopted and S.B. No. 789, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

At 3:31 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:35 o’clock p.m.

Stand. Com. Rep. No. 728 (S.B. No. 797, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 728 was adopted and S.B. No. 797, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 729 (S.B. No. 936, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 729 be adopted and S.B. No. 936, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this bill.

"Here again we have a good intent and bad performance. This bill uses a vehicle, the unemployment compensation tax paid by employers, basically to redress problems and grievances by victims of domestic abuse violence and those that perceive that they are in danger from stalking and so forth.

"This is not a proper use of unemployment compensation benefits. Thank you."

Senator Sakamoto rose to speak in opposition to the measure as follows:

"Madame President, I also rise in opposition to this measure.

"Certainly, employers are . . . we're trimming, taking fibers off our bridge on top and bringing it down for the safety net. Employers are increasingly becoming secondary victims of domestic violence if they're left to foot the bill and are required to pay unemployment benefits to individuals who voluntarily left their employment.

"Many counselors, I'm sure, would say that a stable employment environment would really help people who face these problems at home or in the family. So this incentivises the wrong thing.

"There are additional comments to be placed in the Journal, please."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Madame President, I rise in opposition to this measure.

"The purpose of unemployment benefits is to provide temporary financial assistance to workers who are unemployed through no fault of their own. Unemployment insurance benefits are paid as a matter of legal entitlement and past employment, and not on the basis of need. In Hawaii, employers pay all the costs of unemployment insurance through a payroll tax or reimbursable basis. Employees do not pay any part of their wages to finance the program.

"Typically, you are disqualified for unemployment benefits if you voluntarily quit your job without good cause. Employees who voluntarily quit their jobs forfeit any unemployment benefits unless they show good cause, which does not include domestic violence.

Employers are increasingly becoming the secondary victims of domestic violence if they are left to foot the bill and required to pay unemployment benefits for individuals who voluntarily left their employment.

"Many counselors would say that stable employment environment would help a person facing problems at home or in the family.

"Thank you."

Senator Baker rose to speak in support of the measure and said:

"Madame President, I rise to speak in support of this measure.

"Unfortunately, domestic violence is all too real an occurrence in our State, and when that happens, occasionally the victim of domestic violence, the victim of a stalker may have to relocate immediately. That means a voluntary separation from work. It's not through any fault of the victim.

"This measure really plugs a puka and makes it possible for the victim to restart – usually, the victim is female – to restart her life in another location and provides a necessary safety net in order to do that.

"We're not talking about lots of people. It's not going to be a huge cost to business. But it could very much be that part of the safety net that ensures that this victim doesn't become a statistic.

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 729 was adopted and S.B. No. 936, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS' UNEMPLOYMENT BENEFITS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Sakamoto, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 730 (S.B. No. 1065):

Senator Taniguchi moved that Stand. Com. Rep. No. 730 be adopted and S.B. No. 1065, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to the bill.

"Again, this is a bill that's a frontal assault on Act 253 and also on privatization as an option. Managed competition is a fancy term for again maintaining government and unionized control and not allowing government to have that option of financial independence through competition and privatization.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 730 was adopted and S.B. No. 1065, entitled: "A BILL FOR AN ACT RELATING TO MANAGED COMPETITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 731 (S.B. No. 1155, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 731 was adopted and S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 735 (S.B. No. 1438):

Senator Taniguchi moved that Stand. Com. Rep. No. 735 be adopted and S.B. No. 1438, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak in opposition to the measure as follows:

"Madame President, though this may sound like heresy to the Majority Party, I stand in opposition to this legislation, S.B. No. 1438.

"We have to take a serious look at the reality of Hawaii's economics. By voting no, we're sending a strong signal out to the executive branch of government that we do not have money to pay for pay raises for collective bargaining. We have stood fast, your loyal opposition, to hiring more people and spending more money by a state that technically may be deemed bankrupt – that is, our cash flow in the future will not meet our income unless we raid special funds, including the hurricane fund.

"Some may argue that by voting against any future pay raises which are being negotiated now, that we're interfering with the negotiation process in the executive branch of government. Two points: (1) it's our duty. They negotiate. We appropriate. We hold the purse strings to state government, not the executive branch of government. (2) I would submit to you that giving a blank check sends a clear signal to public labor unions that this Legislature will do what was all too often in the past – rubber stamp the executive branch collective pay increases.

"We have to look at what's going on in the economy to understand why we have to be responsible. We just saw the other day that private sector labor unions, besides not getting a pay increase, are actually giving money back, collective bargaining money back to their companies. Hawaiian Airlines just received that in order to stay in the air.

"Private sector companies are laying people off all over this State. Other labor unions are going without pay raises. I would think that the public workers, for the sake of the welfare of this State, would want to share in the burden that is being cast upon everybody else in this State.

"All too often, we have to make difficult choices, and this is a difficult choice for me, but we've said no to pay raises for other executives and we will probably say no to increased pay raises for the leaders in state government.

"It also has to be pointed out, as a matter of record, that over the last 10 years or so, labor unions, in spite of being in one of the slowest economies in the nation, in spite of the tragedies and economic downturn of 9/11, have received pay raises 20, 30, 40, 50 percent in their accumulative effect in just five short years. This, while the people of Hawaii who pay these bills suffer.

"The benefits – oftentimes we talk about salaries of public workers, and of course we can make the figures or adjust them to reach our conclusions, but no one will deny that besides adequate salaries, in some cases good salaries are supplemented by the most benevolent benefit package probably in the nation – the greatest number of days off – paid for; one of the greatest amounts of sick leave in the country – paid for; health insurance – with a health insurance law that is so onerous to the private sector that they're forced to hire people part-time.

"For once, let's exercise some independence and send a signal to organize labor to work with the suffering people of Hawaii and freeze salaries for two short years in order that we can get on our economic feet again and proceed with the business of the State.

"In closing, colleagues, I find it absolutely incredible that the first funds that we cut from the budget are the money for the truly disenfranchised in our society. The purchase of service and grants-in-aid people that crawl on their hands and knees into our committee hearings and beg us for money for the abused, for the homeless, for those in our society who, through no fault of their own, suffer greatly. Why are they always the first ones we cut out of the budget while we rubber stamp, without ever questioning, pay raises?

"I will be voting 'no' on all the collective bargaining allowances with the exception of fire fighters and police. That's a county issue, number one.

"We don't even have an idea of what the collective bargaining will result in, but we do know we're in uncertain economic times. We don't know what the future holds. We may be obligating ourselves to bills we most assuredly cannot pay.

"I urge my colleagues . . . I don't think you're going to change your votes now – but I urge you to give consideration to this concept that we have the public employees join the rest of the people of Hawaii and share the burden of these bad economic times. That's the fair thing to do.

"Thank you, Madame President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 735 was adopted and S.B. No. 1438, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Ige, Whalen).

Stand. Com. Rep. No. 736 (S.B. No. 1439):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 736 was adopted and S.B. No. 1439, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 737 (S.B. No. 1440):

Senator Taniguchi moved that Stand. Com. Rep. No. 737 be adopted and S.B. No. 1440, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

“Madame President, I rise to speak against S.B. No. 1440.

“Madame President, this is a clear illustration of the point we’re trying to make. We all know what a wonderful job the majority of our teachers do. We also know that their pay compensation is about in the middle, as far as the national average goes. We also know that they’re in negotiations right now.

“By passing this bill, we’re giving negotiators on behalf of the HSTA a blank check and sending a signal to them. We don’t have to do what the executive branch of government does, but we all know we don’t have the money to pay for their collective bargaining increases, unless we beg, borrow or steal it from other funds and things.

“So, the conscientious thing to do is to vote ‘no’ and vote the reality of the marketplace in the state treasury. Thank you, Madame President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 737 was adopted and S.B. No. 1440, entitled: “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 738 (S.B. No. 1441):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 738 was adopted and S.B. No. 1441, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 739 (S.B. No. 1442):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 739 was adopted and S.B. No. 1442, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 740 (S.B. No. 1443):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 740 was adopted and S.B. No. 1443, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 741 (S.B. No. 1444):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 741 was adopted and S.B. No. 1444, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 742 (S.B. No. 1445):

Senator Taniguchi moved that Stand. Com. Rep. No. 742 be adopted and S.B. No. 1445, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

“Madame President, I rise to speak against S.B. No. 1445.

“It is only appropriate that if we say we don’t have enough money to pay for collective bargaining increases, that we do not have enough money to pay for executive salary increases. Hopefully in two years this will all change, but I would urge my colleagues to consider a ‘no’ vote on this legislation.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 742 was adopted and S.B. No. 1445, entitled: “A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 744 (S.B. No. 747, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 744 be adopted and S.B. No. 747, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Baker rose and said:

“Madame President, may I have remarks in support of this measure inserted into the Journal?”

“Thank you.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Madame President, I rise to speak in support of S.B. No. 747, S.D. 1, which enacts an assignment of payment law for dental benefit plans. Affordability and accessibility of adequate dental care are continuing problems in our State. The lack of proper dental care can lead to poor oral hygiene, increased medical costs, and a deterioration in one’s general health and well being.

“One of the key elements in combating the spiraling effect of insufficient dental care is to improve access to dental services. One way to achieve this is by providing patients with greater flexibility in selecting a dental care provider and then giving patients the option of having their insurance reimbursement sent directly to their dentist whether or not the dentist participated in the patient’s dental plan. Often, if a patient selects a non-participating dentist, the patient must pay for all procedures in advance, which puts an unnecessary burden on the patient. By granting patients the liberty to choose providers and payment options, the patient is better equipped to make decisions that affect their health. Patients with emergencies or serious dental problems will also be in a better position to obtain and pay for the treatments they need.

“Both patients and dentists recognize that the reimbursement rate will be less for a non-participating dentist. However, personal preference and other circumstances may lead a consumer to choose a non-participating dentist and that should be their option.

“This measure does not require reimbursement parity between participating and non-participating dentists. It provides an option to the patient, the consumer. The dental health plan retains its purview over reimbursement levels and quality assurance matters.

“In 1997, the Legislative Reference Bureau (LRB) conducted a study on this matter and concluded that there were no harmful effects in the states that allowed direct assignment to the provider. In fact, half the Blue Cross/Blue Shield and Delta Dental Plans that LRB contacted for the study routinely allowed assignment of payment. The LRB recommended the enactment of such a statute in Hawaii.

“Mr. President, it is time to act on this recommendation. I urge my colleagues to vote ‘aye’ on this measure. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 744 was adopted and S.B. No. 747, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 746 (S.B. No. 1321):

Senator Menor moved that Stand. Com. Rep. No. 746 be S.B. No. 1321, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose to speak in opposition to the measure as follows:

“Madame President, I rise to speak in opposition to this bill.

“This bill would expand the list of mandated mental health benefits and allow unlimited number of visits to the doctor each year for mental health. Under our current system, we are allowed as many as 40 visits a year, which seems to be enough for most folks. These unlimited visits wouldn’t be as big of a problem with the current mandated mental health benefits because they’re biologically based conditions that are largely treatable with medicines or defined treatment protocols. So, most doctors would limit the number of visits, as I mentioned like the 40 a year, to conform to these protocols.

“For the new mandated benefits, such as major depression, delusional disorders and so on, do not have these standard

protocols. The patients could wind up seeing their doctor several times a week for years on end, without significant improvement in their condition.

“This bill is ripe for abuse of utilization and consumers will end up paying the price. I think we’ve all seen what has happened in Felix, and essentially, we are opening the door to that kind of a Pandora’s box.

“I’m voting ‘no.’ Thank you very much, Madame President.”

Senator Baker rose to speak in support of the measure as follows:

“Madame President, I rise in support of this measure.

“Unlike the doomsday tone of the previous speaker, this measure won’t break the bank; it provides mental health parity. This means that whatever the limitation is in the plan for other illnesses, mental health falls within those limitations.

“In states that have provided mental health parity, they’ve not seen a rise in insurance costs. As a matter of fact, they’ve seen it go down because the patient has been able to access care earlier, access less expensive care, and it just makes good sense that we try to treat illnesses at an early stage rather than waiting until they become emergency cases requiring more expensive, acute care.

“All of the testimony that we heard, when your Health Committee heard this measure, was in support. The example in other states bares it out. This is the right move to make at the right time to ensure that for persons with mental illnesses, their diseases are treated just the same as other illnesses that we currently cover.

“Thank you.”

Senator Hogue rose and said:

“Madame President, just to correct the previous speaker, there was a good deal of testimony in opposition. I just want that to be noted for the record. I don’t have the list here in front of me but I do recall that HMSA, business groups, etc., we’re in opposition. So I think it’s overstating it to say that everyone was in support.

“Thank you very much.”

Senator Chun Oakland rose to speak in support of the measure as follows:

“Madame President, I also stand in support of this measure.

“I, too, like the Chair of the Health Committee, support this measure. I’m glad to see that we are actually getting the support of our executive as well. The Governor personally came down to testify in front of our Health Committee, very much understanding the issue and supportive of passage of this measure.

“I believe it’s about time that we do have parity and in states where there have been parity, we have seen good progress.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 746 was adopted and S.B. No. 1321, entitled: “A BILL FOR AN ACT RELATING TO MENTAL HEALTH,”

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

Ayes, 22. Noes, 3 (Hogue, Slom, Trimble).

S.B. No. 1549, S.D. 1:

Senator Menor moved that S.B. No. 1549, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, no need has been demonstrated for this bill. It appears to be going and undoing a step that we took a couple years ago. Therefore, I’ll be voting in opposition to this bill.”

The motion was put by the Chair and carried, S.B. No. 1549, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

S.B. No. 1553, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1553, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1364, S.D. 1:

Senator Baker moved that S.B. No. 1364, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in favor of the measure with reservations and said:

“Madame President, I rise to speak in favor of this bill with reservations.

“As noted in testimony, a state judge by the name of Ken Enright, who I’m sure all of us have seen testify before us in committee, a learned gentleman and I think usually gets directly to the point, testified that this bill would remove substance abuse for grounds for involuntarily sending someone to the hospital or for psychiatric evaluation.

“The police could force someone on drugs to be taken for a psychiatric evaluation if they appear to pose a threat to others or themselves, but, as he noted in the evaluation, showed the person did not have a mental illness that could not be involuntarily hospitalized despite the threat that they pose. Obviously, we do not want people out there who are high on ice that we cannot send to a psychiatric facility because we’ve allowed something to slip through the cracks here. That’s my first reservation.

“The second one is that, and I believe it was inadvertent, this bill was not referred to the proper committees. It only went to Health. It should have gone to Judiciary because it has a huge impact on the law enforcement community. Therefore, I note those reservations.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 1364, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PSYCHIATRIC FACILITIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1070:

Senator Kanno moved that S.B. No. 1070, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“This is a workers’ compensation bill that would raise the cost of workers’ compensation and would also diminish the choices of the employer.

“What happens right now if the employer wants an independent medical examination, the employer picks and pays for that examination. This bill would require that if there were a subsequent or reexamination, then the employee must give consent. If the employee doesn’t give consent, the DLIR must maintain a list of physicians and must choose a physician for the employer.

“Again, in all cases, the employer is paying for the examination. Therefore, it is patently unfair and it will add a cost to business.

“Thank you.”

Senator Espero requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1070, entitled: “A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Hemmings, Hogue, Sakamoto, Slom, Trimble, Whalen). Excused, 1 (Ige).

S.B. No. 1426, S.D. 1:

Senator Kanno moved that S.B. No. 1426, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Hanabusa requested her vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Sakamoto rose to speak with reservations and said:

“Madame President, with reservations and I’d like comments inserted.”

The Chair having so ordered, Senator Sakamoto’s comments read as follows:

“Madame President, I rise in support but with reservations to this legislation.

"It is a fact that substitute teachers are 'casual employees' who are hired on an as-needed, on-call basis. Not all substitute teachers are fully 'qualified,' and may possess only a few years of college courses. Some may not even be teacher-qualified in regard to experience, education and qualifications. They are not required to prepare lesson plans, or, in some cases, to carry out non-instructional duties of a teacher. They are strictly in the classroom to carry out the plans of the regular teacher and keep order in the classroom. To afford them the same union benefits as teachers, with the benefit of striking, is a gross misjudgment of the duties of substitutes as well as their ability to perform the full, expected, duties of the qualified teacher."

The motion was put by the Chair and carried, S.B. No. 1426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fukunaga, Ige).

S.B. No. 396, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, S.B. No. 396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:03 o'clock p.m.

S.B. No. 1284, S.D. 1:

Senator Fukunaga moved that S.B. No. 1284, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Slom rose to speak in support of the measure with reservations and said:

"Madame President, I speak in support of the measure with reservations.

"Ever since the small business regulatory flexibility act has been passed, we've given it short shrift. We took away, for example, the small business advocate and small business defender portion of the bill. The review board that was supposed to have been activated right away took more than a year for the Governor to appoint those individuals. And then when they came up with recommendations, they were usually deep-sixed and no one has given them respect.

"At this point, it looks like there are going to be some changes for both the act and for the review panel. But one of the key provisions was the impact statement which says that if legislation is proposed, there has to be an impact statement as to what the effect will be on small businesses. Part of this bill actually waters down and exempts certain issues and certain legislation from that impact.

"So, I will support the bill because I support the act and support the review board, but it does need further strengthening.

"Thank you."

Senator Fukunaga rose to speak in support of the measure as follows:

"Madame President, I rise to speak in support of S.B. No. 1284, S.D. 1.

"In response to the comments by the prior speaker, the request to remove the section dealing with the statement on the rules was made by many of the small businesses and those who are participating with the small business regulatory flexibility panel. Therefore, I believe that many of his concerns will be addressed as this bill works its way through the process."

The motion was put by the Chair and carried, S.B. No. 1284, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1109, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Inouye and carried, S.B. No. 1109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPENDENT ADULTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 549, S.D. 1:

Senator Inouye moved that S.B. No. 549, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawamoto.

Senator Aduja requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hooser, Ihara).

Stand. Com. Rep. No. 772 (S.B. No. 255, S.D. 2):

Senator Inouye moved that Stand. Com. Rep. No. 772 be adopted and S.B. No. 255, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 772 was adopted and S.B. No. 255, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 773 (S.B. No. 1619, S.D. 2):

Senator Inouye moved that Stand. Com. Rep. No. 773 be adopted and S.B. No. 1619, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Chun Oakland rose and said:

“Madame President, I would like to declare a potential conflict of interest in this bill. My father-in-law is the owner of the motor sports facility that would benefit from this measure should it pass.

“I would like to be excused from voting and request that I be permitted to leave the Floor during this vote.”

The Chair so ordered.

Senator Ige rose to speak in support of the measure with reservations and said:

“Madame President, I rise to speak in support of this measure with strong reservations.

“I do believe that motor sports and a motor sports facility can add value in our efforts to diversify our economy. I am troubled by the fact that this measure identifies a specific parcel and a specific tax owner that would get the benefit from any tax credit should we decide to grant one.

“For those reasons, I have strong reservations and hope that if this bill is to proceed through the process, that we would consider not designating a specific land parcel to benefit from this measure.

“Thank you.”

Senators Baker, English and Tsutsui requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 773 was adopted and S.B. No. 1619, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hooser, Ihara). Excused, 1 (Chun Oakland).

Stand. Com. Rep. No. 774 (S.B. No. 1040, S.D. 1):

Senator Kim moved that Stand. Com. Rep. No. 774 be adopted and S.B. No. 1040, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“This is another mandated bill for the TAT. It requires 10 percent of excess revenues to be deposited into the park, land, and trail fund. It also removes the current \$500,000 ceiling on the amount in the special fund that can be used for trails and access.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 774 was adopted and S.B. No. 1040, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 775 (S.B. No. 85):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 775 was adopted and S.B. No. 85, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Baker, Fukunaga, Hooser, Ihara, Trimble).

Stand. Com. Rep. No. 778 (S.B. No. 463, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 778 be adopted and S.B. No. 463, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senators Ihara, Baker, Fukunaga, Hooser, Ige and Kokubun requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 778 was adopted and S.B. No. 463, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO KAHŌ’OLAWĒ ISLAND RESERVE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (English).

Stand. Com. Rep. No. 781 (S.B. No. 690, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 781 be adopted and S.B. No. 690, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Trimble rose to speak in opposition to the measure and said:

“Madame President, I rise in opposition to this measure.

“I don’t think that one of the qualifications for a candidate should be either his ability or his desire to use the Internet to communicate. For that reason, I oppose this bill.”

Senator Sakamoto rose to speak in support of the measure with reservations and said:

“Madame President, I rise in support with reservations.

“This bill, as stated, would require all candidates in the State House and the State Senate to file electronic campaign reports and to strengthen administrative policies and also increase criminal penalties.

“We wonder why the public is turning away from the voting booth. We wonder why we cannot find more qualified candidates. Candidates with volunteers enter the public arena to participate in a system that’s supposedly for liberty and freedom. Now we propose to put them up against bureaucracy, put the up against ‘ease’ of the system, ‘ease’ of Campaign Spending Commission, or whatever. They’re faced with a higher hurdle to participate.

“Felony indeed, who will be the first volunteer treasurer to be the poster boy?”

Senator Hogue rose to speak against the measure as follows:

"Madame President, I was going to vote with reservations, but the good Senator from Moanalua gave such and impassioned speech, he talked me into a 'no.' Thank you very much. Maybe he even talked himself into a 'no.'

"Thank you."

Senator Kawamoto rose to speak in favor of the measure and said:

"Madame President, I rise to speak in favor of the bill.

"Madame President, This bill came to our Committee, got tossed around, got moved around, and then was deferred and was brought back in. Primarily, the concern was that all candidates file electronically. We made it so that those that cannot, did not have equipment, capability was not there to file electronically, we tossed around the idea of a voluntary type activity. But Mr. Watada in Judiciary indicated that if anybody doesn't file or makes a mistake or whatever, he will not pursue any kind of criminal activities. I think we put that in the committee report, the Chair of Judiciary, I believe so.

"Those kinds of concerns are not there, so I urge all my colleagues to vote 'aye.'

Senator Hooser rose to speak in support of the measure as follows:

"Madame President, I'm going to speak in support.

"Having served on the council for four years, as you are perfectly aware, this is a requirement that county councils have had for some time in terms of electronic filing. I think the public really appreciates the openness that posting on the Internet offers. So I speak in support of the bill.

"Thank you."

Senator Slom rose to speak in support of the measure with reservations and said:

"Madame President, I support the bill with reservations.

"The reservations have to do with, as being one of the co-chairs of the Macintosh users group in the Legislature, the only true freedom-loving people, we have been discriminated against, Madame President, year, after year, after year, after year. This is now my seventh year and seven years ago the Campaign Spending Commission said we will develop software. Did we not, members? We will develop software for you Mac users. But have they done so? NO, they have not!

"So I think that we should make this a major priority and I think this shows bipartisan support and folks really getting together using our mouse.

"Thank you, Madame President." (Laughter.)

Senator Hemmings rose to speak against the measure and said:

"Madame President, I rise to speak against S.B. No. 690, S.D. 1.

"The good Senator from God's country announced another good reason why we should vote against this legislation. Basically, he told us we're going to pass a law that the Campaign Spending Commission is not going to enforce.

"Thank you, Madame President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 781 was adopted and S.B. No. 690, 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, 22. Noes, 3 (Hemmings, Hogue, Trimble).

Stand. Com. Rep. No. 783 (S.B. No. 1051):

On motion by Senator Hanabusa, seconded by Senator English and carried, Stand. Com. Rep. No. 783 was adopted and S.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, Chun Oakland, Fukunaga, Ihara).

Stand. Com. Rep. No. 784 (S.B. No. 1418, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 784 be adopted and S.B. No. 1418, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Kanno requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 784 was adopted and S.B. No. 1418, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1248, S.D. 1:

Senator Sakamoto moved that S.B. No. 1248, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hooser.

Senator Hogue rose to speak in favor of the measure with reservations and said:

"Madame President, I rise to speak in favor of this measure with reservations.

"I'm concerned that we're going to be mandating SCBMs, that's school community-based management. I think all of us can attest to both the successes and the many failures of the SCBM system, and I'm quite concerned that we are mandating that every school go to SCBM by 2006, 2007.

"You can note in the committee report that there's been a little bit of a hedge on that. Hopefully, a lot of the hedging will be going on. If we are actually looking towards local control, we certainly do not want to be mandating something.

"Thank you very much."

The motion was put by the Chair and carried, S.B. No. 1248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL/COMMUNITY-BASED MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 327, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT OFFICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 798 (S.B. No. 913):

Senator Taniguchi moved that Stand. Com. Rep. No. 798 be adopted and S.B. No. 913, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto requested a ruling from the Chair as follows:

"Madame President, I rise to ask for a ruling on a potential conflict.

"I'm owner of a small business that furnishes hurricane protection and this measure, as well as SSCR 886, S.B. No. 344, deal with hurricane mitigation devices."

The Chair ruled that Senator Sakamoto was not in conflict.

Senator Slom rose in opposition to the measure as follows:

"Madame President, I rise in opposition to the bill.

"Last year, this body, after 16 of our colleagues had signed a pledge not to touch the hurricane fund, helped hijack the interest money out of the fund. What this does is to take that money and to utilize it for a specific objective – in this case, lost mitigation or hurricane mitigation.

"I don't think there's anything at all wrong with hurricane mitigation. I think it should be the responsibility of individual homeowners. We can provide a tax credit or other incentives for it. In any event, it should be funded out of the general fund and should not touch the hurricane relief fund or the interest that we've taken from it."

Senator Hogue rose to speak in opposition to the measure and said:

"Madame President, I rise in opposition to this measure.

"I, too, like the good Senator from Hawaii Kai have no problems with a loss mitigation grant program. However, I think as a matter of policy, that to be using the hurricane fund for anything other than returning the money to those homeowners who paid into it, is really bad policy.

"I will go even further than that. My concern is that a little political football is going on right now, and I know a little thing or two about football. And I can tell you that in this particular game, I have a feeling that tax increases are being proposed, and with enough people using their crocodile tears, etc., about the tax increases and about budget cuts, that ultimately, what will be attacked is this hurricane fund.

"If we're going to attack the hurricane fund at all, it should be attacked in the way it should have been in the first place, and that's giving it back to the people that paid into it. So, I'm really disappointed that we're even bringing it up at all and so I really think that we really need to redirect our policy in the right direction.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 798 was adopted and S.B. No. 913, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Aduja, Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 799 (S.B. No. 1055, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 799 was adopted and S.B. No. 1055, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

At 4:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:40 o'clock p.m., with the President in the Chair.

Stand. Com. Rep. No. 807 (S.B. No. 3, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 807 be adopted and S.B. No. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 807 was adopted and S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Ihara, Kim).

Stand. Com. Rep. No. 808 (S.B. No. 325):

Senator Taniguchi moved that Stand. Com. Rep. No. 808 be adopted and S.B. No. 325, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 808 was adopted and S.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Ihara, Kim).

Stand. Com. Rep. No. 812 (S.B. No. 1068, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 812 was adopted and S.B. No. 1068, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Ihara, Kim).

Stand. Com. Rep. No. 813 (S.B. No. 1088, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 813 be adopted and S.B. No. 1088, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“This measure establishes a long term care social insurance program and creates long term care income tax rates, manner of payment, etc., for long term care benefits.

“Mr. President, I’m not against our senior friends and other potential beneficiaries of long term care, but I am opposed to S.B. No. 1088, which would impose this income tax as a means to finance long term care.

“Don’t get me wrong, I do support principles of long term care for all and the attempt to relieve the financial strain of our many seniors, however, I’m opposed to this measure. This isn’t the way to fund the spiraling costs of long term care and medical costs.

“The last thing, I do support tax credits or tax deduction incentives. Those make more sense at this time. Thank you.”

Senator Baker rose to speak in support of the measure as follows:

“Mr. President, I rise to speak in support of this measure.

“As the previous speaker noted, this bill would establish a long term care social insurance program, setting the tax rate to pay for it, the manner of payment, and the benefits for the program. The national expenditures for long term care services for persons age 65 and older is expected to grow through the year 2040, according to the congressional budget office study of March ’99. Why? Our population is aging. As we age, we more likely will need to access some kind of services because many of us will develop functional limitations.

“We baby boomers are beginning to age; we’re going to reach age 65 in the year 2011, not too far from now I’m sorry to say. We have better health. We’re living longer. As a result, our aging population is growing and we’re going to need additional long term care. We don’t have enough services in our State.

“In Hawaii, if we just look at the numbers, it’s estimated that by 2020, persons age 65 and older will represent more than one-fourth of Hawaii’s adult population. The rapid growth of the elderly and disabled population will result in extraordinary demands on the delivery of long term care services, already in short supply.

“In addition, many baby boomers will also choose to age in place, desiring services to stay in their homes or in a community-based assisted living facility. And here again, these services and those caregivers are in short supply. These services can be expensive, and as costs continue to rise, entire families will be affected by the financial cost of providing care for those who are limited in the number of activities of daily living that they can perform independently.

“Pursuant to the actions of the 2002 Legislature, the temporary board of trustees for the long term care financing act studied a proposal for a tax collection program, a tax rate and benefit schedule for an actuarial sound long term care social insurance program for Hawaii’s taxpayers. I would like to thank the members of that temporary board of trustees for their dedication – they were all volunteers – and for their hard work over the past year. The measure before us is one result of their efforts, and like many of the measures, it continues to be a work in progress.

“The measure before you provides a basic benefit at a minimal cost and will supplement other programs, stabilizing costs of our Medicaid program as well. It will enable critical community-based services to grow. Hawaii’s aging population is growing faster than the national average. It is even more imperative that we take up this issue now and act. There is an urgent need to develop new revenue sources to help pay for the care of the elderly and disabled. This is one approach and one approach that needs to move forward and have our utmost consideration.

“S.B. No. 1088, S.D. 2, although a work in progress, will enable more individuals to access resources to cover their long term care services.

“Mr. President, this measure is one we’ve thought about, worked on, debated since I was in this body before. Its time has come. It’s time for us to move this measure forward.

“Thank you.”

Senator Hogue rose in opposition also and said:

“Mr. President, I rise in opposition to this measure.

“In the spirit of David Letterman, I give you 10 good reasons to vote against this bill:

10. It pays benefits of only \$70 a day, which is hardly anything in today’s market.
9. This creates a fund that can be attacked, much like the hurricane fund.
8. It’s a disincentive to buy real long term care insurance that would really pay the bills.
7. These taxes would immediately start flowing into a special fund but people wouldn’t get full benefit for 10 years.
6. This bill takes money from young people who tend to have few assets and transfers it to older people who tend to have the most assets, unfairly penalizing the least affluent members of our society.
5. This bill would force people with little likelihood of using the benefits to pay the same rate as the highest likely utilizers in violation of the most basic insurance underwriting precepts.
4. This bill would result in government taking over a thriving private sector line of business – hardly a good idea.
3. This is an extraordinarily regressive tax. It lays the heaviest burden on the poorest people in our society, people who are already struggling to make ends meet.
2. The real tax rate would eventually rise to whatever the program actually costs, with the Legislature changing the law to match the actual tax rate needed.
1. The number one reason to oppose this measure – it’s a massive tax increase with the teaser rate of \$10 a month rapidly rising to at least \$26 a month by the year 2012, taking hundreds of millions of dollars with it.

"For these 10 reasons, Mr. President, I hope and urge everyone will vote 'no.' Thank you."

Senator Chun Oakland rose to speak in support of the measure as follows:

"Mr. President, I stand in support of this measure.

"In the last decade, we estimated from the census that about 30,000 older adults had some form of frailty. In the latest census, the estimate has risen to 74,000 people. How can there be so many people with so many needs that remain invisible?

"The bulk of long term care does not take place in a building or a facility, although most facility-related care takes a disproportionate share of public funds due to the high cost of housing disabled persons. In Hawaii, we have proportionately very large numbers of people in the higher age brackets. Other areas will not see the situation for years to come. In the meantime, our problems are here and now.

"The plan before you this Session is sound fiscal and social policy. It is simple, effective, market-oriented, and consumer driven. It is affordable and cost efficient. It stimulates the private insurance market to develop new and affordable supplemental plans.

"What will this plan do? It will put money in the hands of those who need the care, thus providing the frail elderly and disabled and their families with some degree of control and choice in caring for their loved one. It will allow people to stay at home longer than might otherwise be possible because they will be able to purchase services or products that will make staying at home an option. It will provide some efficiency in that lower cost care will be delivered in the lowest cost setting. It will protect precious public dollars for truly needy people. It will slow the growth of the Medicaid program that will soon be overburdened by the demands being placed on it by aging baby boomers. It will alter the public's expectation of and reduce reliance on Medicaid as the major payer of long term care in this country. It will encourage people to plan and pay for their own long term care needs. It will stimulate providers to meet consumer demand for new products and services. It will motivate the private long term care insurance industry to develop affordable plans to link to the state's basic plan. It will promote strong private sector oversight by requiring that the local community and business leaders govern the plan and manage the trust fund. It will educate the public about the plight of our elderly, disabled and their families.

"What won't the program do? It won't solve all the problems of a seriously underfunded and underserved system, and it won't eliminate completely our reliance on Medicaid to pay for the care of our sickest elderly.

"What happens if we do nothing? But if we don't act now, our failure will be met by a crisis in a very few short years. It is irresponsible to expect the Medicaid program and therefore the taxpayers to continue to fund this healthcare system virtually in its entirety, especially as we move into the high use years of the baby boomers.

"The needs of the elderly will overshadow the needs of the young and more important programs such as education. Taxpayers have a right to know what our long term care system is costing them today and how that expense is expected to rise in the future.

"I hope this body considers this measure and I urge your support. Thank you."

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"We've been here before. We've debated this issue before. Actually, some of us debated this issue more than 12 years ago when it was called project hope. And the same people that were pushing it then are pushing it now. It has always been a tax program. It has always been a government controlled program. It's never been social insurance. There's nothing sociable about it. There's no insurance about it. It is a government tax! It represents the largest tax in Hawaii's history on top of already high burdensome taxes.

"You heard the top ten list. You heard the list of wonderful things that this might do. One of the things that I want to address is the idea of the actuarial requirements. I've only seen one actuarial study that was done on this plan. It was done two years ago and it showed that in fact it would not work, could not work, that the numbers, the numbers, do not add up. If we don't take that study, let's look at any government program that we have. Let's compare the original estimates made, debated on this Floor, with what the cost would be.

"You heard today, for example, we were talking about multi-track and how that was going to save us money. Sure, it may have saved us money in facilities, but then there was on the other end in management costs and personnel costs, much more increases. Every time we estimate something here, we find that the actual costs go up and up and up. And who's got to pay that? Additional taxpayers while we take other taxpayers off the roll.

"We heard the term 'choice' used, and that's interesting because what this really does is deny consumers' choice. It forces everyone into a one size, one fits all mode, just like we had with the prepaid healthcare act. Back in 1970, 71, 72, 73, we were told that this was the sign of the future. It was going to be a partnership between employers and employees. It was going to be universal coverage and everybody was going to benefit from it. And none of those things happened because from the very beginning, it was one-sided and it was to provide benefits and not to provide choice or a cafeteria style approach to medical care, or to allow for differences among and between people, and neither does this long term care tax proposal.

"There are differences among people. People have different needs, they have different wants, and they have different responsibilities. And what we do whenever we have a government program and a tax program like this, we punish those people that take it upon themselves to be accountable and responsible for themselves and their families.

"In addition, we talk about the possibility under this plan of keeping people at home maybe longer. But what we don't talk about, at least the proponents of this bill and this idea, is that the whole idea is to put them into institutionalized care, into nursing homes or into other facilities – facilities which are already overcrowded; facilities which are not built; facilities which somebody is going to have to be responsible for in terms of the capital improvements, the investment and other costs.

"We talk about the regressivity of this particular tax. We don't talk about the fact that part timers would be included, that people that are waiting to have other options don't get those other options.

"In terms of the marketplace responding – the marketplace doesn't respond because you put more taxes and more regulations into a state's economic picture. The market

responds to what the needs of the people are. The market, in fact, has been responding. If you take a look at products that are available right now, there are dozens more products that are already online and many more that are coming. Are they expensive? Yes, they're expensive, considering this is the state that talks about free education, free lunches, free transportation, and free everything else. There's a cost for everything.

"As the demand goes up and as the options continue, the cost will go down. And if we really want to help people, then we encourage them to participate in those options and we give them tax reductions or tax credits, or better yet, we reduce their taxes overall so that they have more take-home pay and they can make more choices themselves as to where they put their dollars, whether it's in healthcare, transportation, education.

"The point of the fact is that government can't and shouldn't do everything, and this government has done very little very well. To add another layer of bureaucracy, to institute another tax would be the wrong medicine at the wrong time.

"Thank you."

Senator Espero requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Whalen rose to speak in opposition as follows:

"Mr. President, I'll be brief. It's in opposition.

"Nobody mentioned it so I will, not the fact that I was on the long term task force study joint committee thing. We actually had private industry come in at one point. They took a look at what the state was developing in terms of the program – this tax idea. They looked at it and said, 'we've got insurance benefits that far exceed what you're asking for that will cost much less, but nobody buys it right now because people use their money to pay the rent, pay the electricity bill, buy gas, and whatever. If you really want to do something about it, give them a tax credit or something so people can afford it. Our programs right now are far superior to the benefits you're asking for and it will cost less.' The only advantage we have is we can go in and take it out of their pockets, whereas insurance companies can't.

"If we really want to take care of this problem, instead of creating more bureaucracy, another government program with the mandates that you know a future Legislature is going to get involved and start doing stuff just like our prepaid and our auto insurance and everything else, adding mandates after mandates and we start monkeying with it, it will be the same way here. If we really wanted to solve the problem, get people to buy insurance and do that by either tax credits or whatever else. That would solve the problem instead of merely expanding the size and scope of government."

Senator Kim rose to speak with reservations and said:

"Mr. President, I rise with reservations.

"Mr. President, my concern is that \$70 a day right now is really not adequate enough to cover the cost and the needs that these individuals will have. When this program gets started in a few years from now, \$70 is not going to be enough. I'm afraid that we're going to give people false hope and a false sense and that they're going to be coming back to tell us and complaining that \$70 is not even going to begin to pay for the cost that they're going to be being charged.

"Thank you."

Senator Baker rose and said:

"Mr. President, just a couple of items of clarification on this matter, particularly after listening to the Senator from Hawaii Kai.

"This bill does not drive people into institutions. As a matter of fact, the whole trend in long term care is away from institutions. If you talk to elderly folks these days, their desire is to stay at home and to age in place.

"What this bill does is to provide for about 75 percent of the needs that elderly folks will have for home and community services. It's not designed to pay for nursing home care. There's not enough benefit in this bill. There's not enough tax being paid for that.

"I happen to have a long term care policy. It's a lot more expensive than this particular proposal for not a whole lot more benefit. So while the private sector may say that there's a lot of activity with a lot of policies out there, it's going to take a measure like this for insurers to come in and provide those supplemental approaches like Medicare part B did which will help supplement this very basic, in-community, in-home program. And that's all this program is designed for.

"Thank you, Mr. President."

Senator Hogue rose in rebuttal and stated:

"Mr. President, in rebuttal to the last speaker.

"This is such a disincentive. And if we think that \$70 is going to be the incentive for people to go out and get more long term care insurance, boy we're really barking up the wrong tree, because that's exactly the opposite of what happens. When you put measure like this forward, people assume that they have long term care being taken care of and so they will do just the opposite of what they should do – they won't go out and look for long term care insurance.

"I applaud the Senator from Maui that she has gone out and purchased a policy. More people should do exactly that. I know that AARP has been one of the strong advocates of this particular measure and I applaud the fact that they're concerned about long term care. Ironically, if you join AARP, you can get a policy from them for just pennies more that covers a whole heck of a lot more than this particular bill covers.

"So, we really got to watch out. When you put a mandate on the people for the hundreds of millions of dollars in taxes, you also create the unintentional consequence of a disincentive of people going out and doing what they should do, which is purchase long term care insurance. Long term care tax credits work much better and that will be discussed in a bill coming forward.

"Thank you, Mr. President."

Senator Ihara rose to speak in support of the measure with reservations and said:

"Mr. President, please not my support of this bill with reservations."

The Chair so ordered.

Senator Aduja rose to speak with reservations and said:

"Mr. President, I'd also like to lodge my reservations and I would urge also that this body look at the other bill regarding a tax credit, that perhaps that is a good alternative as well.

“Thank you.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 813 was adopted and S.B. No. 1088, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LONG-TERM CARE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Hemmings, Hogue, Ige, Sakamoto, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 814 (S.B. No. 1238, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 814 be adopted and S.B. No. 1238, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“Good intentions do not always produce good results. I believe this measure is fatally flawed when it relates to the rights of an individual to revoke his previous commitment once he may be judged no longer to be competent by some authority.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 814 was adopted and S.B. No. 1238, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MENTAL HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

Stand. Com. Rep. No. 821 (S.B. No. 1399, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 821 be adopted and S.B. No. 1399, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this bill.

“This is the measure that is going forward that is the way that the state should react to the concern about long term care. Tax credits encourage people to purchase long term care policies and it’s much, much better approach than the massive tax increase of S.B. No. 1088.

“I just want to note that there is one very minor technical error in this particular bill. It’s on page 3, line 12, subsection (d)(6). I think inadvertently the word ‘and’ is there instead of the word ‘or.’ As one of my committee aids noted, that means, as written, the only way you could get this tax credit would be if everyone in your huge extended family was simultaneously eligible. The coverage would have to include the taxpayer and their spouse, and a child, and a stepchild, and a parent, and a stepparent. And if anyone was missing from this list, you could get no tax credit. Obviously that’s not what we want. We want the tax credits to go forward so I hope that little inadvertent error will be fixed.

“I hope everybody will support the bill. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 821 was adopted and S.B. No. 1399, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 822 (S.B. No. 1519, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 822 be adopted and S.B. No. 1519, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to the bill.

“I certainly support the community health centers and I think that the community health centers should be funded directly based on their need and what they’ve actually done.

“This bill started out . . . it’s had a very tortuous course. It started out adding a special fund. The special fund has been taken away. Then it had money that was coming out of the rainy day fund. That’s been changed. Now there’s an unspecified amount coming out of the tobacco fund.

“To be consistent, I have opposed the use of tobacco fund monies other than what the original stated purpose was, and that was directly related to children, anti-smoking, anti-tobacco programs.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 822 was adopted and S.B. No. 1519, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY HEALTH CENTERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

S.B. No. 585, S.D. 1:

By unanimous consent, action on S.B. No. 585, S.D. 1, was deferred to the end of the calendar.

S.B. No. 1307, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1307, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1621:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, S.B. No. 1621, entitled: “A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION AMOUNT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1626, S.D. 1:

Senator Taniguchi moved that S.B. No. 1626, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Taniguchi rose to speak in favor of the measure and stated:

“Mr. President, I rise to speak in favor of this bill.

“Mr. President, I ask you and my colleagues to consider doing something today – and that is to invest in our children. We have passed numerous appropriation bills onto the House that could fund education initiatives because these bills will help invest in our children. We have other bills today that authorize special purpose revenue bonds for private education institutions. I am hoping these bills will also pass because they, too, invest in our children.

“S.B. No. 1626, S.D. 1, is our way of putting some real money where our collective mouth is. To truly invest in our children, we need real dollars and not just campaign promises. We must provide adequate resources for the Department of Education to do its job. I believe we need to give our superintendent, our principals, and our teachers a fair shot at meeting the increasing demands placed on them.

“If we are not willing to do this in these rough economic times, if we are not willing to do something out of the ordinary, if we are going to continue on this downward spiral of cutting the budget 5 percent at a time, then can we truly say that we believe that education is our number one priority?

“S.B. No. 1626, S.D. 1, will provide a \$70 million investment in our children who attend public schools. Forty-five million would go to school complexes on a per student allotment to deal with standards implementation. Standards implementation design is the department’s plan to achieve success and to comply with the federal ‘no child left behind’ mandates. This means that we will be adding \$250 more to the roughly \$6,000 per child average that we spend now. Three million dollars of this \$70 million will go to restore the cuts made by the Governor. Twelve million would go to address various needs addressed in the appropriation bills that we have passed, and \$20 million will go for repairs and maintenance to reduce our multi-million dollar backlog.

“S.B. No. 1626 will also provide \$10 million for our beleaguered University of Hawaii system, hopefully, another good investment in our future.

“I know there will be those who will criticize this measure and they will be much more articulate than I am. Yes, this is a tax increase. But do we really want to invest in our children? Is education truly our number one priority?

“Is a poll that indicates that 77 percent of our citizens would favor a tax increase for education really something we want to ignore? Let’s invest in our children by supporting this bill.

“In closing, Mr. President, I would like to also warn my colleagues about an additional revenue shortfall in the current fiscal year, as well as the impact a war would have on our budget. While we are all hoping for the best, I would also hope that we pass this bill along as a vehicle to help deal with a potential big hit on our financial plan.

“Members, I humbly ask for your support for this bill. Thank you.”

Senator Slom rose in opposition and said:

“Mr. President, I rise in opposition to this measure.

“How many of you remember one of those movies whether you go to the theater or you rent and it’s really suspenseful. It comes down to the end and the bomb is ready to go off and they’ve got to cut the wire – it’s the blue; no, it’s the red; the blue; the red; the blue; the red. They have to cut the right wire because if they don’t, they blow themselves up.

“I would submit to you, in this body of metaphors, that this bill would cut the wrong wire and would blow us up. It would not solve the problem. It would not take away the emergency.

“It is a tax, pure and simple. Whether you’re articulate or illiterate, it is a tax and it will cost you more.

“And by the way, people talk about this as it’s only a one-half percent increase. It’s only one half penny more. No, it’s not. Whether you went to Punahou or Kamiloiki, the math is the same. It’s a 12½ percent increase compounded by the impact of pyramiding on the nation’s only gross income general excise tax, not sales tax, general excise tax. It is the most regressive tax hurting those the most that can least afford it.

“I like investments, but I have to hearken back to earlier discussions. Gee, it seems like only five or six hours ago when I was talking about how words are used like contribution – it’s a good word; taxes are not contributions – investment. Now, I’m from the old school, Mr. President, to me an investment is something that you make voluntarily. I choose to invest in this; I choose not to invest in that.

“This is not an investment. This is a tax that impacts all of us. It is a tax at the time that all of the other states, even crippled with huge deficits, they’re cutting their taxes, and here we are talking about raising our tax. We even have Mr. Clinton’s former policy advisor who is the new Governor of New Mexico giving us a run for our money by bragging about how they have cut taxes and cut business costs in New Mexico. And we’re still talking about the same old thing – tax and spend.

“Now, at the hearing in Ways and Means the other day . . . and I always salute the Chairman of the Ways and Means Committee – he has been most fair, most open, most objective, allowing everyone to ask questions, to discuss issues. We’ve had very good debates, and since there are 15 of us out of the 25 that sit in that Committee, we have very good debates.

“Colleagues, I hope you remember when the superintendent of education was there along with many of her minions, and I asked her what the money was going to be used for specifically. Was it going to be used for old programs or programs that they’re complaining about now that they can’t fund? Was it going to be used for textbooks? Was it going to be used for security on campus? Was it going to be used for improving test scores? And she was very evasive about what it was going to be used for. We also talked about SIMS, I believe, and other things, other programs.

“What I finally got out of that discussion, and anyone can correct me if I’m wrong, was that no, she wanted that money to replace the money of increased new spending that was subject to the 5 percent reduction in spending. It was not talking about taking care of business the way it is now; it’s talking about new expenditures.

“Now, as far as the \$10 million dollars to, again, my alma mater, the University of Hawaii, we can all share the Chairman’s hope that it will be used for good purposes – but we

don't know because it's not specified! And that's part of the problem. We're always talking about raising more money, raising the taxes on the people that can least afford it, without requiring a plan, without saying, here's what it would be for.

"Now, how about that poll, that Advertiser poll. Geez, even the Advertiser had to correct the misuse of its own poll, which is amazing to me cause they spread so much misinformation. But they said 'Wait a minute, wait a minute. People have been taking that out of context. We didn't ask the question and people didn't answer, "Yes, we want to spend more taxes if it means that it will go for education."' What people said in that poll was 'we will be willing, perhaps, to have our taxes increased if and when we see an educational program and we know what it's about and we believe in what it can accomplish to improve the educational system.' That's far different from saying raise my taxes; raise my taxes, cause they never said that.

"So here we are with the wrong decision and the wrong plan and the wrong wire to be cut at the wrong time, regardless of whether or not we have a war. In fact, if we are involved in military operations, that's an even better reason not to raise taxes but to try to cut taxes, to try to improve the standard of living of every single mom, every family, every small business in this State who is still struggling under the third or fourth highest tax burden in this nation.

"The final comment, and it sounds good cause we're often accused of saying one thing and doing another, the comment is – let's put our money where our mouth is. Okay, Mr. President, let's line up over there and let's put our money where our mouth is. What this bill does is take the money from other people's mouths, from children's mouths that we say we want to help, from families who can least afford it and make the business climate even more inhospitable – bad thing to do . . . this week, this month, next month, no matter what the circumstances.

"I urge my members and colleagues to vote against this bill. Thank you."

Senator Sakamoto rose to speak in support of the measure as follows:

"Mr. President, I rise in support of S.B. No. 1626.

"As mentioned, yes, it's a half percent increase in the excise tax and also includes provisions for the food deduction – \$100 graduated. And I believe, as mentioned, the Advertiser poll of February 9 did mention that 77 percent of residents would support a tax increase to make needed repairs to the schools and to improve the quality of education in public schools. This measure would provide those funds and enable those repairs and quality education to be improved. Certainly, we're not going to improve everything.

"Over the past few years, we in this body, including the House and the previous administration, have greatly improved the facilities in schools. The \$640 million backlog is maybe \$440 million but there's a long way to go, and we tried to address textbooks but certainly there are a lot more things to address.

"I support this measure as your Chair of the Education Committee and also as a business person looking for a stronger economy. I firmly believe that our economic viability as a state is completely dependent on our education system. These two are very important Es, very important Es – education, economy. They're completely intertwined, completely.

"Many stand in opposition to this bill based on the belief that it will hurt our economy, but I believe it will enhance our economy if we invest in education. And if we don't have all of the elements of our E in our system, pieces of the E of our economic system will fall off and become missing. For example, if we don't provide enough adequate facilities through our R&M and CIP funding, then the foundation of our economy will fall off.

"Drop off one part of our E and what? Perhaps we get F. If we fail to provide quality up-to-date textbooks, resources for the children in our classroom, perhaps the middle of the E vanishes. Perhaps we get a mediocre C, which no one wants. If we miss the opportunity to build a world class research university, stimulating the economy as well and no one questions how that could be done, what do we get? Maybe we get an F by dropping off part of it. Maybe we get an upside down F. And if we don't provide all the resources for all of these elements, we would be left out of a growing, healthy economy, and certainly nobody wants an incomplete, an 'L'.

"So, as we strive to make Hawaii's economy increasingly information based, this E connection, E bomb, if you will, Senator from Hawaii Kai, will become even more important. Our state's employers rely ever more on graduates who are well prepared for the intellectually demanding jobs of today as well as tomorrow. And as Education raises the skill level of the workforce, employees work smarter, and these increases will help fulfill and, in essence, increase the capacity of our economy to produce more with the same amount of employees, meaning that there's a larger economic pie for everyone to share.

"Mr. President, I'm in support of this measure. And as Senator Slom mentioned, the voters did as well, if – big IF – if the funds from the tax increase are earmarked for education, if more accountability is established with the department. And certainly, I don't necessarily agree . . . I agree with the Senator from Hawaii Kai that it isn't up to Ms. Hamamoto. I think we have an opportunity to say how those funds should be directed – more accountability in the department to demonstrate how these increased resources will result in increased outcomes; and thirdly, that the systems establish more local control for residents and parents and more oversight and control over their schools.

"Mr. President, this measure provides resources to bolster education and promote our economy and allows us to keep our promise to our children to prepare them to live and work in our increasingly complicated and competitive world. I ask all of those here to support the measure, because indeed, it is both education and economy.

"Thank you."

Senator Kawamoto rose to speak in support of the measure and stated:

"Mr. President, I rise to support this bill with comments.

"If we're going to pass this tax increase, which I support, and we're going to hang our hat on the fact that the public said 77 percent goes to education, and if they said that to help the schools, the programs, and facilities, then we should do that. We're not supposed to go and give \$100 for a food credit or medical services. That's not what was in the equation. The equation was a tax increase for education, and that's what we should do.

"I remember back when Governor Ariyoshi gave us a \$25 rebate. I don't remember where that \$25 went to. You give

back \$100. To me, I hope there's a block that says, can I turn this \$100 of food credits back to the schools. And I would do that because I think it's good to go back to the school.

"I also agree with the Senator from Hawaii Kai, because he was our team captain on our debate team at the university that I went to.

"I just wanted to add that we need to think about ourselves. We need to go out and sell this tax increase.

"For the last three weeks, I've been going out to the Mililani Neighborhood Boards, Pearl City Neighborhood Boards, Waipahu Neighborhood Boards speaking about the University of Hawaii West Oahu Campus. And we all got resolutions in support of the campus. And if I should say to my grand-kids, if I ever do have some, that in 2003, the Session of 2003 we raised the tax half a percent and what we did with that is we had a chance to build this campus that you're going to right now, and that was a commitment, as the Chair said, a commitment to our young people.

"I'm hoping that the \$10 million that the university gets, the priority becomes to pay the debt service of the money that we're going to put in the budget for West Oahu Campus government bonds. And that equates to, for the first year, \$1.8 million, and from the second year on, it will be about \$6 million of debt service. That would work. But I would strongly support the use of that sum money for a promise we made 30-something years ago to build that West Oahu Campus.

"Thank you."

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against the bill.

"The whole proposal of raising taxes to improve education is fundamentally flawed, because it basically implies that the problem with education is lack of funding, when nothing could be further from the truth.

"The good Senator that runs the Ways and Means Committee could probably find this out better than any of us, but in 1990, public education consumed about \$500 million a year. It's now well over \$1.2 billion, and that does not include the hidden cost in Felix in the Department of Health and Department of Human Services. Now, many will argue a good portion of the \$1.2 billion is Felix money and that underscores exactly what I'm saying – the problem is mismanagement. We're spending all the money because it's been mismanaged.

"It seems today is the day of metaphors. Putting more money into the education system without changing the system amounts to more money in a bucket with holes in it. Why don't we fix the holes? We all agree with the good Senator from Manoa that we want to give the children the best opportunity in the public education system, but the empirical evidence in the history is that money is not the problem. The system needs to change in order to accommodate our goal of educating all our kids in the best manner possible.

"Thank you, Mr. President."

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"I appreciate the comments from the Ways and Means Chair. He is a good man but I just wanted to mention that I do invest in my children. I'm proud to invest in my children and I don't want to work anymore jobs than I already have. I have about three or four of them right now in order to pay the bills to live in this very beautiful state.

"If we raise the taxes, that will force me, and others like me who have a family here in this state, to go out and get more jobs to try to pay these taxes.

"This is really a downward spiral for our economy. There's no doubt about that. When you raise taxes in a down economy, you cause the economy to spiral downward.

"The good Senator from Moanalua was talking about going to school earlier. He talked about some of the grades that he may or may not have received. I certainly don't remember any Cs, Ds, Es, or below that on my report card. I certainly learned in economics and civics class that in a downward economy, you never raise taxes. And in my civics class, I learned that if you don't have enough revenue, that you cut expenses.

"And finally, as a parent, and as someone who is the head of a family, I have learned that in difficult times you tighten the belt and you tighten, and you tighten, and sometimes it hurts. And that's exactly why people voted us into office. It's really nice in good times when we can be for everything. I'd certainly like to go out and shake everybody's hand and say I voted for you too, but they paid us to come here and make extremely difficult decisions in extremely difficult times. The right decision is to say NO to new taxes and YES to cutting expenses.

"Thank you, Mr. President."

Senator Hooser rose to speak in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"I rise in support somewhat reluctantly, primarily because the GE tax. As everyone here knows, I'm a freshman Senator. This is the first time I've stood in this room and voted on bills like this for any length of time. And it's clear that myself, as well as no other Senator, gets any pleasure out of putting forth tax increases. Certainly, I don't get any pleasure whatsoever and I'm hesitant.

"Over the last year, Mr. President, I spent a good part of that year going door-to-door in my community – knocking on doors, talking to people, campaigning for election to this office where I sit today. And when I talked to people, they asked me what am I going to do. And I said I'm going to support education. And I'm here today to support education, Mr. President. I'm here to say that the only poll that matters to me is the poll of my constituents, nearly 16,000 of them that elected me to serve here today and to stand here and support education.

"Our community has many, many problems. We have problems with drug use. We have problems in our economy. We have problems with low wages. Those problems, our challenges, will only be solved by improving our education system, our public education system. We must invest in education.

"If you look at history, where commerce was improved, it's where communities invested in infrastructure. The infrastructure of commerce in the old days, Mr. President, was harbors, and airports and railways. Communities that invested in that infrastructure succeeded economically.

"I would propose to you that the infrastructure of tomorrow – the infrastructure of commerce – is education. And until we support our public education system, K-12 and the university, we will make no headway on this issue. We must invest in education. We must make education a priority. We must send the message loud and clear that we support teachers; we support our schools; we support our administrators; we support our community and our children, and we're willing to make those tough choices.

"I hate the general excise tax. I hate it with a passion. I'm a businessman. I started my business in 1985, and there were times then and times now when I paid my taxes before I paid myself. Taxes are tough for everybody, but I believe the more important thing, again, is education, and I'm willing, for one person as a small businessperson, to pay those taxes.

"I'm hoping that we'll find another way. There are other options. We've talked about other options in the Committee, but if it comes to it, the general excise tax half a percent increase is something I am willing to support.

"I want to point out for the record, Mr. President, that this body cut taxes for the taxpayers of this state, which equals \$300 million or more per year that's in effect today. If we had not done that, today our budget would have \$300 million or more to spend on things like education.

"It's not just about money. I agree with my colleagues who have said this, 'Money will not solve the problem.' It's multifaceted, but we cannot stop investing in education while we try to figure it out. There will always be holes in the bucket. There will always be holes in the bucket. We have to manage it. We will never solve it. Every large bureaucracy will have inefficiencies. We must work to solve those inefficiencies. We must work to eliminate the fat, but at the same time, we must invest along the way.

"In my business, I do not stop everything while I figure it out. I continue investing. I continue working on it. You can bet when the leaders of past invested in harbors and railways, they spent more money than they thought. There was opposition for them at the same time, and they couldn't just figure it out. They had to invest.

"We must move forward. We must send a message that education is our number one priority and that we are willing to make that difficult step and invest in our educational system.

"Thank you, Mr. President."

Senator Espero rose in support of the measure and said:

"Mr. President, I'd like to rise in support of this measure.

"I'd like to begin by just talking a little about what taxes are. Taxes are what runs our society, what runs our government. At the federal, state, or city level, taxes pay for our military, our armed forces. Taxes pay for our police and fire. It pays for our streetlights, our potholes, our roads, our sidewalks. It pays to help the needy, the poor, the homeless. And yes, taxes pay for our education – public education as well as our university system.

"We are tasked here today to balance the budget for this state. Our country is on the verge of war. We have a problem in the Middle East, and heaven forbid, we may have a problem in North Korea. The future right now is very uncertain. We do not know what's going to be happening in the next two weeks, six weeks, eight weeks. Our country, our state, if war breaks

out, can literally be devastated by the impacts of what is to come.

"The visitors, the travelers will not come to Hawaii, and this is the worst case scenario. People will get laid off. They will lose their jobs, like what has happened in the past, Desert Storm, other wars. And our services that many of the needy and people of Hawaii rely upon are going to be seriously, seriously impacted, including education.

"Our own Governor is having problems balancing the budget. What was at one time expected to be a 5 percent decrease across the board looks like that's not going to be the case. It might be 3 percent. It might be 2 percent. Who knows? Until the Council of Revenues comes out with new figures, again, right now we're playing with numbers that no one in this body or even the House can say for sure what we're going to be dealing with. And again, because there are forces outside of our control globally, we need to be prepared.

"This measure is a vehicle for us to be prepared. Yes, we must make the tough decisions. That is our job. And there's nothing tougher than having to raise taxes in this type of situation. No one wants to raise taxes. But what are we talking about? For every \$100 spent, you're looking at an additional 50 cents in taxes. That's what it is. We could argue is it a half percent, there's a 12 percent, whatever the case. The numbers are for every \$100 spent, an extra 50 cents.

"I'm willing to pay that price. I've spoken with constituents and others who think it's a small price to pay, especially when you're looking at a generous food credit, and then of course putting money into education. If we don't have to raise taxes, then let's not raise taxes. But it's our fiscal responsibility to look at all options. That is why we're here and this is one option that we must leave on the table. We would not be following our fiduciary responsibility by not even considering a tax increase.

"Again, no one wants it. But tough decisions have to be made and your Majority is ready to make those decisions, Mr. President. Thank you."

Senator Menor rose to speak with reservations and said:

"Mr. President, I just want the Clerk to note that I'll voting aye, but with strong reservations and I'd like to have remarks inserted in the journal."

The Chair having so ordered, Senator Menor's remarks read as follows:

"Mr. President, I just wanted the record to note the fact that I will be voting in favor of this measure, but with serious reservations.

"I am concerned about the regressiveness of the excise tax. I'm also concerned that an excise tax increase could hurt consumers and businesses during these difficult economic times. Nevertheless, I will be voting in favor of this measure because it raises important issues and calls for additional much-needed funding for our public schools.

"Given the significant interest in this bill, I would like to clarify that my vote to keep this measure alive is for discussion purposes only and not because I agree with the funding mechanisms Senate Bill No. 1626, S.D. 1, proposes. I would also like to emphasize that, in passing this measure at this early stage of the session, the Senate is not giving this bill final approval, but only moving out the measure for further consideration and review by the House.

“Thank you, Mr. President.”

Senator Whalen rose in opposition as follows:

“Mr. President, I rise in opposition.

“I’d just like to let you know, Mr. President, that the Minority is also willing to make the hard decisions as in accountability in our educational system and not just simply pouring more money down the broken bucket with the water pouring out through the bottom. That is where we see the solution lies, not in zapping our people of Hawaii with higher taxes to pour into more of a bloated bureaucracy with a potentially even huger administrative workforce, meanwhile, our children, who we’re saying we’re making these tough decisions for, get the same education they’ve been getting for quite some time.

“Those are the decisions we’re willing to make to cut to the core of the problem, not just pour more money or more ointment on a sore, but actually get rid of the sore and heal it.”

Senator Slom rose again and said:

“Mr. President, just a couple of additional comments and remarks.

“For people that hate the tax and people who don’t want to raise the tax, you’re willing to swallow the hatred and you’re going to raise the tax. It’s very interesting to me that you would do this.

“It’s also interesting that we cannot equate support for something other than support for taking someone else’s money. It’s real easy to be generous with some else’s economic freedoms or personal freedoms, and that’s exactly what we’re doing. We’re not letting them make the choice, not letting them do that.

“I’m intrigued by the E for efficiency in education with the 4½ percent increase or the increase to 4½ percent, the 12½ percent increase. And it does matter whether it’s 50 cents or 12½ percent compounded and pyramided. But I’m just wondering, if the 4½ percent would give us more support and more efficiency, then why don’t we go to 5½ percent, or 6½ percent, or 8½ percent? What’s the difference? I didn’t hear anybody here talk about any limitations other than the Minority.

“And, as a matter of fact, during that Ways and Means hearing, did we not hear from different people who came in and said we like this tax but let’s add another half percent for the welfare recipients. Let’s add another half percent for human services. Let’s add another half percent for this group, that group, and every other group. In fact, we had one gentleman who wanted to raise it to 7.75 percent but that additional amount would only apply to tourist and the rich, as he defined them.

“And when you talk about looking at options, the only option we’re looking at is doing things the way we’ve done them for 40 years in this state – more taxes, more spending, more holes and more rotten buckets. We have options; we have alternatives; we have creative ways of doing things to show our support for the teachers, for the schools, and more importantly, for the parents and the students who support those schools, and yet we don’t do that. We always come back to the idea of taxes.

“Let’s be specific about some of the other things in this bill. First of all, it creates another special fund. We didn’t talk about that yet. Secondly, the last time we tried to raise the general

excise tax, one of the groups that was the most vehement in opposition to it was the real estate community, the realtors. Well, we’ll take care of that. We’ll lower their rate from 4½ percent to 2 percent, except that the realtors have already testified in opposition to this bill. They didn’t take the bait. They didn’t take the buy off. They understand that the taxes will hurt everybody including their clients, that taxes will hurt the students and their parents who pay for the education because it is across the board, regressive, pyramiding, and impacts everyone and everything we do.

“How about that \$100 food tax credit, which doesn’t apply to everybody, but doesn’t apply just to the poorest among us. If that single mom spent \$200 a month on food, at the end of the year, if we exempted food from 4 percent, didn’t have to raise anybody’s taxes and didn’t do anything else, if you really wanted equity that single mom would save \$96 right off the bat. But who in Hawaii only spends \$200 a month on food with any dependent living with them? So as you increase that amount, you would increase the amount that would actually be saved, without raising taxes.

“This idea of we’ll raise the taxes but we’ll give you this, we’ll do this, we’ll do that – it’s not good policy; it’s not good planning; it’s not well thought out at all. It’s a desperate grab at someone else’s resources.

“And one final comment that I have to make – it is not taxes that makes the economy go or makes good things happen. It is the work, the effort, the initiative, the resources, and the investment that individuals make. Taxes are the punishment and the theft that government exacts upon people to tell them that we in government know how to spend their money and order their lives better than they do. You want to invest? You want to support? Then free people, cut their taxes, allow them to make the decisions for themselves.

“Thank you.”

Senator Tsutsui rose and said:

“Mr. President, I would like to insert comments in support into the Journal.”

The Chair having so ordered, Senator Tsutsui’s remarks read as follows:

“Mr. President, I am in support of S.B. No. 1626. Many of our colleagues have already described the need to support education throughout the State balanced against the proposed ½ percent increase in our General Excise Tax. In particular, I would like to mention two ways in which the proposed tax increase will benefit education in the County of Maui.

“First, the population growth of central Maui over the last several years has placed undue burden on our existing schools. I would like to see the funds generated from S.B. No. 1626 used for the design and building of the proposed Maui Lani Elementary School in Kahului to alleviate the existing burden.

“Second, I am also in support of using funds from S.B. No. 1626 to expand Maui Community College into a 4-year college offering baccalaureate degrees. Currently, our students seeking higher education on Oahu, must relocate and incur additional costs in pursuit of a 4-year degree. A 4-year college on Maui will open the door to a wider group of students who may not be able to relocate to Oahu.

“As a father of one and another on the way, I am reminded of the story of two people crossing a river. When the two reach the middle of the river, they see babies floating downstream.

The first person begins grabbing the babies as they go by and place them on the banks. The second person makes the tough choice to run upstream to find out where the babies are to stop them from falling into the river.

“The Governor’s proposed cuts from the current budgets reduce support for both the Department of Education and the University of Hawaii; both already suffering from reduced support over the years. Our State’s population growth, particularly on Maui, together with our demands and expectations from our public education systems, requires we make the hard decisions now in order to improve the educational environment for our students in the future.”

The motion was put by the Chair and carried, S.B. No. 1626, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Aduja, Fukunaga, Hemmings, Hogue, Ige, Ihara, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 834 (S.B. No. 1394, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 834 was adopted and S.B. No. 1394, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 838 (S.B. No. 864, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 838 was adopted and S.B. No. 864, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

At 5:46 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:47 o’clock p.m.

Stand. Com. Rep. No. 840 (S.B. No. 883, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 840 was adopted and S.B. No. 883, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 842 (S.B. No. 956, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 842 be adopted and S.B. No. 956, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“The bill makes a presumption that any pregnant woman would qualify for Medicaid eligibility or for QUEST. There are several problems with that. First of all, we have a presumption clause in workers’ compensation and that’s what’s driven up the cost and made it unfair. The presumption is that any injury is a work-related injury and can be claimed as such, and it’s very hard to rebut that presumption.

“Secondly, we haven’t done this for any other class of people but we’re doing it right now for pregnant women.

“The third problem with this is that it would add cost and would add to the QUEST roles. Originally, this idea of QUEST was supposed to be the safety net to take care of the gap group people or the people who had fallen between means testing and ability to buy insurance. We have seen the cost of QUEST and the numbers of QUEST people just tremendously increase and the program has not been run efficiently.

“So, what this bill would do would be add to the problems that we have, rather than looking at the causes of the problems and trying to fix them.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 842 was adopted and S.B. No. 956, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Trimble).

Stand. Com. Rep. No. 851 (S.B. No. 1354, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 851 and S.B. No. 1354, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 852 (S.B. No. 1423, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 852 was adopted and S.B. No. 1423, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Slom).

Stand. Com. Rep. No. 854 (S.B. No. 1584, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 854 was adopted and S.B. No. 1584, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD CARE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Slom).

Stand. Com. Rep. No. 855 (S.B. No. 945, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 855 was adopted and S.B. No. 945, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

Stand. Com. Rep. No. 856 (S.B. No. 1240, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 856 was adopted and S.B. No. 1240, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 858 (S.B. No. 425, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 858 be adopted and S.B. No. 425, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 858 was adopted and S.B. No. 425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 863 (S.B. No. 1251, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 863 be adopted and S.B. No. 1251, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 863 was adopted and S.B. No. 1251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE CHIEF INFORMATION OFFICER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 865 (S.B. No. 376, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 865 be adopted and S.B. No. 376, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of S.B. No. 376, S.D. 2.

"Due to the wisdom of the good Chairman of the Senate Ways and Means Committee, I'm able to stand here and talk in favor of this bill and offer an alternative in the form of a future amendment as this bill progresses through the process.

"The harsh reality is we are in tough economic times and we have to make tough choices as we've been talking about all day. Well, it's not too tough of a choice for me to vote 'no' against the art Taj Mahal next door and to put the money that presently

is in the State Foundation of Culture and the Arts for the next two years of CIP funds into books, rather than more surplus art.

"The reality is that we have, according to the Foundation of Culture and the Arts, over 1,000 pieces of art currently in storage. Over the next two years, their CIP funding is going to allow them to get up to \$5 million in additional funding. They have, currently, \$5 million or \$5.5 million on hand.

"By taking this money for the next two years and redirecting it towards books, we could solve the library problems at Kapolei and all the libraries, including neighbor island libraries. Now, there seems to be a question regarding if we can use CIP funds for books. It's based upon an old opinion from the attorney general. I put in a formal request to get a new opinion. I certainly believe that the many opinions in the previous Attorney General's Offices would support the current political ideologies of the people in power.

"Nevertheless, books are capital improvement. Literary arts is a legitimate expenditure of public money, and in view of the fact that we have a surplus of art, certainly all this extra money would make eminent sense to put it into books rather than art.

"I hope that the members of this Legislature will consider this alternative as this bill continues through the process. Thank you, Mr. President."

Senator Ihara rose with reservations and said:

"Mr. President, please note my reservations for this bill.

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 865 was adopted and S.B. No. 376, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ART," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 867 (S.B. No. 1582, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 867 be adopted and S.B. No. 1582, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to this bill.

"This bill would let chiropractors advertise themselves as chiropractic physicians. Now, I think that we all can agree that individually, chiropractors may be very good people but they are not physicians. They did not go to medical school. They did not pass all the medical tests.

"This bill would expand the scope of practice for chiropractors who have usually worked on spinal areas to include most of the body. If you look at the bill it will include people's heads, backs, rib cages, arms and legs. And while the bill carves out an exception to this for insurance claims for workers' comp limiting payment to manipulation of the spine, all other types of chiropractic coverage would have to include this vastly expanded scope of practice – vastly expanded scope of practice. I've heard from one doctor who says that now chiropractors would be giving physicals, for example. I don't know about you, but I don't think the chiropractor should be giving physicals.

“Certainly, you’ve definitely got to be suspecting something’s a bad idea when groups that often really go head to head with other, sometimes even hate each other’s guts, unite on this bill in opposition to it. This bill was opposed by the doctors – you would expect that – also by the lawyers who often sue the doctors, and by the insurance companies that cut reimbursement checks for the doctors. It was also opposed by both the Chamber of Commerce and the labor unions.

“I hope you’ll join them and me and vote ‘no.’ Thank you.”

Senator Menor rose to speak in support of the measure as follows:

“Mr. President, I rise to speak briefly in support of this measure.

“I just wanted to raise a point of clarification and correction, with respect to one of the comments that the previous speaker has made regarding interpretation of this bill. He indicated that there is an exemption for workers’ comp but that it would not cover other lines of insurance and that other lines of insurance, in particular automobile insurance, would have to provide coverage for expanded chiropractic services. That is not accurate.

“I direct my colleagues attention to two aspects of the committee report and the bill. First of all, if you look at the second page of the committee report, this is what it states specifically, it states: ‘It is not your Committee’s intent to expand the scope of chiropractic practice or to effect increases in the costs of providing workers’ compensation and motor vehicle insurance benefits. Therefore, your Committee has amended this measure to include language that expressly disclaims any such intent in order to preclude applications of the law that may result in increased utilization, such as the recoding of chiropractic visits based on the amended definition of “chiropractic.”’

“The second portion of the bill that I’d like to direct my colleagues’ attention to would be page 4, lines 16 through 18, and this is subsection 2, which indicates that ‘Nothing in this Act is intended to increase the limitation on the number of chiropractic visits allowed under section 431:10C-103.6, Hawaii Revised Statutes,’ which relates to our automobile insurance law.

“I just felt that these points needed clarification. Thank you very much.”

Senator Sakamoto rose to speak in support of the measure with reservations and said:

“Mr. President, I rise in support of this bill with reservations.

“I thank the Chair for adding those points, however, this is still a possible Trojan horse, because in my experience, many times chiropractic doesn’t care, doesn’t provide a curative solution. My concern is that eventually this could drive up the cost of workers’ comp for small businesses and raise the cost to consumers.

“Certainly, those words are in the bill now because in the past, chiropractors, some chiropractors, have driven up the cost of workers’ comp premiums, automobile premiums by treatments that are repetitive and not curative. Palliative care makes one feel good, but that does not correct the cause of the pain or distress.

“This bill greatly expands the scope of chiropractics and could accelerate the rising medical costs in Hawaii.”

Senators Slom, Aduja and Ige requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 867 was adopted and S.B. No. 1582, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHIROPRACTIC,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Trimble).

S.B. No. 1057:

Senator Menor moved that S.B. No. 1057, having been read throughout, pass Third Reading, seconded by Senator Kawamoto.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“It’s interesting. I don’t know what the origin of this bill is to make the insurance commissioner now be subject to confirmation by the Senate. For the last 40 years it was okay that the insurance commissioner was appointed by the Governor. Then we had a change in the Governor and now the Senate wants to confirm the insurance commissioner.

“I haven’t seen any justification why we have to do this, why we should do it, but I see reasons not to do it – and that would be, undue influence by the Legislature or not confirming good people.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 1057, entitled: “A BILL FOR AN ACT RELATING TO THE INSURANCE COMMISSIONER,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

S.B. No. 1152, S.D. 1:

Senator Inouye moved that S.B. No. 1152, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hanabusa.

Senator Whalen rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to this bill.

“Mr. President, I rise in opposition because of what we’re actually saying with this thing. Again, it’s one of those feel-good measures, but at the same time, if you think about it, we’re saying that the people that we have on these various boards and commissions are incapable of truly representing all of Hawaii, that we need someone on there who can represent or protect the interests of Hawaiians. And if that were true, we should get rid of the commissions and boards altogether, because their whole purpose is to look at things from a broad-based perspective and do what’s right for everyone. That’s why we say elected people can’t serve on them and we bring people from the community to sit on these boards for their advice or decision making things that they go through.

"I'd note that to do what we want to do here, we have to change the law for most of these things that say that if you're elected, you can't serve on it because OHA can. And that was a wise decision to keep elected people out because you don't want politics involved in many of these decisions. But by sticking OHA or their representative on there, we are cramming politics right in the face of these people on the board. Because the interest, if you think about it just for a moment, these other people are there with the mandate to do what's best for everyone in Hawaii. Now they've got someone on their board whose mandate is to do what's best only for Hawaiians, no one else matters in their thinking, in their analysis, just Hawaiians.

"I do not think it's a proper role for these boards to come and have individual constituencies that they're representing instead of the overall deciding what's best for everyone. And that's why I oppose this measure."

The motion was put by the Chair and carried, S.B. No. 1152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPRESENTATION OF THE OFFICE OF HAWAIIAN AFFAIRS ON BOARDS, COMMISSIONS, AND ADVISORY BODIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 3 (Ihara, Kim, Taniguchi).

Stand. Com. Rep. No. 873 (S.B. No. 254, S.D. 2):

Senator Inouye moved that Stand. Com. Rep. No. 873 be adopted and S.B. No. 254, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Kawamoto rose to speak on the measure as follows:

"Mr. President, if I recall, this bill from Ways and Means concerns a bridge that runs in the . . ."

Senator Hemmings interjected:

"Point of order, Mr. President. Is the speaker speaking in favor or against this legislation?"

The President posed that question and Senator Kawamoto answered:

"Mr. President, unfortunately, I'm speaking in opposition of this bill.

"I'm a Big Island boy. I love the Big Island people. I grew up there for a long time. But in this bill, I think we're setting a bad precedent.

"I learned in Ways and Means that we have a water easement of which some time ago in the '70s somebody built a bridge. Nobody knows who built the bridge on private property over that easement. That bridge is falling apart. It's dangerous, a lot of liability.

"The problem here, Mr. President, is it's on private property and we should do the pono thing, the right thing. The right thing to do is to tear down that bridge and find out who built the bridge and whose liability it would be. Because if we do build a bridge, that means that we the State would accept the liability of something that's illegal.

"Granted, the agriculture special fund has the money to build. They have \$190,000 to build a bridge. But there's a lot

of these bridges all over the State. When I was a kid we used to call them one-ton bridge, proceed at your own risk.

"I don't understand why we're doing this and who we're doing it for. But I know that once we build the bridge, we're going to be responsible for this and the liability is a tremendous liability. If it's going to be for pedestrians maybe it's lessened, but if we're going to build it for roads and vehicle traffic, you can imagine the liability we have to incur on this.

"Mr. President, it's a bad precedent. What I'm afraid of, really, is if we do build a bridge, they will come to highway bridge funds saying that we built it before, we want you in transportation to build this bridge on private property. So it's a major concern – a major concern for the entire State – and we need to take the right approach on this. So I urge my colleagues to vote 'no.'

"Thank you."

Senator Inouye rose to speak in support of the measure as follows:

"Mr. President, I speak in support of S.B. No. 254, S.D. 2, my bridge over troubled waters.

"Mr. President and colleagues, this is a very unique situation. This is an emergency appropriation with regards to Gov. Msg. No. 266. This is an appropriation of an existing CIP funds.

"There are, members, 14 residences within the area. They have been notified by the Department of Agriculture as to the notification that the bridge will be blocked. They have been notified by certified mail as well as hand delivered today.

"There has been discussion today, while we deliberate on this issue, that has been going on all day today. The Governor and the Attorney General are also in discussions with regards to the liability and the future liability. Members, I do wish to ask your consideration to assist me in moving this measure forward to further discussions in the House and by that time we could perhaps have this measure come to rest with whatever decisions will be made either by the administration or by both Houses or both bodies. So I ask that we move this measure to continue and further discussions on this matter.

"We also have been noted by the communities that they are seeking other alternatives as well. We do have meetings with the counties to see how we can rectify this situation.

"Thank you, Mr. President."

Senator Hooser rose and said:

"Mr. President, please note my strong reservations."

The Chair so ordered.

Senator Sakamoto rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support with reservations.

"I don't think it's a bridge over troubled waters as the speaker from the Big Island said. I think it's a trouble bridge over good water and I will support moving it ahead, but certainly if this was the end of the day, we need a better solution than this measure."

Senators Aduja, Tsutsui and Kokubun requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the bill.

“There’s question right now as to liability for this ditch and the bridge that’s over it. There is question and there is discussion from the executive branch from the Governor’s Office and from the Attorney General. However, we have not seen any written statements. We’ve not had anyone from the attorney general’s come to Ways and Means or to another Committee.

“We do know this – while there may be a question right now of liability, if we go forward and we put the state financially and fiscally involved, then basically we are saying that we have a liability for this. So I concur with my colleague from God’s country that this is setting a bad precedent because we’re not just talking about this one little bridge on the Big Island. We may be talking about hundreds or even more bridges throughout the neighbor islands and on this island as well.

“There is a question as to whether any of the lands appertaining to the agricultural ditch are in ownership or a responsibility to the State. But I think that this bill is premature, that we should find out those answers first before we do this, because if we go ahead, we are opening ourselves, most assuredly, to liability.

“The second thing is, what kind of duty or responsibility do we owe to these private landowners? It’s my understanding that this project or development started out as one or two large parcels and has been subdivided over the years. So, people at that time knew what the situation was, and it was supposed to be agricultural use with a footbridge, as I understand it. And the footbridge is being rebuilt at this time. If they in fact want improvements, then they should bear the financial responsibility for those improvements. I think that’s the prudent thing to do at this time, unless we have more information.

“We are always forced to be in a position of voting for things where we have incomplete information or where we’re hoping for things to change and I think we should change our focus and only vote for things when we have the information. If we can’t get the information, then we can put it off and do it some other time, but it has tremendous consequences for future actions and liability, fiscal liability by the State.

“Thank you.”

Senator Ihara rose and said:

“Please note my reservations on this bill.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 873 was adopted and S.B. No. 254, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Kawamoto, Slom, Trimble). Excused, 1 (Kim).

S.B. No. 358, S.D. 1:

Senator Fukunaga moved that S.B. No. 358, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Aduja requested her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 358, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1262, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, S.B. No. 1262, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 975:

Senator Kawamoto moved that S.B. No. 975, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kanno requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 975, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 807, S.D. 1:

Senator Kawamoto moved that S.B. No. 807, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill as it appears to dilute the requirement regarding a 500 foot distance between where liquor is sold and schools and parks.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 807, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIQUOR LICENSE APPLICATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Kim).

Stand. Com. Rep. No. 880 (S.B. No. 26):

Senator Taniguchi moved that Stand. Com. Rep. No. 880 be adopted and S.B. No. 26, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to this bill.

"This is one of a series of bills where we're transferring things from the executive branch to the legislative branch. Again, I haven't seen any reason why we need to do this. The question was economic journals and materials to be printed and sold by the Legislature. There's no justification why we need to do this, if there's been a problem, or why there should be a change.

"I've always been able to purchase materials from the Lt. Governor's Office in the past or the Governor's Office. Also, it doesn't say where the money is going to go, whether it's going to be creating another special fund or who's going to be responsible for accounting for it and what the ultimate purpose of the revenues would be.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 880 was adopted and S.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Kim).

Stand. Com. Rep. No. 881 (S.B. No. 44, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 881 be adopted and S.B. No. 44, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Aduja requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 881 was adopted and S.B. No. 44, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hooser). Excused, 1 (Kim).

Stand. Com. Rep. No. 882 (S.B. No. 235, S.D. 3):

Senator Taniguchi moved that Stand. Com. Rep. No. 882 be adopted and S.B. No. 235, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Baker, Tsutsui, English, Ige and Hanabusa requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 882 was adopted and S.B. No. 235, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hooser).

Stand. Com. Rep. No. 883 (S.B. No. 296, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 883 be adopted and S.B. No. 296, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against S.B. No. 296, S.D. 1.

"This is not a voluntary training. It's a mandate. I'm not sure that the Legislature can mandate the executive branch of government to do this type of training.

"Secondly is a matter of personal observation. I would say that any society that needs to train its leaders in ethics is in serious trouble.

"For these and other reasons, I will be voting 'no.'"

Senator Espero rose to speak in support of the measure as follows:

"Mr. President, I'd like to rise in support of this measure.

"This bill very simply mandates that our elected officials and our cabinet level appointees take ethics training. Recent incidences in the past few years have really eroded the public's faith and trust in its government. This is one small step to restore that trust in faith and to show the public that we are willing to do what it takes to listen to the ethics commission staff share with us their knowledge to make us better legislators and to allow us to serve the people in the way that it should be served.

"This bill will not add any additional cost to government. This bill will mandate, generally, what is happening now. We are having ethics training. However, not everybody attends, and this will show the public that we take ethics training seriously, we realize some of the mistakes in the past that some elected officials have made, and we will do our best to make sure those never happen again.

"Thank you, Mr. President."

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"It's interesting to note that the former State Senator, the former City Council people, the former Speaker of the House, the other people that I'm sure the last speaker was eluding to, all went to jail and that probably is the best thing to restore the confidence in the public.

"But the best thing about that was and the thing we should remember is we have a code of ethics right now. We've had it for some time. We have ethics requirements. We have financial disclosures. We have things that we are supposed to do. Yet, not one of those crooks went to jail because of anything the ethics commission did. It was because of violations in campaign spending.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 883 was adopted and S.B. No. 296, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Whalen).

Stand. Com. Rep. No. 884 (S.B. No. 317, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 884 be adopted and S.B. No. 317, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in support of the measure as follows:

“Mr. President, I rise in strong support for S.B. No. 317.

“Certainly, this would appropriate funds for the Korean War Commission to commemorate their 50th anniversary of the Korean War. I believe this is a small price to pay to recognize the key role and sacrifices of many of Hawaii’s heroes from the 5th Regimental Combat Team, which was stationed at Schofield Barracks, and their efforts for the war.

“In particular, with the potential hostilities of Korea telegraphing across our minds, I think this is the best time to express our support for veterans of the past as well as men and women in uniform today.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 884 was adopted and S.B. No. 317, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Whalen).

Stand. Com. Rep. No. 885 (S.B. No. 318, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 885 be adopted and S.B. No. 318, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I stand in opposition to this bill.

“This is yet another one of the bills trying to eliminate the use of privatization as an option. It talks about state and county partnerships and yet the county and the state testified against this bill, managed competition, as weakening Act 253.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 885 was adopted and S.B. No. 318, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Baker, Whalen).

Stand. Com. Rep. No. 886 (S.B. No. 344, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 886 was adopted and S.B. No. 344, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Baker, Whalen).

Stand. Com. Rep. No. 887 (S.B. No. 386):

Senator Taniguchi moved that Stand. Com. Rep. No. 887 be adopted and S.B. No. 386, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I stand in opposition to this bill as it seeks to dilute the powers and authority of our chief executive. It is her responsibility and that of the Director of Budget and Finance to see that all spending is done in the best interest of the State.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 887 was adopted and S.B. No. 386, entitled: “A BILL FOR AN ACT RELATING TO UTILIZATION OF FEDERAL FUNDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Hogue, Slom, Trimble). Excused, 2 (Baker, Whalen).

Stand. Com. Rep. No. 888 (S.B. No. 399, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 888 be adopted and S.B. No. 399, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in support of the measure as follows:

“Mr. President, I rise in support of this measure.

“I spoke briefly of this on a previous measure but I’d like to reiterate that this is a concept and implementation that was first adopted in New York City at a time when their crime rate was one of the highest in the nation. It’s a technological breakthrough which systematizes statistical data in a computer system. With this technique, it produces a rapid analysis of crime data and allows police to act on problems immediately, real time.

“The state of the art computer statistics COMSTAT program is successful in several other large cities nationwide – New Orleans, Chicago, Los Angeles, as well as New York. These cities have all boasted of significant crime reduction. So with passage of S.B. No. 399, Hawaii can join these cities in reducing crime and be more able to protect and serve our residents and visitors, Mr. President.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 888 was adopted and S.B. No. 399, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE COMSTAT PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 890 (S.B. No. 464, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 890 be adopted and S.B. No. 464, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against S.B. No. 464, S.D. 2.

"Very briefly, members, this could be a huge financial commitment, way in excess of a small state like Hawaii's ability to pay. There's no economy to scale. Fixed guideway systems, in addition, are obsolete technology as we move into the twenty-first century. Those systems that are in larger cities have a base population of millions, not one million.

"What's hidden in this, besides the billion dollars-plus that would be needed to build a system like this, is the operating costs. For the record, everyone believes that the bus system is a real deal. Well, it is for the person getting on and paying the low fare, but for the taxpayers, it's subsidized over \$100 million a year. There is no cheap transportation, and hiding the cost behind taxes does not fix the problem.

"But the alternative is to do many things that could alleviate the traffic immediately without spending a lot of money – for instance, deregulating the marketplace by eliminating the PUC's monopoly practice of only authorizing service in certain areas with certain providers. Most other states in the nation do not have a statewide regulatory body controlling their transportation resources. Another simple thing that could be done immediately is fix our highways. I had the pleasure of serving on OMPO with the good Senator from Waipahu and I saw that it is a bureaucracy that runs the highway department, not the leaders running it.

"A simple solution to our traffic problem in Honolulu is to make Pensacola one way mauka so people could turn directly onto the highway, and Piikoi one way makai so people getting off could go directly in the makai direction without ever having the traffic cross. This simple solution has been on the drawing boards for 12 years, and OMPO has failed to do anything.

"So, until we solve our problems with existing resources, it does not make sense to make a billion dollar or more commitment for such a small state to a fixed guideway system.

"I urge my colleagues, especially those in the outside islands who are going to be paying for it, to vote 'no.'"

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I also rise in opposition to the bill.

"I'd like to add to the comments of the good Senator from Kailua/Waimanalo. He mentioned a fact that's often overlooked and that is, in addition to the cost of construction, the cost of operation he mentioned, but there's also the cost of maintenance, and these systems are extremely expensive to both operate and maintain.

"In addition to that, if we take a look at any of the statistical data of any of the cities across the United States that have mass transit systems, we find that the costs have gone up and the ridership has continued to decline. Now, the answer always is, when we go to the mainland, we love to ride on the BART, or when we go to Washington, D.C., we ride on the Metro. That's true; we do. But that doesn't bode well for the people that have to pay the taxes and support these particular projects. And as the Minority Leader said, you also have a problem of the economy's scale with the total population as well.

"But there are a number of other things that we have to be concerned about in this bill specifically. One is fixed rail transit. If we're talking about mass transit, if we're talking about traffic alternatives, that's one thing. But we're talking

about fixed rail transit, which is the oldest technology that we have.

"I can recall back in the days back in the late '80s when we had this same debate again and it was very emotional, when the proposal was put out to bid there were some very innovative bids that were received in terms of magnetic levitation, in terms of doing things other than fixed rail, rail on steel. And yet that was the method that was chosen and here we are 12, 14 years later and we're talking about doing the same thing. We're not talking about exploring options or looking for the best technology. We're saying we're going to do that.

"We always throw in the idea of a monorail because people remember their visits to Disneyland and Disney World. Everybody loves a monorail, but a monorail is not a passenger transportation facility for any long haul.

"In addition to that, we have no idea where the site would be, have no idea where the cost would be. But we do know that in this bill, as soon as a site is selected, immediately the state can swing into action and use all of its powers, including, as the bill specifies, eminent domain, to take people's property, even if later on that project, like so many government projects, never get started or never gets completed.

"So, I think we've got some real problems here and as the Minority Leader pointed out, the neighbor islanders, where there really is a problem of lack of transportation, mass or non-mass transportation, that's where we should be looking in terms of trying to unite our islands and unite our state with transportation policy, and we're not doing that. We're putting all our eggs into the old broken basket.

"Thank you."

Senator Kawamoto rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of the bill.

"Mr. President, the bill calls for a review of, again, past concepts of fixed rail, whatever mass transit we have. It doesn't indicate that we're going to do it.

"Again, the bill was asked to be put on this Session because our Congressman Neil Abercrombie indicated to us that there is a possibility where we could get a 90/10 match between the federal government and the state – 10 percent state, 90 percent federal government. That's fantastic for what kinds of deals we're getting now. We've gotten 80/20, 50/50, and to get that kind of commitment from our Congressman if we can push a bill like this through.

"Again, all it does is to study. Maybe the word immediate is a bad word in there but at Conference we're going to try to move that out. Again, it provides a study to ensure the desires of the community to look at mass transit or some kind of fixed rail system.

"As far as the concern about the traffic, if anybody doubts the type of traffic we have in the Leeward, Central corridor, they can come out one morning and drive that corridor. It's the nation's worst traffic mess that we have. So we need to address it and we in the Transportation Committee are trying to address it the best we can at minimum cost and to provide our congressional people the intent of our State.

"So, Mr. President, I urge my colleagues to vote 'aye' on this bill."

Senators Baker and Inouye then requested their votes be cast “aye, with reservations,” and the Chair so ordered.

Senator English rose to speak in support of the measure with reservations and said:

“Mr. President, I rise in support of the measure with very strong reservations.

“Let me explain some of this. I think that this idea needs to be debated on Oahu. What I’m concerned about is that this relieves the city and county of Oahu from dealing with the issue. If you read Section 2 on page 2, it says, ‘the state Department of Transportation in conjunction with the Oahu Metropolitan Planning Organization shall develop an action plan for the implementation of a fixed rail transit system or monorail for Oahu, picking the site, etc., etc., permits.’ And then Section 3 says, ‘Immediately upon selection of the site for the fixed rail transit system or monorail, the department of transportation shall initiate proceedings, through the State’s eminent domain powers or direct negotiation, to acquire the land necessary to implement the system.’ These are the two points that I object to.

“This is really a city and county of Honolulu issue. And yet it’s taking state resources, through the Department of Transportation, using the state’s eminent domain power to immediately take property and using the state money – our treasury – to pay for that condemnation. The city and county will not pay for any of this. They want a monorail system; they want a train system. I think they should debate it. I will support that debate, but I don’t think that myself, representing Moloka’i, parts of Maui, and Lana’i, and our people there should have to subsidize this system here.

“In Lahaina we have a very sort of a blight of a problem where years ago they went in and condemned homes, people’s homes, to put in a highway and then stopped the project. The homes are sitting there empty now. What a shame. What happens? This says, ‘shall immediately upon the selection of the site,’ the Department of Transportation will go and use the state’s power of eminent domain to take the property. What happens if the money doesn’t come through? What happens if the plan doesn’t go? We’ll have all these condemned homes and people that have been dislocated – the state’s right to take property for public use and it sits there unused like Lahaina.

“So, I would like to support Oahu in this debate, but I don’t think that the rest of the state should pay for it. So that’s my reservations, Mr. President.”

Senator Hooser rose to speak with reservations and said:

“Mr. President, I’d like to also rise with strong reservations and speak.

“I’d like to echo the thoughts of my colleague from Maui, Molokai, and Lanai, and to add that this is a state government authorizing a system that would primarily serve just Oahu and the city and county of Honolulu. The neighbor islands also have tremendous needs and will be paying for this system. And though I will be supporting it with reservations, I would encourage, as it moves forward, to consider the neighbor islands to be included, at least in the planning.

“I support mass transit and I think that if planning and land acquisition even would be done today, which may be 50 years ahead of time, that the money would be well spent, in contrast to condemning land on this island right now and the expense of it. So my main objection is that the neighbor islands will be paying for it and, at this point, are not included.

“Thank you.”

Senator Kim rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of the measure.

“Mr. President, first of all, let me just say that the magnetic levitation system that our Senator from East Honolulu spoke about is certainly considered a fixed rail system. Obviously, I went to the city that had it and viewed all the different systems when I was on the city council. That was 12 years ago. I think it was at least 12 years ago that mass transit did not pass at the city council. And back then it was said we don’t need transit; we’ve got other alternatives; we should look at other alternatives; we can solve our traffic problems – 12 years ago. Today, we have the same gridlock if not worse gridlock.

“The same arguments that we don’t need mass transit; it’s going to cost too much; we can solve our traffic problems, and yet we haven’t solved the traffic problems. We’re talking about the same kinds of issues we talked about 12 years ago that I’m sure was talked about before my time and is going to be talked about again, 12 years from now. Something has to be done.

“If we want to talk about the fact that this is an issue just for Oahu, well, let’s look at the convention center. That was an issue that the city and county proposed to build a convention center. And what did the state say – ‘No, city, you shouldn’t build the convention center. We want to build a stand alone convention center. We’re going to pay \$250 million for this convention center.’ And low and behold, the state went and preempted the counties and put in the convention center.

“This body did that, and now we’re saying that when it comes to mass transit where 80 percent of the people live on this island, that the traffic conditions on this island are not going to affect the entire state? I think it’s going to and I think we’ve got to do something. And if the county is not going to do it, then I think that the state needs to step in and help them.

“Thank you.”

Senator Chun Oakland rose in support of the measure with reservations and stated:

“Mr. President, I speak in support with reservations.

“I represent a district that has the Pali Highway, Likelike Highway and the H-1 running through it, so any kind of traffic proposals that come before this Legislature will directly impact my district.

“I have a concern similar to the Senator from Molokai, Maui and Lanai, as well as Kauai, in that it has been represented that this is an exploratory effort but yet there is authorization to condemn lands. And that would impact my district. Because as most of you know, there’s Nimitz Highway, Dillingham Boulevard, King Street, Vineyard Boulevard that’s all going through my district. And as it is now, it’s very congested. If we were to put any kind of light rail through it, I don’t think the existing roadways as they’re configured could potentially accommodate that and may result in condemnation of property in the district.

“So, Chair, if this measure does go forward, I hope that these concerns will be considered in the final outcome.

“Thank you.”

Senator Tsutsui requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 890 was adopted and S.B. No. 464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 5 (Hanabusa, Ihara, Sakamoto, Taniguchi, Whalen).

Stand. Com. Rep. No. 892 (S.B. No. 579, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 892 be adopted and S.B. No. 579, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support of this program with reservations.

"I think we can all support the police department and what they're trying to do to have an alternate emergency system or non-emergency system for 911, but there are several problems with this. First of all the HPD has complained that they get over 1 million calls a year now on the 911 system and many of the calls have nothing to do with emergencies.

"Some of us may recall more than a decade ago First Hawaiian Bank, as part of its community service, spent, I think, \$40,000 or \$50,000 on a community marketing project to, at that time, get people weaned away from using 911, telling them, 'hey, it's for emergencies; let's use it responsibly; let's not add to the cost or to the congestion.' And they said to look up alternate numbers if you had something you wanted to talk about or get advice on. The police department immediately came out and said, 'No, we don't want that. We want everybody to call 911 because it's easier to control and regulate.' And in fact, people do and they call for recipes and they call for child rearing and they call for movie reviews and everything else through 911. And thus, the 1 million calls a year. So, it's kind of a self-fulfilling problem that they have created.

"Now, they want to go to an alternate system, 311. They're going to have a problem of educating people to get them away from the 911, since it's so embedded now. But that's fine and that's doable. However, the original proposal was that there would either be a surcharge or a tax or a fee that would apply to every land phone and also every cell phone. Now, we already pay fees for the 911 service; this would be in addition to that. They kind of have backed away from the idea of the surcharge or the fee at this time, wanting instead an appropriation, a general appropriation, to get the system up and running. But there are questions about what the total cost will be and I'm not convinced that, ultimately, once if the system is approved, once it's up, there will be then a call to have additional taxes, surcharges, or fees to support this.

"So, I will support the general concept. I think there's other ways of doing it. We also have questions involving the personnel. Are they going to be transferred from the 911 system right now or are we talking about hiring new people just to operate 311.

"Thank you."

Senator Hogue requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 892 was adopted and S.B. No. 579, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-1," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Hemmings). Excused, 4 (Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 895 (S.B. No. 711, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 895 be adopted and S.B. No. 711, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Kanno requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 895 was adopted and S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 897 (S.B. No. 880):

Senator Taniguchi moved that Stand. Com. Rep. No. 897 be adopted and S.B. No. 880, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against S.B. No. 880.

"I think it would be more prudent to eliminate the funding, if any, which will eventually turn up in this bill for service to be to the Governor's Office or the Legislature, no matter who expends it, and instead rely on volunteers who may be willing to conduct the tours at no cost to the state.

"This could be modeled after the DOE's Kupuna program. I'm sure there would be many senior citizens who would be proud to conduct these tours at no cost to the state.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 897 was adopted and S.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 5 (Fukunaga, Hooser, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 898 (S.B. No. 966, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 898 be adopted and S.B. No. 966, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I stand in opposition to this measure.

“Here again is another one of a series to expand bureaucracy. It is a function that needs to be done. It is best handled at the department level, and it’s best done with direction from the administration. It does not need specific legislative action.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 898 was adopted and S.B. No. 966, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RESOURCE MAXIMIZATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 2 (Slom, Trimble). Excused, 6 (Aduja, Fukunaga, Hooser, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 901 (S.B. No. 1149):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 901 was adopted and S.B. No. 1149, entitled: “A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 3 (Hemmings, Hogue, Slom). Excused, 5 (Aduja, Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 903 (S.B. No. 1347, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 903 be adopted and S.B. No. 1347, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor of this bill.

“Mr. President, in particular, I’m appreciative that the Majority Party finally saw the wisdom in removing the requirement that the precinct chair be of the same party as that of the Governor. After 40 years I think it’s important that we thank you very much for finally becoming nonpartisan.

“I’m voting yes, too, by the way, Mr. President. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 903 was adopted and S.B. No. 1347, 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, 20. Noes, none. Excused, 5 (Aduja, Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 905 (S.B. No. 1401):

Senator Taniguchi moved that Stand. Com. Rep. No. 905 be adopted and S.B. No. 1401, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“Some people were wondering whether I was going to oppose the bill this year since our Governor has embraced it. Trying to be consistent, I opposed the bill last year with the old Governor, citing that it was going to be an additional charge on passengers here while inter-island passengers are exempted. The good Senator from the Big Island had corrected me in Committee saying that if you leave from Hilo, you still will pay it.

“So it still is going to be an additional charge. The travel agents have told us that. It represents a new fee or charge and I’m voting ‘no.’ Thank you.”

Senator Kawamoto rose and said:

“Mr. President, I just want to clarify that it’s an added fee, but if we don’t add the fee from here, that means two of the stops along the way in your route . . . let’s say you go from here to L.A. to Texas. L.A. and Texas will collect their fee. They can put two fees. So, since the passenger is going to be charged two fees, we might as well take on of the fees. The fee is \$4.50 that would be charged here and L.A., and Texas cannot charge.

“So, yes, there’s a fee, but if somebody is going to make a fee and benefit from it, then it should be us. So it’s meaning \$15 million more to our state coffers and special funds.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 905 was adopted and S.B. No. 1401, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 5 (Aduja, Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 906 (S.B. No. 1404, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 906 be adopted and S.B. No. 1404, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Inouye rose to speak in opposition to the measure as follows:

“Mr. President, I speak in opposition of S.B. No. 1404, relating to impact fees.

“This relates to the counties as well. One thing I did note, Mr. President, I did vote with reservations in Ways and Means, but in looking at the bill, it’s rather interesting that the Department of Transportation would implement this program. And yet, if you look on page 4, adoption of rules, on line 4, they want all the counties to do everything by their rules but it does say the department may adopt rules pursuant to Chapter 91 to implement this part. And in so doing, Mr. President, looking at the bills and impacts, it’s rather interesting as well.

“During the Committee hearing, there was everybody else. Absence of the counties’ input in opposition is because probably this bill has surfaced immediately even though there were Committee hearings, and I’m very concerned that there wasn’t much discussion on this in relation to the counties doing this as well.

“So, with that, Mr. President, I’ll be voting ‘no.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 906 was adopted and S.B. No. 1404, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 7 (Baker, Hemmings, Hogue, Hooser, Inouye, Slom, Trimble). Excused, 5 (Aduja, Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 909 (S.B. No. 1478, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 909 be adopted and S.B. No. 1478, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose with reservations and said:

"Mr. President, I rise with reservations.

"I think that the net effect of this will be in the future to increase the litigation expense of the state.

"Thank you."

Senator Kim requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 909 was adopted and S.B. No. 1478, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONAIRES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Aduja, Fukunaga, Ige, Ihara, Whalen).

Stand. Com. Rep. No. 911 (S.B. No. 1657, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 911 be adopted and S.B. No. 1657, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"It is a new tax. It creates a new special fund. I think I've said enough.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 911 was adopted and S.B. No. 1657, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 3 (Hemmings, Slom, Trimble). Excused, 7 (Aduja, Fukunaga, Ige, Ihara, Kim, Menor, Whalen).

Stand. Com. Rep. No. 916 (S.B. No. 360):

Senator Taniguchi moved that Stand. Com. Rep. No. 916 be adopted and S.B. No. 360, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition and said:

"Mr. President, I rise in opposition to this measure.

"I think what we're doing is essentially creating a junkyard for our schools.

"Thank you."

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise, also, in opposition.

"Didn't we just get rid of the DOE storeroom? The storeroom that kept all the materials and allowed the bugs to destroy the things and things to rot and everything else. This sounds like the same kind of thing under the DOE control, only this time it will just be for recyclable and reusable things, hopefully. But to me, I don't think the DOE should be in charge of warehouses or storerooms.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 916 was adopted and S.B. No. 360, entitled: "A BILL FOR AN ACT RELATING TO REUSABLE RESOURCE CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 2 (Slom, Trimble). Excused, 7 (Aduja, Espero, Fukunaga, Ige, Ihara, Menor, Whalen).

Stand. Com. Rep. No. 917 (S.B. No. 576):

Senator Taniguchi moved that Stand. Com. Rep. No. 917 be adopted and S.B. No. 576, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to this bill, which, colleagues, should be called the anti-autonomy bill for the University of Hawaii.

"We often say how much we want UH to be more financially and managerially independent. You would assume that this would mean that the board of regents, the president, administrators would control the way that they can spend their funding. But this bill actually goes in and disallows the UH board of regents from spending tuition fees on generating private donations.

"I think it's important, for the University of Hawaii to grow, that they be able to go out there and raise private donations, and they ought to be able to spend the money as they see fit. This is the worst in the way of micromanagement. As Legislators, we have to step away and give the university the ability to make its own decisions.

"We voted for autonomy a few years ago. Our constituents also voted for autonomy. Let's follow through and let's vote this bill down.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 917 was adopted and S.B. No. 576, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 5 (Hemmings, Hogue, Hooser, Slom, Trimble). Excused, 4 (Aduja, Espero, Menor, Whalen).

Stand. Com. Rep. No. 918 (S.B. No. 667, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 918 be adopted and S.B. No. 667, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in support of the measure as follows:

“Mr. President, I rise in support of S.B. No. 667.

“This bill offers a plan to allow input in local communities on the governance of their local schools and also aligns schools to be governed as complexes. Mr. President, the current governance system does not allow local control of schools and does not align administration and management of schools by complexes.

“This bill should be viewed in two major parts. First, the board of education part, that composition proposed in this bill includes elected and appointed members. Many other states use this combination of elected and appointed members. Also, S.B. No. 784 proposes 17 board of education members, each elected from a district composed of three representative districts. Last year we looked at proposals of seven, eleven, fifteen boards of education.

“Mr. President, people question what is the Senate’s position? Where are we going? I believe for a constitutional amendment for the board, we need to have several options in play, and certainly, this part of the bill proposes one option, elected and appointed. The other bill proposes another option. Both look to how to improve on what we have.

“We need to explore what makes sense. How do we improve student achievement? How do we reduce bureaucracy at the top, hierarchy at the top, and bring resources, decision making, to school complexes?

“The second portion of this major bill, a major portion of this bill, does address moving resources and decision making, and authority closer to school complexes. So this portion of reform can take place right now. The board of education portion of the measure would require selection of the best option, then putting that matter before the voters.

“This bill does several things, again – elected and appointed members of the board, establishes seven regional boards of directors with one coming from that local board which would be Mr. Hara from Kauai and Ms. Cochran from the Big Island, etc. That’s already in place. That could happen with the existing people. And the other members of that board would be appointed by the Governor from the local complexes. That group would have an ability to appoint and direct their regional superintendent, recommend repair and maintenance capital improvement project priorities, get input from the public.

“Also, the elected board member would chair that regional board and connect to the state board via that way. Also, this measure includes a principal’s advisory council in each district to advise the regional superintendent on regional administrative matters, procedures, operational concerns.

“Certainly, the hope would be to better align complexes seamless K-12. And certainly, I welcome, we welcome continued ideas on reform initiatives. I believe this measure, part two, is something we can do right away. Part one, still

options to be considered as we go forward. There’s many options out there.

“Thank you, Mr. President.”

Senator Hogue rose in support of the measure with reservations and stated:

“Mr. President, I rise to speak in support of this bill with very strong reservations.

“First of all, I’d like to acknowledge that the author’s intent of this bill was a transition plan to move towards local decision making. So I appreciate that, however, it really, unfortunately, doesn’t get it done and it really, unfortunately, is again another work in progress.

“I’m sure that you probably got one of these – I guess it’s kind of like a road map, these little bumpy things and circle thing and squares and the whole bit. I’m just trying to imagine trying to sell this to the local communities. I think it would be really difficult to go out there and try to sell them as to who’s in charge of the schools. Is it the regional board of directors? Is it the regional education agencies? Is it the principal’s advisory council? Is it the statewide board of education? Is it these local things? You know, you can see where, despite all the effort that was put into this, it would be very, very difficult to sell. You probably have to have a book to try to explain what all these little things mean here.

“So, well intended, but we need to simplify, and I think that the people have already spoken in this last election. They said they want change, they want reform, and they certainly want a voice. And that really should be the message. And if we’re asking what the Senate position ought to be, it ought to be to trust the people to make the decision. Put local schools on the ballot and allow the electorate, allow the electorate to actually make that decision.

“So, again, I won’t vote ‘no’ right now but if it doesn’t get better here by the end, I certainly will. I certainly hope that we change our position and ultimately allow the electorate to make that choice.

“Thank you, Mr. President.”

Senator Menor rose to speak with reservations on the measure and said:

“Mr. President, I just want the record to note that I’m voting ‘aye, with reservations.’

The Chair so ordered.

Senator Ihara rose to speak in favor of the measure with reservations as follows:

“Mr. President, I rise to speak in favor of this bill with reservations.

“Mr. President, I have reservations. I support this bill, and the reservation I have is I’m hoping for some coherence in the Senate position on the governance structure of our educational system.

“S.B. No. 667 that we’re voting on now says a seven elected, six appointed statewide board. S.B. No. 784, which we’re going to vote on later says 17 elected members. I’d like to give some gentle criticism because I think that we’ve had the time to formulate a unified position on this and I think, like other Senators have said, the public believes that we need to do

something. And whatever that position is, I'm voting for this bill hoping that we will get our act together and have a position, rather than two positions.

"Thank you."

Senator Hooser rose to speak in support of the measure as follows:

"Mr. President, I'd like to speak for a moment in support of this.

"I'd like to speak in support of this, and I know it does appear complicated but I appreciate the attempt made to answer the questions, because on the other extreme is something, in my opinion, that is too simple. One thing I think we can tell all of our constituents is there are not simple answers.

"I, for one, appreciate an attempt to follow the path to see how these systems would work. I think there are many positive aspects to this program, recognizing that it is a work in progress, but it does make a good effort to bringing more local control down to the level of the school complexes.

"Thank you."

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"On the contrary, I think there are some simple answers. I think we oftentimes try to make things more difficult than they are. The simple matter is that parents want to have more say into their schools. Local communities want to have more say into who's on their school boards and who actually runs the schools and who they can hold accountable.

"I know there was criticism of the plan last year and this year for the seven district school boards. Of course, the idea there was not to replicate the state school board. The people that said, well it's going to cost you X-millions of dollars more to implement that, were making a fundamental mistake. They were saying that we're going to keep the state school board and we're going to replicate that with seven. And that's what this plan does.

"As nice and neat as the drawing is, basically, it's made up by the DOE, for the DOE, of the DOE, and the parents are not here. The people, the taxpayers, are not here. And now we go from elected people to appointed people and it's so complicated. I had asked the maker of this bill the other day as to what the cost implications were. He said that was legitimate question but we didn't have an answer for it.

"Again, we are forging ahead in the darkness without having a specific plan. We're telling everybody to have hope and to follow us, but they don't know where we're going, and we don't know where we're going. The point is we're not making it simpler and we're not decentralizing. That's the whole point. That would be the simple approach – we're not doing that.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 918 was adopted and S.B. No. 667, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 919 (S.B. No. 929, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 919 be adopted and S.B. No. 929, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak against the measure and said:

"Mr. President, 'no' vote – special fund. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 919 was adopted and S.B. No. 929, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 923 (S.B. No. 1239, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 923 be adopted and S.B. No. 1239, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Baker rose and said:

"Mr. President, I have remarks in support of this measure I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1239, S.D. 1.

"Hawaii still derives over 90 percent of its energy from fossil fuels, the vast majority from petroleum. As gasoline prices continue to rise at the pumps, we are once again faced with questions about our State's energy security. Our economy depends on the imported fuel that runs everything, including the vehicles that take us to and from our jobs, to the computers that sit on our desks, and the aircraft that bring in our visitors each day.

"The Legislature has always recognized this fact, and as a result, Hawaii has been a leader in promoting a broad range of alternative energy sources. With S.B. No. 1239, S.D. 1, we have an opportunity to promote another alternative energy source for Hawaii's diesel vehicles.

"We are fortunate to have biodiesel pioneers here in Hawaii. Through the efforts and diligence of research entrepreneurs like Kihei resident Bob King of Pacific Biodiesel Inc., biodiesel is the most readily available biofuel in Hawaii. It can be made from soybean or vegetable oils, or animal fats, which means it may be made from used cooking oils and grease. While the use of biodiesel will reduce our dependence on diesel made from petroleum, it will also improve our environment. This additional benefit of using biodiesel means that waste cooking oils and grease, that would otherwise end up in our landfills, may be recovered and converted to useable automobile fuel – biodiesel. We can reduce the strain on our landfills by eliminating the need to dispose of grease and greasetraps in our landfills. And who wouldn't prefer the aroma of an environment-friendly exhaust that smelled of french fries rather than the noxious fumes of petroleum-based diesel?

"We need to examine continually all avenues to reducing our dependence on petroleum. Biodiesel gives us an option for addressing the energy requirements for an important sector of our transportation infrastructure while allowing us to reduce our oil dependence. I urge my colleagues to join me to support this important measure.

"Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 923 was adopted and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Whalen).

Stand. Com. Rep. No. 924 (S.B. No. 1593, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 924 be adopted and S.B. No. 1593, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"I'm not sure what environmental justice means and I certainly can't get that definition from the bill. I think it's vague. I think it's broad. I think it's an unfunded mandate and it invites lawsuits.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 924 was adopted and S.B. No. 1593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL JUSTICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 925 (S.B. No. 1034, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 925 be adopted and S.B. No. 1034, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 925 was adopted and S.B. No. 1034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 928 (S.B. No. 1287):

Senator Taniguchi moved that Stand. Com. Rep. No. 928 be adopted and S.B. No. 1287, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak with reservations on the measure and said:

"Mr. President, I rise with reservations.

"It is fitting that ATDC potentially can do no more harm now that it's being merged in another agency. Unfortunately, I disagree where the agency is being merged in. I think it's more appropriate that ATDC, since it is sitting on harbor lands, be merged into the Department of Transportation, who has the responsibility for saying that our harbors are operated in the long term interest of the community.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 928 was adopted and S.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 930 (S.B. No. 1496):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 930 was adopted and S.B. No. 1496, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 936 (S.B. No. 638, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 936 be adopted and S.B. No. 638, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"An elected board will create more problems than it will solve. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 936 was adopted and S.B. No. 638, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 940 (S.B. No. 1134, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 940 be adopted and S.B. No. 1134, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"The bill creates new court fees. I vote 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 940 was adopted and S.B. No. 1134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS,"

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

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 944 (S.B. No. 1156):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 944 was adopted and S.B. No. 1156, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 945 (S.B. No. 1264, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 945 be adopted and S.B. No. 1264, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Slom and Hogue requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 945 was adopted and S.B. No. 1264, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 947 (S.B. No. 94, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 947 be adopted and S.B. No. 94, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure and said:

"Mr. President, I stand in opposition to this measure.

"We continuously seem to be expanding the civil service system, the number of civil service employees. In this case, we're expanding it without using established civil service procedures. I have thought it a bad policy in the past and I think it's bad policy at the present.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 947 was adopted and S.B. No. 94, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Stand. Com. Rep. No. 948 (S.B. No. 312, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 948 be adopted and S.B. No. 312, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose in support of the measure with reservations and stated:

"Mr. President, I rise in support with reservations.

"I agree that the issue of healthcare is a very important concern for employees but yet we need a global solution. Health benefits for our retirees is very important, but in light of the important initiatives with the employer union health benefit trust, we need the global solution because piecemeal promises will be difficult to keep."

Senator Slom rose to speak in support with reservations and said:

"Mr. President, I rise in support of the measure with reservations.

"We certainly want to take care of the retirees but this bill leaves a lot to be desired. There's no cost estimate and it's mandates, which means that it doesn't necessarily give retirees options and best choices."

Senators Hogue and Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 948 was adopted and S.B. No. 312, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 949 (S.B. No. 435):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 949 was adopted and S.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 950 (S.B. No. 577):

Senator Taniguchi moved that Stand. Com. Rep. No. 950 be adopted and S.B. No. 577, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 950 was adopted and S.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 953 (S.B. No. 799, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 953 be adopted and S.B. No. 799, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Hanabusa rose and said:

"Mr. President, please record a 'no' vote for me and I ask that my comments be inserted into the record. Thank you."

The Chair having so ordered, Senator Hanabusa's remarks read as follows:

"Mr. President, colleagues, I know that the majority of you are in favor of the passage of S.B. No. 799, S.D. 1, Relating to Voluntary Employees' Beneficiary Association Trust. However, I cannot support the measure for the following reasons:

"Let us begin with the major flaw. The major flaw is in the fact that under the provisions of S.B. No. 799, S.D. 1, we will now require that the collective bargaining representative or the unions bargain on behalf of retirees. In order to bargain on behalf of retirees, these retirees must be covered under Chapter 89. The definition of employees under this bill fails to address this. Last year's version of the bill had this flaw and it continues in this version. To include, under Section 4 of this bill, 'Rights of employees,' the right to bargain 'including retirees health benefit contributions' does not do it. This right to bargain is to active employees, not retirees. The question is, where are the rights of the retirees to bargain for themselves; to vote on a collective bargaining agreement; to challenge whether their benefit under VEBA differ from the EUTF? After all, under Section 2 §6 (b) and Section 5 (f) those retiring after July 1, 2003 would have no choice but continue with their bargaining unit VEBA; irrespective of whether they were members of the State Health Plan prior to that time.

"I cannot impress upon my colleagues that to put a retiree issue into a collective bargaining agreement, when no statutory duty is owed to them is, in essence giving them no say.

"Arguably, their interest will be second to the actives. Who knows what time would do to their rights. Another concern is accountability. Accountability because you are not giving this responsibility to provide healthcare benefits to the union, you are giving it to a third party entity, whatever this VEBA is. IRC 501 C(9) which creates VEBAs is nothing more than the tax-exempt status. 501C(9) is the provision of the Internal Revenue Code and in and of itself does not provide for ERISA type protections or rights for participants.

"The Deputy Attorney General issued an opinion on January 30, 2003 addressing what action can and should be taken against HSTA's VEBA to collect the monies due and owing the State and the taxpayers.

"The letter says HSTA has refunds totaling \$16,413,000 for FY 95-01; for health benefit payments and an additional \$1,255,773 for FY 02. It also appears that the State ported \$147,633,800 for premiums of \$201,830,200 for the FY 95-01. Isn't there a 60/40 split? The State pays 60 percent of the premium and the employee 40 percent. Did the State overpay \$23,803,600 for this time period? What about the refund? What about the overpayment? In these times of fiscal concerns, do we not owe it to the people of the State to understand what the Legislature did when it permitted porting.

"Shouldn't we know or at least, understand first the consequences of porting in the past?

"We have delegated our responsibility. I am not willing to delegate my responsibility anymore. I believe that we owe these retirees not to delegate our responsibility not only to a union that doesn't have a legal obligation to represent them but to an organization against whom they have no legal recourse. Just as important, what about the taxpayers? Do we not owe it

to them to understand what we are doing and the consequence of the action?

"For these reasons, I continue to stand in opposition to this bill."

Senator Sakamoto rose and said:

"Mr. President, with reservations, please, on a similar global note."

Senator Taniguchi requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 953 was adopted and S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hanabusa, Hemmings, Hogue, Kokubun, Slom, Trimble).

Stand. Com. Rep. No. 954 (S.B. No. 895, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 954 was adopted and S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE FOR PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 955 (S.B. No. 1332, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 955 be adopted and S.B. No. 1332, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"The argument has been made constantly that we can't get good people unless we raise their salaries. We have been consistent today saying that we can't afford to raise salaries for collective bargaining. We can't afford to raise salaries for the judiciary. We have to be consistent and say that we can't afford to raise salaries for the executive branch as well.

"I sat through the hearing where individuals from the administration were saying that because of the low salaries, they couldn't get good people. And yet, the people who were doing the talking looked like they were excellent people. And of the 16 appointees that the Governor has made, I think that it's fantastic and it's also very clear that they have accepted these positions knowing what the salaries are right now and still willing to add that additional component of public service.

"In addition to that, oftentimes we're told that you get what you paid for. I think that when you talk about public service, you want somebody that actually understands that it's not just the money – it's trying to make a difference and trying to do things.

"So, at this time, to be consistent, I'll vote 'no' on the pay increases."

Senator Baker requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Ihara rose with reservations and said:

"Mr. President, I have reservations as well.

"The reason is that I have the same concern as the judiciary salary commission bill. This would potentially give a pay raise every two years. Thank you."

The Chair so ordered.

Senator Fukunaga requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 955 was adopted and S.B. No. 1332, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 957 (S.B. No. 377, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 957 be adopted and S.B. No. 377, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hooser rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition.

"There were two other tax credit bills I also opposed and most for the same reasons. I'll cover them briefly, if I could.

"First of all, this tax credit, as well as the other two, applied toward a single project, single owners, and I believe if we're going to be doing tax credits of this size, we should do them toward an industry, to try to diversify our economy and give many businesses the opportunity for those tax credit benefits.

"I also object because we're giving a significant public benefit, but there's no guarantee that the construction jobs and construction contracts or the jobs that will result when the project is completed. There's no assurances – or there's no guarantees – that those jobs will be good-paying jobs. There's no assurances or guarantees that Davis-Bacon requirements for the construction jobs will be mandated.

"Last, but not least, I'd like to point out, and one of the reasons for my objection is, there is no direct benefit to the neighbor islands for any three of these. Though, I will admit, there will be trickle-down benefits, there are no direct benefits. I would prefer tax credits that allowed all communities to participate and diversify the economy and spread those benefits.

"Thank you."

Senator Espero rose for a conflict ruling and said:

"Mr. President, at this time, as I stated in a memorandum to you and to the Tourism Committee several weeks ago, I'd like to declare a potential conflict of interest as my business does

contract work with an association that is identified with Ko Olina Resort."

The Chair ruled that Senator Espero was not in conflict.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 957 was adopted and S.B. No. 377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Baker, Chun Oakland, Fukunaga, Hooser, Ige, Ihara, Trimble, Whalen).

Stand. Com. Rep. No. 958 (S.B. No. 661, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 958 be adopted and S.B. No. 661, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak against the measure and said:

"Mr. President, I'm voting 'no' on this bill.

"Again, it creates a special fund. Certainly we want to take care of people that have been the victims of sexual assault. This is not the way to do it. We can do it with general funds.

"In addition, it raises the fees for marriage. I'm just amazed at how many times we can add additional fees to marriage that have nothing to do with marriage.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 958 was adopted and S.B. No. 661, 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, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 961 (S.B. No. 745, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 961 be adopted and S.B. No. 745, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Baker rose and said:

"Mr. President, I have remarks in support of this measure I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 745, S.D. 1, which requires the Department of Health to integrate emergency aeromedical services into statewide emergency medical services. This measure also appropriates funds for aeromedical services for Maui County and for emergency medical services in Waianae, and advance life support ambulance services for parts of Maui and Hawaii.

"Ensuring the health, safety and well-being of our citizens should be one of our government's top priorities. When citizens are in need of emergency medical care, it is our responsibility to ensure that services exist to save lives. This measure addresses the need for emergency medical services in various parts of the State.

"You may be aware that Maui County has been without emergency medical helicopter service since 1997, when Mercy Air ceased operations. Since then, we on Maui, Molokai and Lanai have been trying to find a way to restore viable emergency medical helicopter service to our county. The county's four islands require a different approach to emergency medical services. Emergency medical helicopter transport is a key component of an effective medical rapid response and transport system for Maui County. Yet, my county, with a clear need for emergency medical helicopter service, is without such service. This measure will re-establish that vital service, integrating ground, fixed and rotor transport services with our 911 system.

"Your Health Chair has been in constant communication with the various stakeholders and interested parties. Your Health Committee believes that a workable solution to Maui County's EMS needs is feasible; county government as well as private sector have pledged support for our efforts. This service, along with ground ambulance service for Kihei, Ocean View Estates and Waianae, are vital to preserving health and safety.

"There is a very serious need on the Waianae Coast for additional ambulance service. With a population of over 40,000, Waianae residents and visitors need access to a second ambulance. 1999 statistics show that in 20 percent of cases, ambulances from Makakilo, Waipahu and Aiea had to respond to emergency calls along the Leeward Coast.

"South Maui also requires an additional emergency advanced life support ambulance service. As you may know, South Maui is the fastest growing region in the State. With a growing population and large numbers of visitors, South Maui has been ranked number one for Neighbor Islands in the Department of Health's ambulance needs assessment. Again, your Health Chair has been in constant communication with the interested parties to find a viable solution to this problem. There is great community support, and the private sector has offered to be our partner in this endeavor as well. This measure will give us the opportunity to bring this much-needed service to an underserved part of Maui County.

"Your Committee is also supportive of expanding the Kula ambulance station from 12 to 24 hours and notes that funds for that expansion are contained in the Executive Budget request.

"Your Committee also believes that funds are needed for emergency advanced life support ambulance service for Hawaiian Ocean View Estates of Hawaii Island. Because of the distances that must be traveled on the Big Island, Hawaiian Ocean View Estates finds itself isolated from adequate ambulance coverage. The Big Island, large in size, does not have the population densities that other parts of the State might, but their need for emergency service is no less real.

"S.B. No. 745, S.D. 1, will enable us to take steps to address some very serious emergency medical service needs in our State. It carries the hopes of communities on Oahu, the Big Island, and Maui for adequate emergency medical service delivery. I urge my colleagues to join me to support this important measure.

"Mahalo."

Senator Hemmings rose to speak against the measure as follows:

"Mr. President, I rise to speak against S.B. No. 745, S.D. 2.

"I've received communication from the Fixed Wing Air Ambulance Service that this would give unfair advantage to this particular beneficiary of this. This should be in a competitive market. If we do give benefits, we should give them to all the players, not just single one out.

"Thank you, Mr. President."

Senators Ihara and Fukunaga requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 961 was adopted and S.B. No. 745, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 963 (S.B. No. 1446, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 963 be adopted and S.B. No. 1446, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, again I rise in opposition to this bill.

"I'm all for cancer detection, cancer research, cancer technology, but again, it's a misuse of the tobacco funds from its stated purpose."

Senator Baker rose and said:

"Mr. President, I have remarks prepared in support for this measure but I just want to make a note that in this particular instance, there is a very clear nexus between smoking and cancer. The research is all there. The nexus is there for this particular event and this fund.

"Thank you very much."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in favor of S.B. No. 1446, S.D. 2, which appropriates funds from the Tobacco Settlement to the Hawaii Strategic Development Revolving Fund to assist Hawaii-based companies in their efforts to develop and commercialize technologies that detect cancer in its earliest stages.

"Each year cancer kills over half a million of our citizens, friends, relatives and family. Early detection saves lives by treating cancer in its early stages, thus maximizing the patient's chance for survival. This past fall, based on scientific research and expert opinion, the American Cancer Society (ACS) established recommendations for routine screening aimed at early detection of specific cancers in people without symptoms of cancer. Analysis has shown that such exams and tests can help save lives and reduce suffering from cancers of the breast, colon, rectum, cervix, prostate, testis, oral cavity and skin. The five-year survival rate for people with cancers for which ACS has specific early detection recommendations is about 82 percent. In fact, if all Americans had early detection testing according to the ACS recommendations, the 5-year relative survival rate would increase to about 95 percent. In Hawaii alone, this would translate into over 300 lives saved each year, not to mention the untold suffering, pain and expense that could

be eliminated. We are winning some of the battles in the war against cancer but there is more to do. The passage of S.B. No. 1446, S.D. 2, will speed our efforts.

“As the Director of the Department of Business, Economic Development and Tourism testified, ‘it is in the interest of both public health and the State’s economy to support innovation in medical research and biotechnology . . . Hawaii’s private sector has the resident resources and expertise to pioneer such innovation . . . as proposed by this bill.’ One such diagnostic effort is being developed by a Honolulu-based company Science and Technology International. Their research is on a non-invasive method of detecting skin and cervical cancers utilizing hyper-spectral diagnostic imaging. This technology detects cervical cancer by capturing the unique color fingerprint of different types of cells. Pre-cancerous and cancer cells have a larger blood flow than normal tissue and thus appear as different colors. The color sensitivity of the equipment can produce a photograph of the cervix with detail not visible through a microscope. This technology was developed in Hawaii and should be encouraged with the support of state and federal funding.

“Additionally, there is a strong and undeniable link between cigarette smoke and cancer. Therefore, it makes sense to use proceeds from the Tobacco Settlement for the purpose of supporting Hawaii-based companies working on cancer detection technologies.

“A growing segment of Hawaii’s emerging technology industry is involved in the health and medical technology area. Support for this industry not only helps our medical health but our economic health as well, by creating new higher paying technology jobs and contributing to a more diversified economy.

“Hawaii has an opportunity to create a legacy by using tobacco dollars to develop cancer detection technology that will save lives, reduce treatment costs, and improve patient quality of life for decades to come. I urge my colleagues to join me in supporting this important measure.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 963 was adopted and S.B. No. 1446, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Kokubun).

Stand. Com. Rep. No. 967 (S.B. No. 1599, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 967 be adopted and S.B. No. 1599, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Slom rose to speak against the measure as follows:

“Mr. President, yes, it creates another special fund and adds fees. I’ll be voting ‘no.’”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 967 was adopted and S.B. No. 1599, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Kokubun).

S.B. No. 481, S.D. 1:

By unanimous consent, action on S.B. No. 481, S.D. 1, was deferred to the end of the calendar.

S.B. No. 482, S.D. 1:

By unanimous consent, action on S.B. No. 482, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 970 (S.B. No. 918, S.D. 2):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 970 was adopted and S.B. No. 918, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS AND ORGANIZATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Whalen). Excused, 1 (Kokubun).

S.B. No. 456:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 456, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN ADVERTISING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Kokubun).

S.B. No. 459, S.D. 1:

Senator Hanabusa moved that S.B. No. 459, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawamoto.

Senator Ihara rose to speak against the measure as follows:

“Mr. President, I rise to speak against S.B. No. 459, S.D. 1.

“Mr. President, no hearing was held on two major amendments to this bill, S.B. No. 459. The first one bans campaign donations by government contractors. I support this concept, although I’m not yet convinced that it is restrictive enough.

“It is the second amendment that I oppose in this bill. It’s the reason for my opposition. The second amendment explicitly authorizes candidates to attempt to influence community nonprofit organizations by making campaign donations to these charities. I call this the ‘influence the charities’ provision. It also deletes the law that caps the total amount that a campaign can make as a charitable contribution.

“I oppose this ‘influence the charities’ section of this bill because: (1) I believe it is not good public policy to allow candidates to attempt to influence nonprofit organizations, their employees, clients, and networks by making monetary or non-monetary donations to these organizations. I’ll read you the language that was added to HRS 11-191. It’s amended in this bill by adding the words, ‘Any contribution made from a candidate or a candidate committee’s campaign fund to any community service, educational, youth, recreational, charitable, scientific, or literary organization, provided that such contribution clearly identifies that the purpose of said contribution is to influence the nomination and election of the candidate to a particular office is deemed to be an expenditure.’

"The current law does allow for charitable donations to community nonprofit organizations, which I think is appropriate, as long as the intent is a charitable one, not a political one. But even if this law limits charitable nonpolitical contributions for a Senator, that cap is \$4,000.

"I oppose the S.D. 1 of this bill because it deletes the \$4,000 cap for Senators, \$2,000 limit for House members, and \$6,000 for statewide candidates. This bill allows well-funded candidates, including Senators and other candidates, to spend an unlimited amount – \$100,000, \$150,000 or more – seeding the community, legally attempting to influence all the nonprofits in their district.

"I want to quote a message I got. It's from a key official which I will not name at this point – 'As a long time stakeholder in election campaigns, I've observed that Senators donate to certain community organizations and are able to get their campaign volunteers part-time positions in their organizations. From there, they are able to recruit more campaign volunteers or pro-candidate voters. The community organization usually does not know it is being used, but they do know that if the Senator or Representative does not get back into office the next year, they will lose some of the funding that the candidate gives as a donation.'

"The chair of Common Cause Hawaii writes: 'S.B. No. 459, S.D. 1, erases many campaign spending safeguards, allows big money interests substantially more influence on the electoral process, and allows those legislators with large (he didn't use the word large, but) large 'campaign war chests to try to influence organizations in their districts with money. Clean, open government is a major interest to voters and we don't want to see hard won gains in fair campaign practices lost. We are hoping that you will reject this bill, allowing voters a clear picture of who we can count on to safeguard a clean government.'

"Also, I have concerns about the lack of public review of the 'influence the charities' provision. I do acknowledge the Judiciary Chair for being very open to citizen input and thank her very much for what I've seen as a well run Committee. But I have not been able to detect this intention with the 'influence the charities' provision to allow public input on this provision. This provision was inserted at the last minute so that no one, not even Committee members knew of this provision beforehand.

"The bill did not receive comment by myself or others on Second Reading because it passed after the Senate recessed. If I thought about it, I would asked for it, but I didn't.

"Ordinary citizens probably would not have detected this 'influence the charities' provision from the committee report because the report says, 'Your Committees also amended this measure to allow candidates to make donations of campaign funds for charitable purposes; such donations shall be considered "expenditures" and not "contributions."' Apparently the Commission has advised that certain donations to charitable causes from campaign funds are illegal under existing law. Regardless of whether that interpretation is correct or not, your Committees want to make clear that donations from campaign funds to charitable causes shall be considered expenditures, and not contributions.' The illegal part is that if you spend more than \$4,000, that's illegal.

"Because there are no findings and purpose section in the bill, readers who look at this bill would not know what the contents of this bill were unless they read it, and it's quite a thick bill.

"And finally, and this is also a matter of concern, the bill description does not, in my view, give adequate notice to people reviewing, trying to watchdog these campaign bills. It does not give them, I think, enough notice about what I call the 'influence the charities' provision because it was amongst ten items that the bill allows expenditures from campaign funds for charitable purposes. As I mentioned, expenditures for charitable purposes are already allowed by law up to a limit, but what the bill does is remove that limit.

"I believe that opposition to the 'influence the charities' section of this bill is enough to vote 'no' on this bill. Fortunately, the other good part of the bill – and there are many other good parts of the bill – bans government contractors from making donations. There is H.B. No. 284, which is alive and which should be in our hands shortly. And there are other provisions, relatively minor positions, that I do not believe we need to pass this year.

"So, therefore, I urge my colleagues to vote 'no' on this bill. Thank you."

Senator Kawamoto rose to speak in support of the measure as follows:

"Mr. President, I beg to differ. I rise in support of this bill.

"Mr. President, as far as the charity, the seeding portion of this, when we heard the bill, I personally introduced the amendment to delete the seeding portion of the campaign spending. And primarily, Mr. President, it's not because of the fact that I wanted to influence different organizations in my community. Primarily, Mr. President, it's because the campaign spending director, Mr. Watada, has made interpretations of this thing at his whim.

"In 1995 I gave the same organizations charity. And I asked him, is this charity or is this campaign spending, because I always tell the people who I give, I give out of my campaign and I'm going to list it as campaign expense. I've done that for eight years. This year, I am standing here as people decide whether it was charity or campaign expense because somebody challenged me whether it was campaign spending or campaign expense. But the man himself who makes the determination cannot define what is campaign expense and campaign spending. And we all don't have that same interpretation of campaign spending and campaign expense. So therefore, we defined what campaign expense was.

"I think that campaign expense is to promote the things that you believe in and that you campaign on. I campaign on education. I campaign on youth receiving the best aides they can to go further their education, so I give scholarships, but I tell the schools this is from my campaign fund. It's from my campaign committee and to be acknowledged as such because this is my campaign promise – that I believe in further education of our young people. So that's campaign expense in my mind.

"The second part is the reason why I supported to take off the cap. Many of us drew back because of these caps. I did it because I had confidence in the fact that I believe strongly that these were campaign expenses. So therefore, I gave, and now I'm challenged. And they still – two, three months later – leave us hanging out on a limb because they're deciding whether it is campaign expense or campaign charity. In my mind, it was campaign expense and I gave it in that light.

"But going back, imagine if I pulled back since 1994, there would be 32 students that would not have gotten an aid to their further education. There would be boy scouts, little league

teams, girl scouts or what have you. I believe that when I give, I promote myself in the promotion that I believe in young people. I believe in the organizations that help our young people in my community. So I give. I give from my campaign treasury and I give with the intent to promote myself as someone who believes in young people.

“So therefore, Mr. President, what we defined as campaign expense in this bill, if we, beforehand, tell the people that it’s coming from your campaign treasury, you’re going to list it as campaign expense and promote what you believe in, that should be considered campaign expense. They have the right, the receive of these funds have the right to refuse if their bylaws indicate that they cannot receive campaign funds. They have the right to refuse. In the last eight years, nobody has turned down the funds that I gave them.

“So Mr. President, I urge all my colleagues to vote ‘aye’ for the young people of your communities to be able to ask you for some help, for you to be able to help them as you believe, and how we all do, believe in the young people and the education of young people.

“Thank you, Mr. President.”

Senator Hanabusa rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor of S.B. No. 459, S.D. 1.

“First, I’d like to thank the Senator from Kaimuki for the kind words. He is correct. The Judiciary Committee has attempted to keep a very open policy to the extent that I like to ensure that my Committee members do not vote on bills unless they have the S.D. 1 or proposed changes in front of them.

“In this particular case, this is a bill that was heard during the last days right before we had to deck the bills. And in all fairness to the joint referral, the Committee on TMG, the Committee Chair did note that he wanted to have the seeding issue addressed. And that is the objection that I hear from the good Senator from Kaimuki.

“Let me explain why the amendment is as proposed. The seeding issue is really one which is now permitted under law. In the Section under this bill, it’s found on page 7 and it is basically ramseyered out to page 8. What we did, I think it was two legislative sessions ago, is we said that from your campaign funds, you may give contributions. The contributions would be for community service, educational, youth, recreational, charitable, scientific, or to literary organizations. We permitted that. Absent that permission, it is the position of the campaign spending commission that you may not, may not use campaign funds for any of those purposes.

“In other words, for those Senators who give scholarships, for those Senators who support their bobby sox or their baseball teams or PAL or whatever you may do with your campaign funds, or to nonprofits, this provision, absent the seeding provision, you are not able to do that according to the campaign spending commission. Therefore, this provision was put in and, as explained, a cap was placed on it that was equivalent to the maximum contribution you are able to receive in an election cycle. Therefore, if you’re a Representative, it would be \$2,000 for your whole two-year period. For a Senator it would be \$4,000 for that period.

“I believe that campaign spending is one that requires openness and fair reporting. That is what campaign spending is about. And for those who were in the Judiciary hearing, the

case that I had against the present attorney general was one that actually involved campaign spending, and that we went to the circuit court on, on the city’s ordinance, which was ultimately ruled to be unconstitutional.

“This campaign spending law is nothing that I am unfamiliar with. Let me tell you what it really is in terms of what we’re talking about. You are going to make a philosophical decision and that is, without any question, what you’re being asked to vote upon. The bill is a good bill. The philosophical decision that we are all going to make here is whether or not you want to make these kinds of contributions to your community. I believe any contribution that you make to your community it is not to say whether it’s for a charitable purpose, because who is to say whether a purpose is charitable or not?

“What you must stop and realize is the reason why you have contributions is because of the fact that people are out there saying to you, we want you to be a Senator. That’s what they’re saying. We’re giving you money to promote yourself as a candidate and to get you elected. That is why you get campaign contributions. People do not give you campaign contributions with the expectation that you’re going to give it away to charity. If they did, then maybe you better reassess whether or not you’re in compliance with the IRS, because then it may be income because it’s for a totally unrelated purpose. So what you really are receiving monies for is because you are running for political office.

“The next question you must all decide is, should part of that money be used for charitable purposes, in other words, to giving to whoever asks you for a contribution? I believe it is up to each individual as to whether you do that or not. However, that use of your money is an expenditure and it is properly defined as an expenditure in your campaign spending report. And therefore, if you make such an expenditure, you should inform the public, the people who receive your money, that the money is being given to them to influence the nomination and election of yourself for a particular office. That is fair reporting. That is telling the public what you are actually doing.

“It is up to you as to whether you want to be . . . to some it may be embarrassing to say, ‘hey, this is not my money,’ because that’s the fear many have – that when this money comes from you or your campaign, they think it’s from you. The check may say Friends of Colleen, but the perception is it’s from you. That’s not true. The money is from your campaign funds, therefore it should clearly say it is from your campaign funds and it is given for that purpose. The purpose is your election, because other than that, it is not a proper expenditure of campaign monies. It is not, because the people who give you donations are doing it to get you elected.

“So, you want fair reporting. You want openness. That, to me, is fair reporting. Anyone who takes your campaign spending report will know. Senator X gives to every bobby sox in this state. The reason why is Senator X believes that bobby sox, doing this somehow promotes Senator X as a candidate and will assist Senator X in getting elected into that office. It’s up to you. And it’s also up to bobby sox as to whether they want to take your money, your campaign money.

“Do not say that what you’re doing is somehow hiding the fact that it is campaign money. It is campaign money, no matter which way you put it. Simply having a maximum of \$4,000 doesn’t unmake it campaign money. It is still campaign money.

“So the amendment that is at issue here is one that I believe fairly reports it. And it is up to each and every one of you as to whether you want to use it and say that it is in fact an

expenditure and that it comes from your campaign funds. That's the decision you are to make here.

"Thank you, Mr. President."

Senator Ihara rose and said:

"Mr. President, I'd like to follow-up in opposition to this bill.

"I agree with the assessment of the policy decisions that face us now on this bill. Imagine you have your checkbook or your committee's checkbook and you have funds, other people's funds, given to your campaign – and then nonprofit organizations on the other hand. And you're going to transfer the money from your campaign, donated by other people, to a nonprofit organization or organizations.

"The current law says that it is permissible to make a charitable donation – it doesn't say exactly charitable, but let me explain. HRS 11-200 is a section of the law which allows for non-campaign expenditures. It allows you to buy two tickets from another candidate to help another candidate. That's not necessarily to help yourself, your candidacy. It allows you to spend excess funds as an office holder. And thirdly, it allows our campaign committee's funds to be used to make donations to community service, educational, etc., contributions. These donations do not have to be in order to promote your campaign.

"Now, I understand the logic of the Senator from Waianae that there may be a misrepresentation kind of issue when you portray that this is your money. I acknowledge that.

"So, under the current law, contributions to nonprofits with intent to make a charitable contribution, a charitable intent have, with a cap, a limit; that's what the current law is. What this bill does is it removes the cap and says that you have to spend campaign funds in order to only advance your political campaign. So that eliminates your being able to make donations for a charitable purpose. It says in the bill that you have to identify that the contribution to nonprofits is for the purpose of influencing the nomination and election of the candidate.

"So I think those are the two choices before us. And I contend that I don't believe it is good public policy to allow the use of campaign funds for the explicit purpose of influencing charitable organizations. I believe, personally, that it is a misuse of campaign funds.

"Thank you."

Senator Kim rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise to speak in favor of the measure with some reservations.

"Mr. President, first, let me just state that in the 21 years-plus that I have been in office and that I have donated to charitable agencies and institutions, first of all, all of them have been those that have solicited my support.

"Second, I don't believe I've done it to influence these charities. I've never had someone from these charities come out to help my campaign, on my campaign committee, help hold signs, or help walk door-to-door. Of all the scholarships that I have given, none have ever held signs for me or ever helped on my campaign. So the intent of giving has never been in such ways to influence them to come out and help on my campaign. Whether or not they vote for me or their parents

vote for me is something that I'm not aware of. Many of these charitable groups do not even reside in my districts.

"In some ways, I'm glad that there's a cap because now we can say we can only give X-amount of dollars because there are so many requests that come that you can never really give to everybody. And even though I tend to have a large campaign fund, it is not my practice to go out and give campaign funds to all those who ask.

"But let's just say if you are to give under the \$4,000 limit that's there now, if you were to give to a particular charitable group in your district who writes to you and asks you for support, \$100, and if every year they ask you for \$100 – be it the boy scouts, be it the volleyball team, be it the kids in Kalihi who come down here and we buy them lunch and we pay for the buses so they can come and see the Capitol – that's all considered part of this charitable limit. If it was \$100 a year and they ask you for four years, that's \$400 in four years. That means within the \$4,000 limit, you can only help 10 groups if you give each of them \$100 – only 10 groups in your large Senatorial district.

"That is not a whole lot of money. That is not influencing them to come out and hold signs for you. So let's just put some logic into this discussion that we're having. I don't believe any of us are going to go out and give thousands – three, four, five thousand dollars – to a charitable group for that kind of influence. But certainly, personally, that's never been the reason why I give and I'm sure each and every one of you sitting here do not give to these groups because you want to influence them. A lot of times, they write to you and you feel bad that you cannot help or you feel guilty about not going out and at least helping with \$25, \$50, \$75. And many times that is so minor when they write to you and tell you how much they need to raise, how their treasury is badly in need of you supporting the kids so that they can go off to some tournament on the mainland where they have to raise thousands and thousands of dollars for.

"These are the kinds of support that we give in our community and if I was not running for office and if I was not a Senator, believe me, these kinds of requests would not come. They would not ask me for these donations. So it's clearly tied to the position that we have and to the fact that we're campaigning, the fact that they know we have campaign dollars and that we give monies.

"So in that sense, I support the measure. I have some reservations because of the fact that maybe there should be some cap because the community needs to know that it is not an unlimited amount of funds that we have there.

"One more thing before I end, Mr. President. For every donation that I get over \$100, I ask each of my donors for a signature to say that those funds can be used to my discretion, whether it's to be given to charity groups or whether it is to run for whatever office. So in that sense, yes, the people who give me money have allowed me to use that money to give where I believe I need to give, whether it be campaign or whether it be charitable contributions.

"Thank you."

Senator Sakamoto rose in support of the measure with reservations and stated:

"Mr. President, I rise in support of the measure with reservations as well.

"Certainly there are many commendable portions of the measure. Separate from the issue we're talking about, I support campaign finance reform that prevents undue influence by big money players. I support reform that would allow the regular Joe or Jane to participate by supporting the candidate they like or perhaps running for office as well.

"I think this measure goes the wrong way in limiting individual owners of many of the small businesses, struggling employers, from participating in government by supporting the candidate or candidates of their choice. Perhaps a reasonable monetary threshold of giving, as opposed to a flat ban on corporations, would be a better way to allow participation in government through the political process.

"As this bill is a work in progress, I feel again the measure should target the big money, target where influence peddling is most likely to occur. Thank you"

Senator Chun Oakland rose and said:

"Mr. President, I'd like the Clerk to enter the words of the Senator from Moanalua and Kalihi as if it was my own. Thank you."

The Chair so ordered.

Senator Menor requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Ige rose and said:

"Mr. President, I just would like to note my support of this measure with reservations."

The Chair so ordered.

Senator Hooser rose to speak in opposition to the measure as follows:

"Mr. President, I speak in opposition to the bill.

"I want to thank the Senator from Waianae for her very eloquent explanation of the process and your understanding of it, and I agree that it's a question of philosophy.

"I'd like to say, from my experience from the county of Kauai, we have one district and the council, all seven, serve on the one district. The chase for nonprofit donations is incredible. The pressure on all the council members and everybody else is relentless. I, for one, support wholeheartedly limits to this, and I think it's inherently unhealthy as part of the process to constantly be competing.

"I've had nonprofits call me and they're keeping a scorecard. It's just a tremendous burden, I think, on the candidate in many respects. I like to support nonprofits as best I can, but I think it's gotten out of control in many aspects.

"In some communities, like the community that I represent, the influence carries further, carries into legislative influence. It carries forward to people who are not willing to testify in opposition to a certain person who serves because they don't want to offend that person, because that person has supported their organization year, after year, after year.

"So I support having the limit as it is now. And I'd like to say that my opposition to this bill just reflects my opinion and my thoughts on going forward. I don't know what's happened in the past, and it's not intended to impact or to make any kind

of statement whatsoever on anything other than what the bill is before us.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Baker, Fukunaga, Hogue, Hooser, Ihara, Inouye, Slom, Trimble).

S.B. No. 1075, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTED CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1514, S.D. 1:

Senator Hanabusa moved that S.B. No. 1514, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to this bill.

"It takes one-fourth of the forfeiture money and gives it to drug treatment programs. I think we could all probably agree that drug treatment is needed and may even more drug treatment is needed. However, drug treatment funding should not come from law enforcement funds and certainly should not come from the counties. The appropriate source of drug treatment funds should be the general fund.

"This bill will take away proceeds that are vitally needed by local governments to fight all types of criminal activities, including, including drug abuse. Ultimately, counties should be free to spend the revenues that they generate where they see fit.

"So I disagree with this policy call and urge you to vote 'no.' Thank you."

The motion was put by the Chair and carried, S.B. No. 1514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Taniguchi).

S.B. No. 1581:

Senator Hanabusa moved that S.B. No. 1581, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator English rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the measure.

"Mr. President, the intent of this measure is laudable and it's good. I think that we have to take into account all sentient beings and their welfare. But, Mr. President, I think one of the unintended returns here is that this could quite possibly make hunting a class C felony. For the people in my district on Moloka'i, Lana'i, East Maui, Upcountry Maui and, in fact, for all the rural areas where hunting is a major source of food and a subsistence way of life, this is objectionable.

"So I vote 'no' on this and I ask my colleagues to consider their votes as well, because unless we can fix this along the way to make very certain that we're not making hunting a class C felony, then we will be forcing a lot of people who rely on this practice for their food to break the law in order to eat. And I cannot support that, especially for my rural areas.

"So, with that, I will be voting 'no.' Thank you."

Senator Hanabusa rose to speak with reservations on the measure and said:

"Mr. President, S.B. No. 1581 was heard by Judiciary because a majority of the Committee members felt very strongly about it. I voted the measure out with reservation and I would like to continue to note my reservations and ask my Committee members that, as you know, that's the reason why I'm going with reservations.

"Thank you."

Senator Hooser rose to oppose the measure as follows:

"Mr. President, I'd like to also speak in opposition.

"I'd like the comments of the Senator from Maui, Lanai and Molokai, his comments to be reflected as my own in the record, plus I'd like to add that in my district, the police are well aware of where the cock fights are every week. It's already against the law. Gambling is already against the law. And I think if there was a willful enforcement, much more could be done in this area and I'm just extremely concerned that the issue is far too broad and it's a slippery slope that will affect, again, the hunters and others in our community.

"Thank you."

Senator Baker rose and said:

"Mr. President, would you please note my strong reservations on this matter too."

The Chair so ordered.

Senators Kim then requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Espero rose and said:

"Strong reservations, Mr. President."

The Chair so ordered.

Senator Hogue requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Aduja rose with reservations and said:

"Mr. President, also, I'd like to note my reservations and I'd also like to incorporate the arguments of the Senator from Maui, Lanai, and Molokai. Thank you."

The Chair so ordered.

Senators Slom and Kawamoto then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 1581, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 7 (English, Hooser, Inouye, Kokubun, Trimble, Tsutsui, Whalen). Excused, 2 (Sakamoto, Taniguchi).

Stand. Com. Rep. No. 987 (S.B. No. 78, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 987 be adopted and S.B. No. 78, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose and said:

"Just please note my reservations due to the treble damages portion of this bill. Thank you."

The Chair so ordered.

Senator Baker rose and said:

"Mr. President, I have remarks in support of this measure I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of S.B. No. 78, S.D. 2. The term 'elder abuse' is a fairly new addition to our vocabulary, unfortunately we see its use far too frequently. While incidents of elder abuse continue to be illustrated in the media, it has been estimated that as much as 84 percent of crimes committed against elders are never reported. As more of Hawaii's population continues to age, it is important that we enact measures to protect the physical, mental and financial well being of our elders.

"Victims of elder abuse are often isolated and unaware of services available to them in the community. Victims are often reluctant to tell anyone because they are ashamed or fear retaliation by their abuser. In addition, some victims have physical or mental impairments or cultural and language barriers which prevent them from getting the help they need. Programs such as the Sentinel program aid elders by reporting possible incidents of abuse or neglect to the proper authorities. These initiatives help to halt the occurrence of abuse, but additional measures are needed to deter abusive behavior altogether.

"It is for all these reasons that we ask for your favorable consideration of S.B. No. 78, S.D. 2. It allows the Attorney General to seek civil penalties on behalf of the State, in dependent elder abuse or neglect cases, and provides for enhanced civil remedies, in private lawsuits arising from the abuse of neglect. It is through the deterrence and prevention of elder abuse that we may be assured that the health and safety of our elders are being protected. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 987 was adopted and S.B. No. 78, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Sakamoto, Taniguchi).

Stand. Com. Rep. No. 989 (S.B. No. 469):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 989 was adopted and S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Sakamoto, Taniguchi).

Stand. Com. Rep. No. 990 (S.B. No. 694, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 990 was adopted and S.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Sakamoto, Slom, Trimble). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 991 (S.B. No. 764, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 991 be adopted and S.B. No. 764, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Sakamoto rose to speak on the measure as follows:

"Mr. President, this one as well as the previous one I think the two years is way too long and if safety is in jeopardy they ought to be quicker as opposed to expanded opportunities to report such problems."

Senator Ihara rose and said:

"Mr. President, I support this bill with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 991 was adopted and S.B. No. 764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Sakamoto, Slom, Trimble). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 993 (S.B. No. 931, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 993 was adopted and S.B. No. 931, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS LEAVE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Baker, Taniguchi).

Stand. Com. Rep. No. 994 (S.B. No. 1638):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 994 was adopted

and S.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Baker, Taniguchi).

Stand. Com. Rep. No. 995 (S.B. No. 548):

Senator Hanabusa moved that Stand. Com. Rep. No. 995 be adopted and S.B. No. 548, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to this measure.

"This bill has constitutional questions. It is extremely broad and vague and it does not effectively address the intent behind it.

"First, the bill would infringe on the right to keep and bear arms by creating a class C felony for the offense of possessing a rifle or a shotgun. For example, on the Big Island, where there are no shooting ranges, this bill would effectively prohibit anyone from using a gun for any purpose whatsoever.

"Second, the language of the bill is way overbroad and overreaching. This bill may be intended to apply to agricultural thieves and poachers, but in reality it would impact anyone carrying a gun under a broad range of circumstances.

"The use of the term lawful in the bill is far from clear. It says it exempts the lawful use of guns for hunting and target shooting, but it doesn't further clarify what those lawful uses are.

"There were many other concerns brought forward in testimony. If we want to effectively prevent trespassing, poaching, and agricultural theft, we need to work on a language that will actually address those issues. This isn't it. I'll be voting 'no.'

"Thank you."

Senators English, Kokubun, Tsutsui and Hooser requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Aduja rose with reservations and said:

"Mr. President, again, with reservations as indicated in the committee report that some hunters have concerns about this law creating a possibility of double jeopardy by subjecting someone who has committed a misdemeanor to become a felony firearms possession. Therefore, I am voting with reservations.

"Thank you."

Senator Menor requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 995 was adopted and S.B. No. 548, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 997 (S.B. No. 784, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 997 be adopted and S.B. No. 784, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in opposition to the measure as follows:

“Mr. President, I rise to speak in opposition to this measure.

“Apparently, we’re going to have a board of education that’s almost as big as the Senate. I can’t see them getting together. We have a tough enough time coming up with a stand on education. I can’t see how this 17 member board of education would be able to take a stand on just about anything.

“Supposedly, it moves towards local control, but that’s like the difference between the Senate and the neighborhood board as far as local representation and local control. So for those reasons and probably a few others that we don’t have time to talk about right now, I’ll vote ‘no.’

“Thank you.”

Senator Sakamoto rose to speak in support of the measure as follows:

“Mr. President, I rise in support of the measure.

“As related before from the Senator from Kaimuki and others, we have several different options out there. One reason why this is stated this way is that the one person/one vote can be directly related to how a reapportionment goes with our House of Representative districts. For some jurisdictions, these numbers work out right, in the sense that Kauai may have three representatives, one board member.

“It isn’t the Linda Lingle seven for seven, but if you talk about 17 being too many, 17 divided by seven is two-and-a-half. Do we want to have two-and-a-half times seven and that might be sufficient? So, I think we need to look at what makes sense and this tries to address some of the issues that we’ve heard that people want local control.

“So, again, I think we need to hear input and hopefully the House does hear this measure as well as our other measure and we can get input as the measures go forward.”

Senator Hogue rose again and said:

“Mr. President, I want to note that Linda Lingle knows that 17 divided by seven is two-and-three-sevenths and not two-and-a-half. Thank you.”

Senator Kanno rose to speak in support of the measure as follows:

“Mr. President, I rise to speak in support of the measure.

“One of the problems that our current system has is that when you get your ballot for the board of education, you’re given the task of not only voting for the candidate from your district – for me that would be the Leeward district – but we’re also charged with voting for representatives from all over. So, by making a change to this system, we’re dealing with the one person/one vote issue by saying that there would be one board

of education member for each three representative districts. The idea is that there would be a direct connection between you and your elected member on the board so you would no longer have to be voting for somebody from Windward, somebody from Honolulu, somebody from Central when you live in Leeward.

“So that’s what the problem deals with. I’m sure all of us have gotten questions like that before. Why do I vote for the Windward member if I live in Leeward? It doesn’t make any sense, and by making a move like this it would give us an option to look at to make that connection solid between a voter and the person that’s representing them.

“Thank you.”

Senator Baker rose with reservations and said:

“Please note my reservations because although it seems to make good sense that we’re moving the issue down to the local level and there is a nexus, as the Senator from Ewa points out, it nevertheless will split up areas like Maui County, for instance, and it will be splitting up school complexes and you won’t have that kind of community accountability that I think people are striving for.

“So, I just want to note my reservations. Thank you.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 997 was adopted and S.B. No. 784, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 1001 (S.B. No. 1635):

Senator Hanabusa moved that Stand. Com. Rep. No. 1001 be adopted and S.B. No. 1635, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in opposition to the measure as follows:

“Mr. President, I apologize for speaking on the last bill when everybody wants to go home, but I rise to speak in opposition to this particular measure, which I believe is well intended.

“As I noted in Committee, we’ve really got to watch out before we move forward on this one because it will prohibit any state agency from using money from any business or any group to fund any position of the state in whole or in part or supplement the salary of a state position. Now, maybe the intent of this particular measure is to stop the borrowing of Randy Roth to the Governor’s Office. I don’t know if that’s the intent or not. Maybe it isn’t quite as Machiavellian as that.

“It was noted in Committee that perhaps there was an exemption for the University of Hawaii. After further reviewing the bill, it appears that it only talks about exempting those employees who get private money from grants and such. It doesn’t specifically talk about a Randy Roth situation where that person goes over to the Governor’s Office, and would that fit under this bill. And then, probably of concern to a lot of sports fans out there, what about June Jones? His contract is partially paid for by private monies and I believe the bill, as written right now, would prevent a June Jones type of contract.

I think that we can all agree that June Jones has done a terrific job for the University of Hawaii.

“So, with those concerns, I urge you to vote ‘no,’ and ‘Go Bows.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1001 was adopted and S.B. No. 1635, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hogue, Slom, Trimble, Whalen). Excused, 1 (Taniguchi).

At 8:07 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:20 o’clock p.m.

THIRD READING

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 665 (S.B. No. 1517, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 665 be adopted and S.B. No. 1517, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator English rose to speak in support of the measure as follows:

“Mr. President, I rise in support of the measure.

“Before I do that, Mr. President, I’d like to just put on the record a correction on the voting on this particular bill. After going back and checking the records carefully, there was a mistake in the votes and it was actually Senator Hemmings who voted ‘no’ and Senator Kanno was not present. We marked Senator Kanno as voting ‘no’ and Senator Hemmings as not being present. So we will insert into the record a letter from all of us correcting this mistake. It does not affect the outcome of the bill.

“Speaking to the merits of it, Mr. President, ‘good bill.’ Thank you.”

Senator Baker rose and said:

“Mr. President, I agree with my colleague from Maui that this is a good bill and I have some remarks in support of it that I’d like inserted into the Journal.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of S.B. No. 1517, S.D. 2, which will increase the conveyance tax to provide a stable funding mechanism for the natural area reserves system and to address the problems of invasive species.

“The Natural Area Reserve System is an important part of the State’s efforts to protect its natural resources and preserve its natural legacy for citizens and visitors alike. While current law provides funding for the natural area partnership program and forest stewardship program by means of conveyance tax, those revenues only promote conservation on private land.

“Meanwhile, the State is faced with an ever-increasing threat of invasive species destroying or degrading the very environments we seek to protect, whether on private or State land. Salvinia in Lake Wilson and Miconia in our forests are but two examples of the destructive potential of these non-native species. Without adequate resources to eradicate or even stem these invasions, all natural areas, public and private, are at risk.

“It is vital that we take steps to fund conservation efforts on State land, and enhance our efforts against invasive species that threaten our State. This measure allows the Natural Area Reserve fund to be used for those purposes. Past legislatures have already established that the conveyance tax is an appropriate source of funding for conservation, as the development, sale and improvement of real estate is linked to pressures on natural areas such as forests and watersheds. The increased threat posed by invasive species with footholds in the State necessitates our consideration of additional funding from an increase in the conveyance tax. The increase in the conveyance tax will be assessed only on higher-valued properties, transactions of \$600,000 or greater. Thus, there will be minimal impact on local residents.

“S.B. No. 1517, S.D. 2, will enable us to take steps to address real threats to our natural environment, preserving the very thing that makes Hawaii a desirable place to live. I urge my colleagues to join me to support this important measure.

“Mahalo.”

Senator Slom rose to speak against the measure and said:

“Mr. President, so there’s no mistake, I’m here and I’m voting ‘no.’

“It’s a tax increase. It increases the conveyance tax by 20 cents per \$100. Again, we increased the conveyance tax just a couple of years ago. That was for computers. This is for environment. The point is that we continue to increase our taxes every which way but the right way.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 665 was adopted and S.B. No. 1517, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen).

At 8:22 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:23 o’clock p.m.

S.B. No. 585, S.D. 1:

Senator Taniguchi moved that S.B. No. 585, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Slom and Hogue requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 585, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE FUNDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 851 (S.B. No. 1354, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 851 was adopted and S.B. No. 1354, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 481, S.D. 1:

Senator Menor moved that S.B. No. 481, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator English rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill for the simple fact that I think, you know, going traveling quite a bit, I rent cars quite a bit, and after years of them bugging me to take this, I find it very nice to go there without them pushing me to take this insurance. I don't like incentivising them by saying that they'll get goodies from their corporate headquarters if they sell more collision waivers.

"So, I think that our tourists and our locals alike will appreciate not being bugged by the rental car agencies to take these insurance. So, I'm voting 'no.' Thank you."

Senators Taniguchi, Kokubun, Kanno, Baker, Tsutsui, Aduja, Ige, Inouye, Sakamoto and Fukunaga requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (English, Hanabusa, Hooser, Ihara, Kim, Trimble).

S.B. No. 482, S.D. 1:

Senator Menor moved that S.B. No. 482, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, this is the one I'm supposed to speak in opposition for. Just vote 'no.' Thank you."

Senators Taniguchi, Kokubun, Kim, Kanno, Hanabusa, Baker, Tsutsui, Aduja, Ige, Espero, Sakamoto and Ihara requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 482, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (English, Fukunaga, Hemmings, Hogue, Hooser, Slom, Trimble).

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, February 27, 2003:

Senate Concurrent Resolution	Referred to:
No. 27	Committee on Transportation, Military Affairs, and Government Operations
No. 28	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 29	Committee on Transportation, Military Affairs, and Government Operations
No. 30	Committee on Education
No. 31	Committee on Commerce, Consumer Protection and Housing
No. 32	Committee on Education
No. 33	Committee on Commerce, Consumer Protection and Housing
No. 34	Committee on Health, then to the Committee on Ways and Means

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, February 27, 2003:

Senate Resolution	Referred to:
No. 16	Committee on Transportation, Military Affairs, and Government Operations
No. 17	Committee on Transportation, Military Affairs, and Government Operations
No. 18	Committee on Education
No. 19	Committee on Commerce, Consumer Protection and Housing
No. 20	Committee on Education
No. 21	Committee on Commerce, Consumer Protection and Housing

STANDING COMMITTEE REPORT

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1002) recommending that the Senate advise and consent to the nomination of NELSON BEFITEL as Director of the Department of Labor and Industrial Relations, in accordance with Gov. Msg. No. 6.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1002 and Gov. Msg. No. 6 was deferred until Thursday, March 6, 2003.

ADJOURNMENT

At 8:29 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., Thursday, March 6, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-SEVENTH DAY

Thursday, March 6, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mari Gabrielson, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Sixth Day.

At this time, Senator Kawamoto introduced and welcomed Lieutenant General James Campbell, who assumed duties as Commanding General, U.S. Army Pacific, on November 4, 2002. Accompanying General Campbell were Dr. Janice Nielsen and Major Dave Chapman.

At this time, President Bunda invited General Campbell to the podium to address the members of the Senate.

General Campbell addressed the Senate as follows:

"President Bunda, Senator Kawamoto, distinguished members of the Hawaii State Senate, and future leaders of our great state and great nation – it is truly an honor for me to be with you today. I have been blessed to have served three tours in the State of Hawaii, and to be in this historic setting, among these proven leaders and these future leaders, will be a very special memory for me for years to come. I wish my mom could be here. I was quite a handful as a child and I don't think she would believe this. (Laughter.)

"I'm very proud to say that I have served nearly 32 years in our magnificent United States Army, and saved being a fireman or a policeman, I consider service to my country in uniform the noblest profession.

"At this moment as I speak to you, thousands of young men and women in uniform – really America's sons and daughters – are standing point for our great country around the globe from Bosnia to Kosovo, from Kuwait to Afghanistan, from Japan to the Philippines. Included in that number are many brave and dedicated soldiers from the State of Hawaii.

"What keeps them going, what enables them to do what they do under incredible circumstances is that they know they cannot let you down. They know the American people are counting on them around the world and here in the Pacific to put their life on the line, if necessary, to preserve the freedoms that we enjoy today. They look to you for support, and you must know that it is that support that keeps them strong and keeps them ready and I simply cannot thank you enough for that.

"I'd like to close my brief remarks this morning with a verse from a song (and I will not sing it) that captures what your Army stands for, and this message resonates through every church, every school, every corner drugstore across our great land. It has special meaning as our nation faces very daunting challenges. It's the third verse of 'America the Beautiful':

'O beautiful for heroes proved in liberating strife.
Who more than self their country loved
And mercy more than life!
America! America!
May God thy gold refine

Till all success be nobleness
And every gain divine!"

"Thank you for the honor to be with you this morning. God bless you all and God bless America."

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 229, letter dated February 26, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of a proposed draft of S.B. No. 355 to balance the general fund financial plan, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 109 to 284) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 109, transmitting H.B. No. 10, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 10, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 110, transmitting H.B. No. 43, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 43, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed First Reading by title and was deferred.

Hse. Com. No. 111, transmitting H.B. No. 49, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 49, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed First Reading by title and was deferred.

Hse. Com. No. 112, transmitting H.B. No. 50, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 50, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was deferred.

Hse. Com. No. 113, transmitting H.B. No. 75, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 75, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was deferred.

Hse. Com. No. 114, transmitting H.B. No. 78, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 115, transmitting H.B. No. 85, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 85, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed First Reading by title and was deferred.

Hse. Com. No. 116, transmitting H.B. No. 132, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," passed First Reading by title and was deferred.

Hse. Com. No. 117, transmitting H.B. No. 150, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 150, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed First Reading by title and was deferred.

Hse. Com. No. 118, transmitting H.B. No. 155, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 155, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," passed First Reading by title and was deferred.

Hse. Com. No. 119, transmitting H.B. No. 193, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 193, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed First Reading by title and was deferred.

Hse. Com. No. 120, transmitting H.B. No. 248, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 248, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC SCHOOLS BY PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 121, transmitting H.B. No. 282, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 282, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed First Reading by title and was deferred.

Hse. Com. No. 122, transmitting H.B. No. 287, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 287, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 123, transmitting H.B. No. 293, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FARMERS' MARKET," passed First Reading by title and was deferred.

Hse. Com. No. 124, transmitting H.B. No. 316, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 316, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND PURPOSES," passed First Reading by title and was deferred.

Hse. Com. No. 125, transmitting H.B. No. 317, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 317, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 126, transmitting H.B. No. 373, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 373, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SPEECH," passed First Reading by title and was deferred.

Hse. Com. No. 127, transmitting H.B. No. 377, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 377, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 128, transmitting H.B. No. 378, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 378, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 129, transmitting H.B. No. 379, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 379, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 130, transmitting H.B. No. 380, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 380, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 131, transmitting H.B. No. 381, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 381, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 132, transmitting H.B. No. 382, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 133, transmitting H.B. No. 383, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 383, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 134, transmitting H.B. No. 384, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 384, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 135, transmitting H.B. No. 385, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 385, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE," passed First Reading by title and was deferred.

Hse. Com. No. 136, transmitting H.B. No. 389, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 389, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed First Reading by title and was deferred.

Hse. Com. No. 137, transmitting H.B. No. 391, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 391, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed First Reading by title and was deferred.

Hse. Com. No. 138, transmitting H.B. No. 403, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 403, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 139, transmitting H.B. No. 554, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 554, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was deferred.

Hse. Com. No. 140, transmitting H.B. No. 581, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 581, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FEEDING," passed First Reading by title and was deferred.

Hse. Com. No. 141, transmitting H.B. No. 631, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 631, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN IMMERSION PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 142, transmitting H.B. No. 651, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 651, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," passed First Reading by title and was deferred.

Hse. Com. No. 143, transmitting H.B. No. 662, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 662, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SPORTS HALL OF FAME," passed First Reading by title and was deferred.

Hse. Com. No. 144, transmitting H.B. No. 736, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 736, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES," passed First Reading by title and was deferred.

Hse. Com. No. 145, transmitting H.B. No. 807, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 807, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291E," passed First Reading by title and was deferred.

Hse. Com. No. 146, transmitting H.B. No. 865, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 865, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS," passed First Reading by title and was deferred.

Hse. Com. No. 147, transmitting H.B. No. 914, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 914, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed First Reading by title and was deferred.

Hse. Com. No. 148, transmitting H.B. No. 925, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 925, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE," passed First Reading by title and was deferred.

Hse. Com. No. 149, transmitting H.B. No. 948, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 948, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION," passed First Reading by title and was deferred.

Hse. Com. No. 150, transmitting H.B. No. 986, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 986, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS OF SURVIVING CHILDREN OF PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 151, transmitting H.B. No. 993, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 993, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES," passed First Reading by title and was deferred.

Hse. Com. No. 152, transmitting H.B. No. 422, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 422, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING," passed First Reading by title and was deferred.

Hse. Com. No. 153, transmitting H.B. No. 473, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 473, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 154, transmitting H.B. No. 507, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 507, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL TECHNICIANS," passed First Reading by title and was deferred.

Hse. Com. No. 155, transmitting H.B. No. 510, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 510, H.D. 2, entitled: "A BILL

FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was deferred.

Hse. Com. No. 156, transmitting H.B. No. 519, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELDER JUSTICE ACT," passed First Reading by title and was deferred.

Hse. Com. No. 157, transmitting H.B. No. 523, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 523, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TOURISM," passed First Reading by title and was deferred.

Hse. Com. No. 158, transmitting H.B. No. 529, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 529, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAVE PROTECTION," passed First Reading by title and was deferred.

Hse. Com. No. 159, transmitting H.B. No. 553, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 553, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 160, transmitting H.B. No. 997, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 997, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INFORMATION," passed First Reading by title and was deferred.

Hse. Com. No. 161, transmitting H.B. No. 1021, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1021, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 162, transmitting H.B. No. 1029, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1029, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," passed First Reading by title and was deferred.

Hse. Com. No. 163, transmitting H.B. No. 1114, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1114, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed First Reading by title and was deferred.

Hse. Com. No. 164, transmitting H.B. No. 1116, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1116, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," passed First Reading by title and was deferred.

Hse. Com. No. 165, transmitting H.B. No. 1153, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1153, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 166, transmitting H.B. No. 1159, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 167, transmitting H.B. No. 1175, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1175, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 168, transmitting H.B. No. 1182, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1182, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 169, transmitting H.B. No. 1198, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1198, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD LABOR," passed First Reading by title and was deferred.

Hse. Com. No. 170, transmitting H.B. No. 1212, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1212, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," passed First Reading by title and was deferred.

Hse. Com. No. 171, transmitting H.B. No. 1214, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1214, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," passed First Reading by title and was deferred.

Hse. Com. No. 172, transmitting H.B. No. 1220, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1220, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 173, transmitting H.B. No. 1234, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1234, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed First Reading by title and was deferred.

Hse. Com. No. 174, transmitting H.B. No. 1235, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1235, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed First Reading by title and was deferred.

Hse. Com. No. 175, transmitting H.B. No. 1236, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1236, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed First Reading by title and was deferred.

Hse. Com. No. 176, transmitting H.B. No. 1261, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1261, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed First Reading by title and was deferred.

Hse. Com. No. 177, transmitting H.B. No. 1285, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1285, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," passed First Reading by title and was deferred.

Hse. Com. No. 178, transmitting H.B. No. 1328, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1328, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," passed First Reading by title and was deferred.

Hse. Com. No. 179, transmitting H.B. No. 1361, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1361, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 180, transmitting H.B. No. 1395, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1395, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY PROJECTS," passed First Reading by title and was deferred.

Hse. Com. No. 181, transmitting H.B. No. 1412, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1412, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," passed First Reading by title and was deferred.

Hse. Com. No. 182, transmitting H.B. No. 1429, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1429, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD," passed First Reading by title and was deferred.

Hse. Com. No. 183, transmitting H.B. No. 1430, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1430, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY ORAL HEALTH," passed First Reading by title and was deferred.

Hse. Com. No. 184, transmitting H.B. No. 1434, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1434, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed First Reading by title and was deferred.

Hse. Com. No. 185, transmitting H.B. No. 1438, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1438, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME LOAN PROTECTION," passed First Reading by title and was deferred.

Hse. Com. No. 186, transmitting H.B. No. 1465, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1465, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was deferred.

Hse. Com. No. 187, transmitting H.B. No. 1492, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1492, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," passed First Reading by title and was deferred.

Hse. Com. No. 188, transmitting H.B. No. 1506, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1506, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS," passed First Reading by title and was deferred.

Hse. Com. No. 189, transmitting H.B. No. 1510, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1510, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed First Reading by title and was deferred.

Hse. Com. No. 190, transmitting H.B. No. 1532, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1532, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CELEBRATION OF MARTIN LUTHER KING, JR. DAY," passed First Reading by title and was deferred.

Hse. Com. No. 191, transmitting H.B. No. 1547, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1547, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 192, transmitting H.B. No. 1572, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1572, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed First Reading by title and was deferred.

Hse. Com. No. 193, transmitting H.B. No. 1590, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1590, H.D. 2, entitled: "A BILL

FOR AN ACT RELATING TO VETERANS' RIGHTS AND BENEFITS," passed First Reading by title and was deferred.

Hse. Com. No. 194, transmitting H.B. No. 1607, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1607, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZED EMERGENCY VEHICLES," passed First Reading by title and was deferred.

Hse. Com. No. 195, transmitting H.B. No. 1613, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1613, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," passed First Reading by title and was deferred.

Hse. Com. No. 196, transmitting H.B. No. 18, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 18, entitled: "A BILL FOR AN ACT RELATING TO PHARMACEUTICAL BENEFIT MANAGEMENT COMPANIES," passed First Reading by title and was deferred.

Hse. Com. No. 197, transmitting H.B. No. 21, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 21, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATE DISCLOSURE," passed First Reading by title and was deferred.

Hse. Com. No. 198, transmitting H.B. No. 32, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 32, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 199, transmitting H.B. No. 91, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 91, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 200, transmitting H.B. No. 96, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 96, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 201, transmitting H.B. No. 130, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 130, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," passed First Reading by title and was deferred.

Hse. Com. No. 202, transmitting H.B. No. 135, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 135, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," passed First Reading by title and was deferred.

Hse. Com. No. 203, transmitting H.B. No. 139, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 139, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed First Reading by title and was deferred.

Hse. Com. No. 204, transmitting H.B. No. 140, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 140, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed First Reading by title and was deferred.

Hse. Com. No. 205, transmitting H.B. No. 146, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 146, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed First Reading by title and was deferred.

Hse. Com. No. 206, transmitting H.B. No. 176, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 176, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 207, transmitting H.B. No. 189, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 189, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS," passed First Reading by title and was deferred.

Hse. Com. No. 208, transmitting H.B. No. 196, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 196, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A GEOTHERMAL-TO-HYDROGEN TAX CREDIT," passed First Reading by title and was deferred.

Hse. Com. No. 209, transmitting H.B. No. 281, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 281, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE," passed First Reading by title and was deferred.

Hse. Com. No. 210, transmitting H.B. No. 288, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 288, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION INITIATIVES," passed First Reading by title and was deferred.

Hse. Com. No. 211, transmitting H.B. No. 289, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 289, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 212, transmitting H.B. No. 290, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 290, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed First Reading by title and was deferred.

Hse. Com. No. 213, transmitting H.B. No. 291, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 291, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JOB CREATION INCOME TAX CREDIT," passed First Reading by title and was deferred.

Hse. Com. No. 214, transmitting H.B. No. 292, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 292, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," passed First Reading by title and was deferred.

Hse. Com. No. 215, transmitting H.B. No. 295, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 295, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed First Reading by title and was deferred.

Hse. Com. No. 216, transmitting H.B. No. 297, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 297, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed First Reading by title and was deferred.

Hse. Com. No. 217, transmitting H.B. No. 298, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 298, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 218, transmitting H.B. No. 339, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 339, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COLLEGE SAVINGS PROGRAM TAX CREDIT," passed First Reading by title and was deferred.

Hse. Com. No. 219, transmitting H.B. No. 405, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 405, entitled: "A BILL FOR AN ACT RELATING TO UTILIZATION OF FEDERAL FUNDS," passed First Reading by title and was deferred.

Hse. Com. No. 220, transmitting H.B. No. 426, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 426, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was deferred.

Hse. Com. No. 221, transmitting H.B. No. 433, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 433, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was deferred.

Hse. Com. No. 222, transmitting H.B. No. 500, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 500, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading by title and was deferred.

Hse. Com. No. 223, transmitting H.B. No. 504, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 504, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORCE-PLACED INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 224, transmitting H.B. No. 512, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 512, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was deferred.

Hse. Com. No. 225, transmitting H.B. No. 550, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 550, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF MEDICAL FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 226, transmitting H.B. No. 551, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 551, H.D. 2, entitled: "A BILL FOR AN ACT RELATED TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY," passed First Reading by title and was deferred.

Hse. Com. No. 227, transmitting H.B. No. 593, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 593, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading by title and was deferred.

Hse. Com. No. 228, transmitting H.B. No. 595, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 595, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed First Reading by title and was deferred.

Hse. Com. No. 229, transmitting H.B. No. 626, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 626, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDIT," passed First Reading by title and was deferred.

Hse. Com. No. 230, transmitting H.B. No. 640, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 640, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 231, transmitting H.B. No. 641, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 641, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed First Reading by title and was deferred.

Hse. Com. No. 232, transmitting H.B. No. 685, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 685, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONE," passed First Reading by title and was deferred.

Hse. Com. No. 233, transmitting H.B. No. 712, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 712, entitled: "A BILL FOR AN ACT RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," passed First Reading by title and was deferred.

Hse. Com. No. 234, transmitting H.B. No. 714, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 714, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 235, transmitting H.B. No. 756, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 756, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 236, transmitting H.B. No. 772, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 772, entitled: "A BILL FOR AN ACT RELATING TO BONDS," passed First Reading by title and was deferred.

Hse. Com. No. 237, transmitting H.B. No. 773, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 773, entitled: "A BILL FOR AN ACT RELATING TO BONDS," passed First Reading by title and was deferred.

Hse. Com. No. 238, transmitting H.B. No. 857, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 857, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 239, transmitting H.B. No. 907, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 907, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed First Reading by title and was deferred.

Hse. Com. No. 240, transmitting H.B. No. 968, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 968, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," passed First Reading by title and was deferred.

Hse. Com. No. 241, transmitting H.B. No. 980, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 980, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SETTLEMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 242, transmitting H.B. No. 1003, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1003, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," passed First Reading by title and was deferred.

Hse. Com. No. 243, transmitting H.B. No. 1004, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1004, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed First Reading by title and was deferred.

Hse. Com. No. 244, transmitting H.B. No. 1013, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1013, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT," passed First Reading by title and was deferred.

Hse. Com. No. 245, transmitting H.B. No. 1041, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1041, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 246, transmitting H.B. No. 1042, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1042, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 247, transmitting H.B. No. 1043, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1043, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 248, transmitting H.B. No. 1044, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1044, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 249, transmitting H.B. No. 1045, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1045, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 250, transmitting H.B. No. 1046, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1046, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 251, transmitting H.B. No. 1047, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1047, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 252, transmitting H.B. No. 1075, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1075, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 253, transmitting H.B. No. 1076, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1076, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed First Reading by title and was deferred.

Hse. Com. No. 254, transmitting H.B. No. 1111, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1111, H.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 255, transmitting H.B. No. 1117, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1117, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," passed First Reading by title and was deferred.

Hse. Com. No. 256, transmitting H.B. No. 1127, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1127, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed First Reading by title and was deferred.

Hse. Com. No. 257, transmitting H.B. No. 1152, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed First Reading by title and was deferred.

Hse. Com. No. 258, transmitting H.B. No. 1154, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1154, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed First Reading by title and was deferred.

Hse. Com. No. 259, transmitting H.B. No. 1181, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1181, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS

CORPORATION," passed First Reading by title and was deferred.

Hse. Com. No. 260, transmitting H.B. No. 1223, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1223, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed First Reading by title and was deferred.

Hse. Com. No. 261, transmitting H.B. No. 1224, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1224, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS," passed First Reading by title and was deferred.

Hse. Com. No. 262, transmitting H.B. No. 1230, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1230, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was deferred.

Hse. Com. No. 263, transmitting H.B. No. 1253, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1253, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was deferred.

Hse. Com. No. 264, transmitting H.B. No. 1258, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1258, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES," passed First Reading by title and was deferred.

Hse. Com. No. 265, transmitting H.B. No. 1275, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SHORELINE," passed First Reading by title and was deferred.

Hse. Com. No. 266, transmitting H.B. No. 1309, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1309, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed First Reading by title and was deferred.

Hse. Com. No. 267, transmitting H.B. No. 1339, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1339, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was deferred.

Hse. Com. No. 268, transmitting H.B. No. 1363, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1363, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY," passed First Reading by title and was deferred.

Hse. Com. No. 269, transmitting H.B. No. 1394, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1394, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION TO STIMULATE THE ECONOMY," passed First Reading by title and was deferred.

Hse. Com. No. 270, transmitting H.B. No. 1400, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1400, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," passed First Reading by title and was deferred.

Hse. Com. No. 271, transmitting H.B. No. 1456, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1456, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 272, transmitting H.B. No. 1470, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1470, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading by title and was deferred.

Hse. Com. No. 273, transmitting H.B. No. 1471, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1471, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed First Reading by title and was deferred.

Hse. Com. No. 274, transmitting H.B. No. 1498, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1498, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL AIR TRANSPORT SERVICES FOR THE COUNTY OF MAUI," passed First Reading by title and was deferred.

Hse. Com. No. 275, transmitting H.B. No. 1509, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1509, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed First Reading by title and was deferred.

Hse. Com. No. 276, transmitting H.B. No. 1548, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1548, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUBLIC SCHOOL IMPROVEMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 277, transmitting H.B. No. 1554, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1554, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TAXES," passed First Reading by title and was deferred.

Hse. Com. No. 278, transmitting H.B. No. 1579, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1579, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 279, transmitting H.B. No. 1594, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1594, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed First Reading by title and was deferred.

Hse. Com. No. 280, transmitting H.B. No. 1616, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1616, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was deferred.

Hse. Com. No. 281, transmitting H.B. No. 1628, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1628, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL LOANS," passed First Reading by title and was deferred.

Hse. Com. No. 282, transmitting H.B. No. 1652, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1652, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND," passed First Reading by title and was deferred.

Hse. Com. No. 283, transmitting H.B. No. 1560, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1560, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF VESSELS BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed First Reading by title and was deferred.

Hse. Com. No. 284, transmitting H.B. No. 90, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 90, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was deferred.

SENATE COMMUNICATION

Sen. Com. No. 1, notice to the Governor dated March 6, 2003, transmitting S.B. No. 784, S.D. 1, and S.B. No. 1002, which propose amendments to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"March 6, 2003

The Honorable Linda Lingle
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following Senate Bill(s), a copy of which is attached hereto:

S.B. No. 784, S.D. 1
'RELATING TO THE BOARD OF EDUCATION.'

S.B. No. 1002
'PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE.'

Respectfully,

/s/ Paul T. Kawaguchi
PAUL T. KAWAGUCHI
Clerk of the Senate”

STANDING COMMITTEE REPORTS

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1003) recommending that S.C.R. No. 13, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1003 and S.C.R. No. 13, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES,” was deferred until Friday, March 7, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1004) recommending that the Senate advise and consent to the nomination of KATHLEEN WATANABE as Director of the Department of Human Resources Development, in accordance with Gov. Msg. No. 101.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1004 and Gov. Msg. No. 101 was deferred until Friday, March 7, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1005) recommending that the Senate advise and consent to the nomination of SANDRA LEE KUNIMOTO as Chair of the Department of Agriculture, in accordance with Gov. Msg. No. 7.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1005 and Gov. Msg. No. 7 was deferred until Friday, March 7, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1006) recommending that the Senate advise and consent to the nomination of PETER YOUNG as Director of the Department of Land and Natural Resources, in accordance with Gov. Msg. No. 12.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1006 and Gov. Msg. No. 12 was deferred until Friday, March 7, 2003.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM TUESDAY, MARCH 4, 2003

H.B. No. 52, H.D. 2 (Hse. Com. No. 12):

By unanimous consent, action on H.B. No. 52, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY,” was deferred until Friday, March 7, 2003.

H.B. No. 53 (Hse. Com. No. 13):

By unanimous consent, action on H.B. No. 53, entitled: “A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION’S MARITIME RELATED USES,” was deferred until Friday, March 7, 2003.

H.B. No. 58 (Hse. Com. No. 14):

By unanimous consent, action on H.B. No. 58, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” was deferred until Friday, March 7, 2003.

H.B. No. 86, H.D. 1 (Hse. Com. No. 15):

By unanimous consent, action on H.B. No. 86, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LAND USE,” was deferred until Friday, March 7, 2003.

H.B. No. 122 (Hse. Com. No. 16):

By unanimous consent, action on H.B. No. 122, entitled: “A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN,” was deferred until Friday, March 7, 2003.

H.B. No. 123, H.D. 1 (Hse. Com. No. 17):

By unanimous consent, action on H.B. No. 123, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY,” was deferred until Friday, March 7, 2003.

H.B. No. 133, H.D. 1 (Hse. Com. No. 18):

By unanimous consent, action on H.B. No. 133, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD PROTECTION,” was deferred until Friday, March 7, 2003.

H.B. No. 192, H.D. 1 (Hse. Com. No. 19):

By unanimous consent, action on H.B. No. 192, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ACCRETED LANDS,” was deferred until Friday, March 7, 2003.

H.B. No. 218 (Hse. Com. No. 20):

By unanimous consent, action on H.B. No. 218, entitled: “A BILL FOR AN ACT RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES,” was deferred until Friday, March 7, 2003.

H.B. No. 277, H.D. 1 (Hse. Com. No. 21):

By unanimous consent, action on H.B. No. 277, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was deferred until Friday, March 7, 2003.

H.B. No. 285, H.D. 1 (Hse. Com. No. 22):

By unanimous consent, action on H.B. No. 285, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE,” was deferred until Friday, March 7, 2003.

H.B. No. 286 (Hse. Com. No. 23):

By unanimous consent, action on H.B. No. 286, entitled: “A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT,” was deferred until Friday, March 7, 2003.

H.B. No. 320, H.D. 2 (Hse. Com. No. 24):

By unanimous consent, action on H.B. No. 320, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT," was deferred until Friday, March 7, 2003.

H.B. No. 436 (Hse. Com. No. 25):

By unanimous consent, action on H.B. No. 436, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND A SECOND AMBULANCE TO SERVE THE WAIANAEO COAST," was deferred until Friday, March 7, 2003.

H.B. No. 475 (Hse. Com. No. 26):

By unanimous consent, action on H.B. No. 475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Friday, March 7, 2003.

H.B. No. 485 (Hse. Com. No. 27):

By unanimous consent, action on H.B. No. 485, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU'OLI SCHOOL," was deferred until Friday, March 7, 2003.

H.B. No. 488 (Hse. Com. No. 28):

By unanimous consent, action on H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," was deferred until Friday, March 7, 2003.

H.B. No. 509, H.D. 1 (Hse. Com. No. 29):

By unanimous consent, action on H.B. No. 509, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," was deferred until Friday, March 7, 2003.

H.B. No. 548, H.D. 2 (Hse. Com. No. 30):

By unanimous consent, action on H.B. No. 548, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Friday, March 7, 2003.

H.B. No. 604 (Hse. Com. No. 31):

By unanimous consent, action on H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Friday, March 7, 2003.

H.B. No. 657, H.D. 1 (Hse. Com. No. 32):

By unanimous consent, action on H.B. No. 657, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," was deferred until Friday, March 7, 2003.

H.B. No. 659 (Hse. Com. No. 33):

By unanimous consent, action on H.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," was deferred until Friday, March 7, 2003.

H.B. No. 730 (Hse. Com. No. 34):

By unanimous consent, action on H.B. No. 730, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," was deferred until Friday, March 7, 2003.

H.B. No. 731, H.D. 1 (Hse. Com. No. 35):

By unanimous consent, action on H.B. No. 731, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Friday, March 7, 2003.

H.B. No. 744, H.D. 1 (Hse. Com. No. 36):

By unanimous consent, action on H.B. No. 744, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL," was deferred until Friday, March 7, 2003.

H.B. No. 754 (Hse. Com. No. 37):

By unanimous consent, action on H.B. No. 754, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," was deferred until Friday, March 7, 2003.

H.B. No. 762, H.D. 1 (Hse. Com. No. 38):

By unanimous consent, action on H.B. No. 762, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS," was deferred until Friday, March 7, 2003.

H.B. No. 802, H.D. 1 (Hse. Com. No. 39):

By unanimous consent, action on H.B. No. 802, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES," was deferred until Friday, March 7, 2003.

H.B. No. 813 (Hse. Com. No. 40):

By unanimous consent, action on H.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," was deferred until Friday, March 7, 2003.

H.B. No. 814 (Hse. Com. No. 41):

By unanimous consent, action on H.B. No. 814, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred until Friday, March 7, 2003.

H.B. No. 815 (Hse. Com. No. 42):

By unanimous consent, action on H.B. No. 815, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," was deferred until Friday, March 7, 2003.

H.B. No. 818, H.D. 1 (Hse. Com. No. 43):

By unanimous consent, action on H.B. No. 818, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," was deferred until Friday, March 7, 2003.

H.B. No. 884 (Hse. Com. No. 44):

By unanimous consent, action on H.B. No. 884, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Friday, March 7, 2003.

H.B. No. 939 (Hse. Com. No. 45):

By unanimous consent, action on H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL," was deferred until Friday, March 7, 2003.

H.B. No. 1010, H.D. 1 (Hse. Com. No. 46):

By unanimous consent, action on H.B. No. 1010, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," was deferred until Friday, March 7, 2003.

H.B. No. 1022 (Hse. Com. No. 47):

By unanimous consent, action on H.B. No. 1022, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENT," was deferred until Friday, March 7, 2003.

H.B. No. 1155, H.D. 1 (Hse. Com. No. 48):

By unanimous consent, action on H.B. No. 1155, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Friday, March 7, 2003.

H.B. No. 1157 (Hse. Com. No. 49):

By unanimous consent, action on H.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Friday, March 7, 2003.

H.B. No. 1161, H.D. 1 (Hse. Com. No. 50):

By unanimous consent, action on H.B. No. 1161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," was deferred until Friday, March 7, 2003.

H.B. No. 1163 (Hse. Com. No. 51):

By unanimous consent, action on H.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," was deferred until Friday, March 7, 2003.

H.B. No. 1172 (Hse. Com. No. 52):

By unanimous consent, action on H.B. No. 1172, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," was deferred until Friday, March 7, 2003.

H.B. No. 1255 (Hse. Com. No. 53):

By unanimous consent, action on H.B. No. 1255, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," was deferred until Friday, March 7, 2003.

H.B. No. 1276, H.D. 1 (Hse. Com. No. 54):

By unanimous consent, action on H.B. No. 1276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Friday, March 7, 2003.

H.B. No. 1277 (Hse. Com. No. 55):

By unanimous consent, action on H.B. No. 1277, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 16, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO PROVIDE THE

LEGISLATURE WITH THE POWER TO RECALL A BILL PRESENTED TO THE GOVERNOR," was deferred until Friday, March 7, 2003.

H.B. No. 1294 (Hse. Com. No. 56):

By unanimous consent, action on H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was deferred until Friday, March 7, 2003.

H.B. No. 1307, H.D. 1 (Hse. Com. No. 57):

By unanimous consent, action on H.B. No. 1307, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Friday, March 7, 2003.

H.B. No. 1362 (Hse. Com. No. 58):

By unanimous consent, action on H.B. No. 1362, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," was deferred until Friday, March 7, 2003.

H.B. No. 1405, H.D. 1 (Hse. Com. No. 59):

By unanimous consent, action on H.B. No. 1405, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOFUEL," was deferred until Friday, March 7, 2003.

H.B. No. 1453, H.D. 1 (Hse. Com. No. 60):

By unanimous consent, action on H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," was deferred until Friday, March 7, 2003.

H.B. No. 1479, H.D. 1 (Hse. Com. No. 61):

By unanimous consent, action on H.B. No. 1479, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NATIONAL KOREAN WAR MUSEUM IN HAWAII," was deferred until Friday, March 7, 2003.

H.B. No. 1495, H.D. 1 (Hse. Com. No. 62):

By unanimous consent, action on H.B. No. 1495, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREMATION," was deferred until Friday, March 7, 2003.

H.B. No. 1564 (Hse. Com. No. 63):

By unanimous consent, action on H.B. No. 1564, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY," was deferred until Friday, March 7, 2003.

H.B. No. 1630, H.D. 1 (Hse. Com. No. 64):

By unanimous consent, action on H.B. No. 1630, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," was deferred until Friday, March 7, 2003.

H.B. No. 83, H.D. 1 (Hse. Com. No. 65):

By unanimous consent, action on H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND

EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA," was deferred until Friday, March 7, 2003.

H.C.R. No. 26, H.D. 1 (Hse. Com. No. 66):

By unanimous consent, action on H.C.R. No. 26, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES TO EDUCATE AND SENSITIZE MEMBERS OF CONGRESS ON THE UNFORTUNATE CIRCUMSTANCES OF THE INTERNMENT OF CIVILIANS DURING WORLD WAR II," was deferred until Friday, March 7, 2003.

H.B. No. 29, H.D. 1 (Hse. Com. No. 67):

By unanimous consent, action on H.B. No. 29, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," was deferred until Friday, March 7, 2003.

H.B. No. 73 (Hse. Com. No. 68):

By unanimous consent, action on H.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was deferred until Friday, March 7, 2003.

H.B. No. 127, H.D. 1 (Hse. Com. No. 69):

By unanimous consent, action on H.B. No. 127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," was deferred until Friday, March 7, 2003.

H.B. No. 129, H.D. 1 (Hse. Com. No. 70):

By unanimous consent, action on H.B. No. 129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE," was deferred until Friday, March 7, 2003.

H.B. No. 179, H.D. 1 (Hse. Com. No. 71):

By unanimous consent, action on H.B. No. 179, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND IN NORTH KONA," was deferred until Friday, March 7, 2003.

H.B. No. 294 (Hse. Com. No. 72):

By unanimous consent, action on H.B. No. 294, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," was deferred until Friday, March 7, 2003.

H.B. No. 314, H.D. 1 (Hse. Com. No. 73):

By unanimous consent, action on H.B. No. 314, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS," was deferred until Friday, March 7, 2003.

H.B. No. 324, H.D. 1 (Hse. Com. No. 74):

By unanimous consent, action on H.B. No. 324, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Friday, March 7, 2003.

H.B. No. 401, H.D. 1 (Hse. Com. No. 75):

By unanimous consent, action on H.B. No. 401, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Friday, March 7, 2003.

H.B. No. 418, H.D. 1 (Hse. Com. No. 76):

By unanimous consent, action on H.B. No. 418, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," was deferred until Friday, March 7, 2003.

H.B. No. 531 (Hse. Com. No. 77):

By unanimous consent, action on H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Friday, March 7, 2003.

H.B. No. 533, H.D. 1 (Hse. Com. No. 78):

By unanimous consent, action on H.B. No. 533, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ETHICS," was deferred until Friday, March 7, 2003.

H.B. No. 620, H.D. 1 (Hse. Com. No. 79):

By unanimous consent, action on H.B. No. 620, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," was deferred until Friday, March 7, 2003.

H.B. No. 638, H.D. 1 (Hse. Com. No. 80):

By unanimous consent, action on H.B. No. 638, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Friday, March 7, 2003.

H.B. No. 645 (Hse. Com. No. 81):

By unanimous consent, action on H.B. No. 645, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," was deferred until Friday, March 7, 2003.

H.B. No. 668 (Hse. Com. No. 82):

By unanimous consent, action on H.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Friday, March 7, 2003.

H.B. No. 691 (Hse. Com. No. 83):

By unanimous consent, action on H.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE," was deferred until Friday, March 7, 2003.

H.B. No. 704, H.D. 1 (Hse. Com. No. 84):

By unanimous consent, action on H.B. No. 704, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CODE," was deferred until Friday, March 7, 2003.

H.B. No. 735, H.D. 1 (Hse. Com. No. 85):

By unanimous consent, action on H.B. No. 735, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES," was deferred until Friday, March 7, 2003.

H.B. No. 740, H.D. 1 (Hse. Com. No. 86):

By unanimous consent, action on H.B. No. 740, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL LITTERING," was deferred until Friday, March 7, 2003.

H.B. No. 757, H.D. 1 (Hse. Com. No. 87):

By unanimous consent, action on H.B. No. 757, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING RECORDS," was deferred until Friday, March 7, 2003.

H.B. No. 851, H.D. 1 (Hse. Com. No. 88):

By unanimous consent, action on H.B. No. 851, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," was deferred until Friday, March 7, 2003.

H.B. No. 887, H.D. 1 (Hse. Com. No. 89):

By unanimous consent, action on H.B. No. 887, H.D. 1, entitled: "A BILL FOR AN ACT CORPORATE DISCLOSURE FOR CAMPAIGN SPENDING," was deferred until Friday, March 7, 2003.

H.B. No. 969, H.D. 1 (Hse. Com. No. 90):

By unanimous consent, action on H.B. No. 969, H.D. 1, entitled: "A BILL FOR AN ACT RELATED TO COLLECTIVE BARGAINING," was deferred until Friday, March 7, 2003.

H.B. No. 981, H.D. 1 (Hse. Com. No. 91):

By unanimous consent, action on H.B. No. 981, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," was deferred until Friday, March 7, 2003.

H.B. No. 1053 (Hse. Com. No. 92):

By unanimous consent, action on H.B. No. 1053, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION," was deferred until Friday, March 7, 2003.

H.B. No. 1064 (Hse. Com. No. 93):

By unanimous consent, action on H.B. No. 1064, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Friday, March 7, 2003.

H.B. No. 1081 (Hse. Com. No. 94):

By unanimous consent, action on H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," was deferred until Friday, March 7, 2003.

H.B. No. 1160, H.D. 1 (Hse. Com. No. 95):

By unanimous consent, action on H.B. No. 1160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT," was deferred until Friday, March 7, 2003.

H.B. No. 1164, H.D. 1 (Hse. Com. No. 96):

By unanimous consent, action on H.B. No. 1164, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Friday, March 7, 2003.

H.B. No. 1165, H.D. 2 (Hse. Com. No. 97):

By unanimous consent, action on H.B. No. 1165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred until Friday, March 7, 2003.

H.B. No. 1176, H.D. 1 (Hse. Com. No. 98):

By unanimous consent, action on H.B. No. 1176, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, March 7, 2003.

H.B. No. 1217, H.D. 1 (Hse. Com. No. 99):

By unanimous consent, action on H.B. No. 1217, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Friday, March 7, 2003.

H.B. No. 1225 (Hse. Com. No. 100):

By unanimous consent, action on H.B. No. 1225, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES," was deferred until Friday, March 7, 2003.

H.B. No. 1247 (Hse. Com. No. 101):

By unanimous consent, action on H.B. No. 1247, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CONTRAFLOW LANE ON FARRINGTON HIGHWAY ALONG THE WAIANAE COAST FROM MOHIHI STREET TO PILIOKAHI AVENUE," was deferred until Friday, March 7, 2003.

H.B. No. 1272, H.D. 2 (Hse. Com. No. 102):

By unanimous consent, action on H.B. No. 1272, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES," was deferred until Friday, March 7, 2003.

H.B. No. 1302 (Hse. Com. No. 103):

By unanimous consent, action on H.B. No. 1302, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Friday, March 7, 2003.

H.B. No. 1303 (Hse. Com. No. 104):

By unanimous consent, action on H.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Friday, March 7, 2003.

H.B. No. 1342, H.D. 1 (Hse. Com. No. 105):

By unanimous consent, action on H.B. No. 1342, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YOUTH SERVICES," was deferred until Friday, March 7, 2003.

H.B. No. 1373 (Hse. Com. No. 106):

By unanimous consent, action on H.B. No. 1373, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Friday, March 7, 2003.

H.B. No. 1511, H.D. 1 (Hse. Com. No. 107):

By unanimous consent, action on H.B. No. 1511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Friday, March 7, 2003.

H.B. No. 1660, H.D. 1 (Hse. Com. No. 108):

By unanimous consent, action on H.B. No. 1660, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Friday, March 7, 2003.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1002 (Gov. Msg. No. 6):

Senator Kanno moved that Stand. Com. Rep. No. 1002 be received and placed on file, seconded by Senator Ihara and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of NELSON BEFITEL as Director of the Department of Labor and Industrial Relations, term to expire December 4, 2006, seconded by Senator Ihara.

Senator Kanno rose to speak in support of the nominee and said:

"Mr. President, I rise to speak in support of the nominee.

"Mr. President, Nelson Befitel holds a Bachelor of Arts degree in Journalism, with a minor in Sociology, from the University of Hawaii and a Juris Doctor degree from Arizona State University. Mr. Befitel practiced with the law firm of Damon Key Kupchak & Hastert from 1998 to 2002. He previously served as a Deputy Corporation Counsel for the County of Maui, a law clerk with the Department of the Attorney General, a law clerk with the Department of the Prosecuting Attorney for the County of Maui, and an investigator for the Hawaii Civil Rights Commission.

"Mr. Befitel has been highly active within the community, serving as a member and officer of many organizations, including the American Bar Association, the Hawaii State Bar Association, the Filipino Chamber of Commerce of Hawaii, the State of Hawaii Election Advisory Committee, the Ala Moana Rotary Club, and the Kihei Youth Center. He has also served as the Chief Legal Advisor for Governor Linda Lingle's 2002 Gubernatorial Campaign and a volunteer with the Big Brothers/Big Sisters of Maui. Mr. Befitel was also a finisher in the 2002 Austin Marathon and was named by Pacific Business News one of the Forty Under 40 for 2002 for his business skills, leadership, and community involvement.

"Your Committee received over 130 letters of testimony in support of the nominee from numerous members of the business and legal communities, government officials and employees, members from community organizations, and private citizens.

"I urge my colleagues to vote in support of the nominee. Thank you."

Senator Slom also rose in support of the nominee and said:

"Mr. President, I, too, rise in the very strong support of Nelson Befitel.

"Nelson Befitel is experienced; he's capable, and I guess, as the Labor Chairman said, there were over 130 communications and testimony in support. There was no opposition. I think the biggest problem Nelson Befitel has is his age. He's just too young to have accomplished all the things he's already accomplished and to have all the ideas and the creativity to make changes that are necessary.

"In the past, people have gotten the perception that it was business versus labor and that that was one of the functions of the Department of Labor and Industrial Relations.

"Mr. Befitel comes from a background that's very interesting. His parents were union members. Many of his family members were and are union members. He truly comes from blue-collar roots. He is very knowledgeable about employment law, and yet he also was an attorney representing businesses. His attitude has been, from the very beginning, to bring business and unions and all labor together because it is a function of the department.

"It is the mission of the state to improve the economic livelihood of everyone who works in this state regardless of any kind of institutional or organizational membership. But it is also the mission and the purpose and the goal of the department and of this state to improve and diversify and strengthen our business climate and our business community, because without a strong business climate, there can be no jobs, there can be no additional compensation or benefits, and we all suffer. Mr. Befitel understands this.

"He's a hard worker. He's energetic. He's a good listener. And that's not just me saying that – it's people saying that who sat on the other side of the table with him, had disagreements with him on various issues, but always found him open and fair. And that is one of the qualities that we look for in any individual that we confirm – a person that's going to be accessible, that's going to understand. We can have our disagreements on issues, but you want somebody that is going to be able to listen and give everyone an opportunity to discuss their points of view.

"In Nelson Befitel, we get all of those qualities and more. His age and his freshness of approach is a real benefit to us. So, Mr. President, colleagues, I urge a very strong and unanimous confirmation vote for Mr. Nelson Befitel.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Kanno introduced Mr. Befitel, who was seated in the gallery with family and friends.

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

THIRD READING

S.B. No. 1532, S.D. 1:

The President made the following statement:

"Members, S.B. No. 1532 has been recommitted."

Senator Ihara interjected:

“Mr. President, I would like to request that a vote be taken in order to recommit this bill.”

At 12:14 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o’clock p.m.

Senator Inouye moved that S.B. No. 1532, S.D. 1, be recommitted to the Committee on Water, Land, and Agriculture, seconded by Senator Espero.

Senator Menor rose in favor of the recommitment and said:

“Mr. President, I wanted to briefly offer some remarks in favor of this motion for recommitment.

“Mr. President, I stand before my colleagues today in support of this recommitment because of the environmental concerns that the measure raises. Moreover, two neighborhood boards in my district have expressed opposition to this measure . . .”

The Chair interjected:

“Could we have a short recess, please.”

At 12:21 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o’clock p.m.

Senator Menor rose and said:

“In the interest of time, Mr. President, I just wanted the Clerk to note, for the record, my strong support for the recommitment of S.B. No. 1532, S.D. 1.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 1532, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SOLID WASTE,” was recommitted to the Committee on Water, Land, and Agriculture.

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

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

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in strong opposition to this bill.

“We debated this bill last year. We debated this bill the other day with an amendment. The amendment of course does not do anything really to help the bill. This bill is a bad bill. It is an anti-business bill. It is an anti-investment bill, and it really misleads the people that supported this bill thinking that it will preserve their jobs and guarantees for future employment.

“The bill came about because of certain transactions and changes in hotels with successor employers. Several employees in certain hotels were not retained and they’ve been very upset about this and they came to the Legislature for redress last year and this year.

“There was no widespread support for problems existing in other areas of the economy and there was also no guarantee that if we pass any kind of legislation we can protect anybody’s job. What we can guarantee, if we pass this legislation, we send a message to those businesses that are trying to keep the business open by either selling the business or merging the business or having the business acquired, we send the message that no one in going to pick up that business because people don’t like to have their choices denied to them. And here we are pontificating and telling private employers and the private economy in conditions that we have helped create through taxes and regulations and mandates, that they cannot choose whom they want to retain and who they do not want to retain.

“Originally, the bill said that they must retain all 100 percent of all employees, regardless of whether or not they were qualified, experienced, attitude, or changes that take place. Now we’re saying you only have to retain 50 percent of the employees, but 50 percent is still a large number. The main thing is we are denying them the choice to make the decisions for themselves.

“We are not in business here. We are in the process of destroying businesses. If people are not allowed to make the choices that they want to make, and if businesses that are in trouble are not allowed to sell or to have their business acquired, then in fact all 100 percent of all employees are at risk in terms of losing their jobs.

“We also note that even though we don’t have a law, most businesses will be very prudent and will take as many or all of the employees they can if those employees are qualified and if they fit into whatever has to be done with the retrofitting or downsizing of the new business. But the idea is to keep the business viable, keep as many people employed as possible, keep people working rather than unemployed, keep paychecks flowing, and keep taxes being paid to the state. So this bill sends a very harsh message.

“There was an amendment that was made from the original bill, also, to exclude the construction industry. But one must ask – if you’re going to exclude the construction industry, then why not retailing, why not wholesaling, why not manufacturing? And we don’t do that. We’re singling out one industry and saying that they can be excluded. If the problem is we don’t want anybody to ever lose their job or 50 percent of any company employees to lose their job, then it should apply equally across the board, but in fact, it does not.

“So, the main thing here is that we are denying choice and we’re denying economic realities. And the economic realities are that there are a lot of businesses that are not in business today. People have lost their jobs, but they have also found jobs. And the idea is, if you improve the business climate, then in fact you create other jobs and other business opportunities. This bill does exactly the opposite and I urge my colleagues to vote ‘no’ and I request a Roll Call vote, Mr. President.

“Thank you.”

Senator Sakamoto also rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the motion.

“Mr. President, for those of you who remember in my description the other day, we’ve got these 100 employees on this rope bridge up here trying to survive with their employer and their owner, and as they make it across, the owner maybe wants to retire, maybe the owner decides his son is in Las Vegas so he can’t continue the business, or maybe the owner

indeed has trouble operating the business because he's ill. Who knows what, or maybe they're struggling and they're having a hard time. And as the employees get halfway across the bridge, Mr. President, he starts to say, 'well, how can I take care of my family, my business family? How can we take care of our employees? Let's find somebody to buy our company.' So he starts calling out, 'who wants to buy my company and take care of my business family?' And then he says, 'oh, by the way, good godfather, you have to take all the keiki or half of the keiki whether you like them or not.' And which godfather would want to adopt half of somebody else's family unknown to him?

"So, we really, as the previous speaker said, the likelihood the bridge will fall becomes almost 100 percent. So let's take care of our employees and their business and company families and let's let this bill die a safe death."

Senator Espero rose in support of the measure and said:

"Mr. President, I'd like to rise in support of this measure.

"The negative side of this bill, the negative spin, is that it's anti-business, anti-investment. This is a bill that would deal with likely transactions of multimillion-dollar corporations – big business – whether it's a sale, trade, whatever the case may be. But the positive side is that it's pro-employee. It supports the working people of Hawaii.

"This bill supports our constituents, our neighbors, our family members. It provides some relief, not much, but some relief for that minimum wage worker, for that individual who is making a living wage, for middle managers. It's not a perfect bill, but it does send a message that yes, we care about the working people of Hawaii, and a big multimillion-dollar corporation can come and invest, but we have some concerns on how our working people are treated.

"That is what this bill sends to people globally, nationally, that please come, we have a good business atmosphere here. You have your Outriggers, your Hiltons, your Marriotts investing millions of dollars in this state. You've got new businesses coming here – high-tech, calling centers. Not everybody is successful. And you do have investment in Hawaii, but this bill is to support the working people of Hawaii. That is what this is.

"This is a pro-working men and women of Hawaii and that is why I urge my colleagues to support it.

"Thank you."

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"In its proper context, this is not a pro-worker bill. It may result in a short-term benefit, but history speaks with a single voice, and that is that measures such as this will result in less investment, less jobs over time. So if our concern is about sending a strong message, then let us introduce a resolution. If we care about the working people, we will not vote in favor of this measure.

"Thank you, Mr. President."

Senator Slom rose again in opposition and said:

"Mr. President, I just rise for one point, and that is, you know I've sat here year, after year, after year and heard people talking

about working people, and it shows their ignorance that they do not understand that people that own businesses are working people. People that work for people that own businesses are working people.

"Instead of trying to divide people into one group of working people, we should all realize that we are all working people together, and it affects each and every one of us when we diminish our business economy.

"Thank you."

Senator Hooser rose in support of the measure and stated:

"Mr. President, I rise in support of this bill.

"I want to say, first of all, that I respect the ideas and opinions of both those that support and oppose. I think there's good ideas on both sides. Certainly, the bill is not a perfect one and can go through additional review to give employers more latitude and more freedom if they were going to take over a business and to choose the employees that they desire to.

"As a small business person, I'd like to say that I know many people in business, and I know that there are businesses around the world as the world grows into a global economy. There are many business people who do not have the best interest of the community or the best interest of the workers in mind. There are businesses right now, people that make a profession, make a living out of targeting business – businesses that are profitable already, businesses that have been in existence for years and years and years. These individuals will make a practice of targeting these businesses, some might be a hotel, that are already making money, already profitable, and then buying the business, clearing out all the employees and rehiring new employees at minimum wage, part-time, no benefits, substandard working conditions.

"This bill is just a small step in an effort to show support for those workers. Mr. President, I think all of us know that businesses will do what they want to do in the end and they'll find ways to circumvent a variety of rules. But I rise in support to send a message that we do support working people and we do support labor.

"Thank you, Mr. President."

At 12:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:34 o'clock p.m.

Senators Aduja and Kim requested their votes be cast "aye, with reservations," and the Chair so ordered.

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

Ayes, 13. Noes, 12 (Chun Oakland, Fukunaga, Hanabusa, Hemmings, Hogue, Ige, Ihara, Kokubun, Sakamoto, Slom, Trimble, Whalen).

S.B. No. 780, S.D. 2:

Senator Menor moved that S.B. No. 780, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senators Sakamoto, Ige and Aduja requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 780, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

S.B. No. 1263, S.D. 3:

On motion by Senator Sakamoto, seconded by Senator Kawamoto and carried, S.B. No. 1263, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADJOURNMENT

At 12:47 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 7, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-EIGHTH DAY

Friday, March 7, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:50 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor David Monroy, Hope Chapel, Manoa, after which the Roll was called showing all Senators present with the exception of Senators Kawamoto and Taniguchi who were excused.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

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

Senator Hemmings introduced and congratulated Randy Rarick on his 20th anniversary as executive director of the Triple Crown of Surfing. Accompanying Mr. Rarick was his wife, Jacque.

Senator Ige then introduced the following representatives of the Hawaii Arts Education Partners in recognition of their efforts to integrate arts education into the curriculum of Hawaii's schools: Pat Hamamoto, Superintendent of Education; Robert Witt, Hawaii Association of Independent Schools; Elaine Zinn, State Foundation on Culture and the Arts; Marilyn Cristofori, Hawaii Alliance for Arts Education; Dr. Judith Hughes, College of Arts and Humanities of the University of Hawaii at Manoa; and Bob Lew, Apple Computer Company.

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 230 and 231) were read by the Clerk and were placed on file:

Gov. Msg. No. 230, letter dated March 3, 2003, transmitting a proposed change to the General Appropriations Act, H.B. No. 200, to amend the scope of a capital improvement project for the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 231, dated January 9, 2003, transmitting a Report Requiring All Departments and Agencies to Identify Their Goals, Objectives, and Policies, to Provide a Basis for Determining Priorities and Allocating Limited Public Funds and Human Resources, prepared by the Department of Land and Natural Resources pursuant to Act 100, Sections 6 and 7, SLH 1999.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 27, from the State Auditor dated March 5, 2003, transmitting a report, "Financial Audit of the Department of Business, Economic Development and Tourism." (Report No. 03-03), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 285 and 286) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 285, transmitting H.B. No. 284, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 2003, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 286, transmitting H.B. No. 1077, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 2003, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, H.B. No. 1077, H.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 53 to 60) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 53 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ESTABLISHING AN ENVIRONMENTAL COURT."

Offered by: Senators Hanabusa, English, Ige, Chun Oakland, Kawamoto, Aduja, Taniguchi, Espero, Kim, Ihara.

No. 54 "SENATE CONCURRENT RESOLUTION CREATING A WORKING GROUP OF REPRESENTATIVES FROM HAWAIIAN ORGANIZATIONS, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE DEPARTMENT OF HEALTH TO FORM A COALITION TO PROVIDE BETTER ACCESS TO STATE VITAL STATISTICS RECORDS."

Offered by: Senators Hanabusa, English, Kawamoto, Ige, Espero, Chun Oakland, Kim, Ihara.

No. 55 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A BIOPROSPECTING ADVISORY COMMISSION TO DEVELOP A COMPREHENSIVE PLAN FOR THE PRESERVATION AND USE OF THE BIOLOGICAL DIVERSITY AND BIOLOGICAL RESOURCES OF THE TRUST LANDS."

Offered by: Senators Hanabusa, English, Chun Oakland, Kawamoto, Espero, Kim, Ihara.

No. 56 "SENATE CONCURRENT RESOLUTION URGING ADEQUATE FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII."

Offered by: Senators Sakamoto, Kim, Kawamoto,
Chun Oakland.

No. 57 "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF STATEWIDE CONTENT STANDARDS FOR ADULT EDUCATION COURSES AND PROGRAMS."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

No. 58 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

No. 59 "SENATE CONCURRENT RESOLUTION REQUESTING A CURRICULUM FOR WORLD WAR II JAPANESE INTERNMENT."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

No. 60 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 33 to 40) were read by the Clerk and were deferred:

Senate Resolution

No. 33 "SENATE RESOLUTION REQUESTING A STUDY ON ESTABLISHING AN ENVIRONMENTAL COURT."

Offered by: Senators Hanabusa, English, Ige, Chun
Oakland, Kawamoto, Aduja, Taniguchi, Espero, Kim, Ihara.

No. 34 "SENATE RESOLUTION CREATING A WORKING GROUP OF REPRESENTATIVES FROM HAWAIIAN ORGANIZATIONS, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE DEPARTMENT OF HEALTH TO FORM A COALITION TO PROVIDE BETTER ACCESS TO STATE VITAL STATISTICS RECORDS."

Offered by: Senators Hanabusa, English, Kawamoto,
Ige, Espero, Chun Oakland, Kim, Ihara.

No. 35 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A BIOPROSPECTING ADVISORY COMMISSION TO DEVELOP A COMPREHENSIVE PLAN FOR THE PRESERVATION AND USE OF THE BIOLOGICAL DIVERSITY AND BIOLOGICAL RESOURCES OF THE TRUST LANDS."

Offered by: Senators Hanabusa, English, Chun
Oakland, Kawamoto, Espero, Kim, Ihara.

No. 36 "SENATE RESOLUTION URGING ADEQUATE FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII."

Offered by: Senators Sakamoto, Kim, Kawamoto,
Chun Oakland.

No. 37 "SENATE RESOLUTION REQUESTING THE ADOPTION OF STATEWIDE CONTENT STANDARDS FOR ADULT EDUCATION COURSES AND PROGRAMS."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

No. 38 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

No. 39 "SENATE RESOLUTION REQUESTING A CURRICULUM FOR WORLD WAR II JAPANESE INTERNMENT."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

No. 40 "SENATE RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM."

Offered by: Senators Sakamoto, Hooser, Chun
Oakland.

STANDING COMMITTEE REPORT

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1007) recommending that S.C.R. No. 16, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1007 and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP PUBLIC HEALTH STRATEGIES TO ADDRESS THE HEPATITIS C PROBLEM," was deferred until Monday, March 10, 2003.

ORDER OF THE DAY

REFERRAL OF HOUSE BILLS

MATTERS DEFERRED FROM THURSDAY, MARCH 6, 2003

The President made the following committee assignments of House bills received on Friday, February 28, 2003; Tuesday, March 4, 2003; and Thursday, March 6, 2003:

House Bill Referred to:

- No. 10, H.D. 2 Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing
- No. 18 Committee on Commerce, Consumer Protection and Housing
- No. 21, H.D. 1 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 29, H.D. 1 Committee on Labor, then to the Committee on Ways and Means
- No. 32, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 43, H.D. 2 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 49, H.D. 2 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 50, H.D. 2 Committee on Labor, then to the Committee on Ways and Means
- No. 52, H.D. 2 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 53 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations
- No. 58 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 73 Committee on Transportation, Military Affairs, and Government Operations
- No. 75, H.D. 2 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 78, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 83, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 85, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
- No. 86, H.D. 1 Committee on Water, Land, and Agriculture
- No. 90, H.D. 1 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 91, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 96, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 122 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 123, H.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
- No. 127, H.D. 1 Committee on Human Services, then to the Committee on Ways and Means
- No. 129, H.D. 1 Committee on Human Services, then to the Committee on Ways and Means
- No. 130, H.D. 1 Committee on Labor, then to the Committee on Ways and Means
- No. 132, H.D. 1 Committee on Labor
- No. 133, H.D. 1 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 135, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 139, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 140, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 146, H.D. 2 Committee on Economic Development, then to the Committee on Ways and Means
- No. 150, H.D. 2 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 155, H.D. 2 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 176, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 179, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 189, H.D. 2 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 192, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 193, H.D. 1 Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs
- No. 196, H.D. 1 Committee on Energy and Environment, then to the Committee on Ways and Means
- No. 218 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 248, H.D. 1 Jointly to the Committee on Labor and the Committee on Education

- No. 277, H.D. 1 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 281, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 282, H.D. 2 Committee on Ways and Means
- No. 285, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 286 Committee on Transportation, Military Affairs, and Government Operations
- No. 287, H.D. 3 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 288, H.D. 2 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 289, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 290, H.D. 2 Committee on Labor, then to the Committee on Ways and Means
- No. 291, H.D. 2 Jointly to the Committee on Labor and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 292, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 293, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 294 Committee on Labor, then to the Committee on Ways and Means
- No. 295, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 297, H.D. 2 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 298, H.D. 2 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 314, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 316, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 317, H.D. 2 Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means
- No. 320, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 324, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations
- No. 339, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 373, H.D. 2 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 377, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 378, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 379, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 380, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 381, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 382, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 383, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 384, H.D. 1 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 385, H.D. 2 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 389, H.D. 2 Committee on Labor, then to the Committee on Ways and Means
- No. 391, H.D. 2 Committee on Labor, then to the Committee on Ways and Means
- No. 401, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 403, H.D. 1 Committee on Labor, then to the Committee on Ways and Means
- No. 405 Committee on Ways and Means
- No. 418, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 422, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 426, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 433 Committee on Ways and Means

- No. 436 Committee on Health, then to the Committee on Ways and Means
- No. 473, H.D. 2 Jointly to the Committee on Science, Arts, and Technology and the Committee on Commerce, Consumer Protection and Housing
- No. 475 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 485 Committee on Education, then to the Committee on Ways and Means
- No. 488 Committee on Education, then to the Committee on Ways and Means
- No. 500, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 504, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 507, H.D. 3 Committee on Labor, then to the Committee on Ways and Means
- No. 509, H.D. 1 Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means
- No. 510, H.D. 2 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Labor, then to the Committee on Ways and Means
- No. 512, H.D. 1 Committee on Health, then to the Committee on Ways and Means
- No. 519, H.D. 1 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 523, H.D. 2 Jointly to the Committee on Tourism and the Committee on Water, Land, and Agriculture
- No. 529, H.D. 1 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 531 Committee on Labor, then to the Committee on Ways and Means
- No. 533, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 548, H.D. 2 Committee on Health, then to the Committee on Ways and Means
- No. 550, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 551, H.D. 2 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations
- No. 553, H.D. 2 Committee on Labor, then to the Committee on Ways and Means
- No. 554, H.D. 2 Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 581, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 593, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 595, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 604 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 620, H.D. 1 Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 626, H.D. 1 Committee on Ways and Means
- No. 631 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 638, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 640, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 641, H.D. 3 Committee on Judiciary and Hawaiian Affairs
- No. 645 Committee on Health, then to the Committee on Ways and Means
- No. 651, H.D. 2 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 657, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 659 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 662, H.D. 2 Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 668 Committee on Human Services, then to the Committee on Ways and Means
- No. 685, H.D. 2 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 691 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 704, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 818, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 712	Committee on Education, then to the Committee on Ways and Means	No. 851, H.D. 1	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 714, H.D. 1	Committee on Education, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means	No. 857	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 730	Committee on Commerce, Consumer Protection and Housing	No. 865, H.D. 2	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 731, H.D. 1	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 884	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 735, H.D. 1	Committee on Health, then to the Committee on Ways and Means	No. 887, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 736, H.D. 1	Committee on Judiciary and Hawaiian Affairs	No. 907, H.D. 2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 740, H.D. 1	Committee on Energy and Environment, then to the Committee on Judiciary and Hawaiian Affairs	No. 914, H.D. 2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 744, H.D. 1	Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 925, H.D. 3	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 754	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 939	Committee on Education, then to the Committee on Ways and Means
No. 756, H.D. 2	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 948, H.D. 3	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 757, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 968, H.D. 1	Committee on Labor, then to the Committee on Ways and Means
No. 762, H.D. 1	Committee on Judiciary and Hawaiian Affairs	No. 969, H.D. 1	Committee on Labor, then to the Committee on Ways and Means
No. 772	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 980, H.D. 1	Committee on Judiciary and Hawaiian Affairs
No. 773	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 981, H.D. 1	Committee on Judiciary and Hawaiian Affairs
No. 802, H.D. 1	Committee on Judiciary and Hawaiian Affairs	No. 986, H.D. 2	Committee on Labor, then to the Committee on Ways and Means
No. 807, H.D. 2	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 993	Committee on Transportation, Military Affairs, and Government Operations
No. 813	Committee on Judiciary and Hawaiian Affairs	No. 997, H.D. 1	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 814	Committee on Judiciary and Hawaiian Affairs	No. 1003, H.D. 1	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 815	Committee on Judiciary and Hawaiian Affairs	No. 1004, H.D. 1	Committee on Judiciary and Hawaiian Affairs
		No. 1010, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

- No. 1013, H.D. 3 Committee on Labor, then to the Committee on Ways and Means
- No. 1021, H.D. 1 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1022 Committee on Judiciary and Hawaiian Affairs
- No. 1029, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1041 Committee on Labor, then to the Committee on Ways and Means
- No. 1042 Committee on Labor, then to the Committee on Ways and Means
- No. 1043 Committee on Labor, then to the Committee on Ways and Means
- No. 1044 Committee on Labor, then to the Committee on Ways and Means
- No. 1045 Committee on Labor, then to the Committee on Ways and Means
- No. 1046 Committee on Labor, then to the Committee on Ways and Means
- No. 1047 Committee on Labor, then to the Committee on Ways and Means
- No. 1053 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture
- No. 1064 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1075, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1076, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 1081 Committee on Science, Arts, and Technology
- No. 1111, H.D. 2 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1114, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 1116, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1117, H.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs
- No. 1127, H.D. 2 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1152, H.D. 1 Committee on Ways and Means
- No. 1153, H.D. 1 Committee on Science, Arts, and Technology, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1154, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1155, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 1157 Committee on Labor, then to the Committee on Ways and Means
- No. 1159, H.D. 1 Committee on Labor, then to the Committee on Ways and Means
- No. 1160, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 1161, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 1163 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1164, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 1165, H.D. 2 Committee on Commerce, Consumer Protection and Housing
- No. 1172 Committee on Commerce, Consumer Protection and Housing
- No. 1175, H.D. 2 Committee on Education, then to the Committee on Ways and Means
- No. 1176, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 1181, H.D. 1 Committee on Health, then to the Committee on Ways and Means
- No. 1182, H.D. 2 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1198, H.D. 2 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1212, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1214, H.D. 2 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1217, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 1220 Committee on Judiciary and Hawaiian Affairs
- No. 1223, H.D. 2 Committee on Ways and Means
- No. 1224, H.D. 1 Committee on Ways and Means
- No. 1225 Committee on Ways and Means

- No. 1230, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1234 Committee on Transportation, Military Affairs, and Government Operations
- No. 1235 Committee on Transportation, Military Affairs, and Government Operations
- No. 1236 Committee on Transportation, Military Affairs, and Government Operations
- No. 1247 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1253, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1255 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1258, H.D. 1 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1261, H.D. 2 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1272, H.D. 2 Committee on Human Services, then to the Committee on Ways and Means
- No. 1275, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1276, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 1277 Committee on Judiciary and Hawaiian Affairs
- No. 1285, H.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1294 Committee on Energy and Environment
- No. 1302 Committee on Judiciary and Hawaiian Affairs
- No. 1303 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1307, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1309, H.D. 1 Committee on Judiciary and Hawaiian Affairs
- No. 1328, H.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment
- No. 1339, H.D. 1 Committee on Commerce, Consumer Protection and Housing
- No. 1342, H.D. 1 Committee on Human Services, then to the Committee on Ways and Means
- No. 1361, H.D. 2 Committee on Human Services, then to the Committee on Ways and Means
- No. 1362 Committee on Education, then to the Committee on Ways and Means
- No. 1363, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 1373 Committee on Labor, then to the Committee on Ways and Means
- No. 1394, H.D. 2 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1395, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Tourism, then to the Committee on Ways and Means
- No. 1400, H.D. 1 Jointly to the Committee on Tourism and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1405, H.D. 1 Committee on Energy and Environment, then to the Committee on Ways and Means
- No. 1412, H.D. 2 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1429, H.D. 2 Committee on Human Services, then to the Committee on Ways and Means
- No. 1430, H.D. 2 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 1434, H.D. 2 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1438, H.D. 2 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1453, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1456, H.D. 1 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1465, H.D. 2 Committee on Commerce, Consumer Protection and Housing
- No. 1470, H.D. 1 Committee on Tourism, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1471, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 1479, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1492, H.D. 2 Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing

No. 1495, H.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs

No. 1498, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 1506, H.D. 1 Committee on Education, then to the Committee on Ways and Means

No. 1509, H.D. 2 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1510, H.D. 1 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing

No. 1511, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 1532, H.D. 2 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 1547, H.D. 2 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1548, H.D. 1 Committee on Education, then to the Committee on Ways and Means

No. 1554, H.D. 1 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism, then to the Committee on Ways and Means

No. 1560, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1564 Committee on Education, then to the Committee on Ways and Means

No. 1572, H.D. 3 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1579, H.D. 1 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1590, H.D. 2 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1594, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1607, H.D. 2 Committee on Transportation, Military Affairs, and Government Operations

No. 1613, H.D. 2 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1616, H.D. 1 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1628, H.D. 1 Committee on Economic Development, then to the Committee on Ways and Means

No. 1630, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1652 Committee on Human Services, then to the Committee on Ways and Means

No. 1660, H.D. 1 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations

REFERRAL OF HOUSE CONCURRENT RESOLUTION

MATTER DEFERRED FROM THURSDAY, MARCH 6, 2003

The President made the following committee assignment of a House concurrent resolution that was offered on Tuesday, March 4, 2003:

House Concurrent Resolution	Referred to:
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No. 26, H.D. 1 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs

ADVISE AND CONSENT

Stand. Com. Rep. No. 1004 (Gov. Msg. No. 101):

Senator Kanno moved that Stand. Com. Rep. No. 1004 be received and placed on file, seconded by Senator Ihara and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of KATHLEEN WATANABE as Director of the Department of Human Resources Development, term to expire December 4, 2006, seconded by Senator Ihara.

Senator Kanno rose to speak in support of the nominee as follows:

“Mr. President, I rise to speak in support of the nominee.

“Mr. President, Kathleen Watanabe holds a Bachelor of Arts degree in Sociology, with a minor in Psychology, from the University of Puget Sound and a Juris Doctor from the William S. Richardson School of Law, University of Hawaii. Ms. Watanabe has served as a Deputy Attorney General in the Employment Law Division and the Individual Claims Unit. She has previously served as a Hearings Officer for the Hawaiian Homes Commission, a sole proprietor in her own law practice, a per diem Judge for the Fifth Circuit Court on Kauai, a County Attorney for the County of Kauai, a tutor for the Department of

Education, a Guidance Counselor for Kamehameha Schools and Alu Like, and a Social Worker for the Department of Health.

"Ms. Watanabe has received several awards including an award from the American Bar Association for Outstanding Legal Performance in response to Hurricane Iniki, and the Manager of the Year Award for the Department of the Attorney General for the State. Under her leadership the Employment Law Division of the Department of the Attorney General received the Outstanding Team Award in 2001.

"The nominee had wide support from the community. Both management and labor expressed support for the nominee and her ability to bring all interested parties together.

"I urge my colleagues to vote in support of the nominee. Thank you."

Senator Hemmings rose to speak in favor of the nominee and said:

"Mr. President, I rise to speak in favor of the nominee.

"Mr. President, there's no doubt that we have a hard working, vast and large public service workforce. It is a daunting task indeed to manage all these different interests that work for the State of Hawaii and the people of Hawaii.

"As we've just heard from the previous speaker, Kathleen Watanabe is the person to do the job and we, your loyal opposition, your loyal Republicans, are very pleased to endorse and support her nomination.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kawamoto, Sakamoto, Taniguchi, Whalen).

At this time, Senator Kanno introduced Ms. Watanabe who was seated in the gallery with her family.

Stand. Com. Rep. No. 1005 (Gov. Msg. No. 7):

Senator Inouye moved that Stand. Com. Rep. No. 1005 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of SANDRA LEE KUNIMOTO as Chair of the Department of Agriculture, term to expire December 4, 2006, seconded by Senator Espero.

Senator Inouye rose to speak in support of the nominee and said:

"Mr. President, I ask for your support in confirming Sandra Lee Kunimoto as Chairperson for the Department of Agriculture for a term to expire December 4, 2006.

"A local girl, Sandra Lee Kunimoto has had strong ties to agriculture throughout her entire life. This fact, along with the opportunity to infuse more sensible female leadership in our government leads me to be very enthusiastic about Sandra's nomination. Moreover, her background demonstrates over 20 years of education and professional experience in the agricultural sector and thus qualifies her to be an ideal leader for the Department of Agriculture.

"Sandra received Bachelor of Science degree in the Biology of Natural Resources from the University of California at Berkeley, after which she spent several years working with national and international agricultural businesses. Her ambitions led her to return home where she earned Masters of Business Administration from the University of Hawaii. During her graduate studies, she continued to strengthen her agricultural roots working as a full-time research associate in the Department of Horticulture.

"Sandra Lee possesses a wealth of knowledge and experience in all facets of the agricultural industry in both the private and public sectors. Most recently, she served as Director of Marketing and Business Development for the Hawaii Agriculture Research Center, and as Administrator of the Business Development and Marketing Division at the State Department of Business, Economic Development, and Tourism. (That last one definitely sounds like a longwinded government job title.)

"Her experimental background is invaluable to the Department of Agriculture as its role is to open opportunities for diversification and market expansion of Hawaii's own agricultural products and resources. It is without question that such opportunities under her direction hold great promise for a state in these economically trying times.

"Sandra's capacity to succeed in the position of Department of Agricultural Chairperson was echoed strongly in the testimonies presented by many individuals who offered their unwavering support. Collectively, they say that she is a well-respected member of the agricultural business and local communities, both professionally and personally. She is passionate about her vision of Hawaii, and through her leadership inspires the same passion in the people she works collaboratively with. Her achievements reflect an unparalleled understanding of Hawaii's agriculture industry and the focus towards its advancement as an important catalyst of the state's long-term economic growth and prosperity. The bottom line – they say that Sandy is the right person for the job.

"I, along with the other members of the Committee on Water, Land, and Agriculture concur with this sentiment and I hope that you, Mr. President, and my fellow Senators will as well, and confirm Ms. Sandra Lee Kunimoto as Chair of the Department of Agriculture.

"Thank you, Mr. President."

Senator Hemmings rose to speak in favor of the nomination as follows:

"Mr. President, may I be permitted to speak in favor of the nominee?"

"Mr. President, as with the previous speaker, I'm extremely proud to stand up and endorse this woman leader in our community. Unfortunately, she has been baptized by fire. As you well know, there's a long-term contentious issue that we've been dealing with for years here at the Legislature and the community and that's, of course, the quarantine issue. Sandra Lee has demonstrated, in hearing all sides of this story, much poise and much grace, and I know that when she's finished doing her job that we'll have a solution that maybe will endure.

"This is the kind of leadership we're going to get from Sandra Lee Kunimoto, and we're very proud to endorse her nomination."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kawamoto, Sakamoto, Taniguchi, Whalen).

At this time, Senator Inouye introduced Ms. Kunimoto, who was seated in the gallery with family and friends, to the members of the Senate.

Stand. Com. Rep. No. 1006 (Gov. Msg. No. 12):

Senator Inouye moved that Stand. Com. Rep. No. 1006 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of PETER YOUNG as Director of the Department of Land and Natural Resources, term to expire December 4, 2006, seconded by Senator Espero.

Senator Inouye rose to speak in support of the nominee as follows:

“Mr. President, members, I would like to ask for your support to confirm Peter T. Young for the position of Chairperson for the Department of Land and Natural Resources for a term to expire December 2006.

“Like myself, Peter Young is a fellow Big Islander. With that fact alone, he should be confirmed because all Big Islanders are great people. (Laughter.)

“Seriously, Peter Young was born and raised in Hawaii with a long family history in the State. He graduated from Hawaii Preparatory Academy and the University of Hawaii College of Business Administration. I believe Peter Young has the business experience, collaborative style, and government background to be a very successful leader at the Department of Land and Natural Resources.

“For 25 years he worked in the private sector, mainly operating a variety of small businesses relating to real estate sales, management consulting, and appraisal. As an entrepreneur, he successfully operated real estate services and started the Hawaii Wine Connection. During the last two years, he served as the Deputy Managing Director for Hawaii County under Mayor Harry Kim.

“In addition to his work experience, he has always made time to give back to the community. He has been active in various community business and professional organizations including the Kona Board of Realtors, Kona-Kohala Chamber of Commerce, the Red Cross State Board, West Hawaii Disaster Chair, and many more.

“During the confirmation hearing, the Water, Land, and Agriculture Committee heard common themes about his background – doing the right thing, committed, intelligence, hardworking, honorable, fair, finding win/win situations. A testifier, Patty Cook of Cook Discoveries, reminded me the type of community activist Peter Young is. Peter Young served as President of the Waimea Community Association, of which I am a member, off and on for nearly a decade – a thankless job without pay and a huge time commitment.

“Were it not for Peter Young, there would be, as we speak, a brightly lit gas station, a car wash, and an all-night convenience store in operation immediately adjacent to the five churches – the Baptist, Buddhist, Hawaiian Christian, Congregational, and New Hope Church of Waimea’s historical Church Row Park planted with cherry blossom trees. The fact that there is no gas station is entirely to Peter’s credit. No questions, Waimea and

the Big Island community did not want a gas station at this nearly sacred, highly visible scenic and historically sensitive location, but it was Peter who managed to bring together all parties to keep them talking. It was Peter who understood that the developer had purchased property, zoned land in good faith, and had every right to develop a legally permitted gas station or be fairly compensated.

“It was Peter who found that Keck Observatory, the immediate neighbor, was willing to put up \$270,000 towards buying the half-a-million dollar parcel of land. Keck also agreed to pay the annual property taxes, but Keck leadership believed the community should come up with the other half of \$270,000 – no small task. It was Peter who approached Atherton Foundation for help. When Atherton agreed to a two-year loan which had to be repaid, Keck would not agree to this for fear they would eventually be forced to come up with the balance owed. It was Peter Young who found Kukio Foundation to guarantee the loan.

“None of these parties fell into Peter’s lap. They surfaced because of a tremendous amount of time and energy expended to encourage community dialogue and involvement. All the while these negotiations were in progress, Peter maintained communication with county officials responsible for the public planning process to be sure that every legal requirement was met. He did so to buy time, and both the county planners and our elected officials were supportive because they recognized the professionalism the issue was being approached.

“Peter resolved the issue in a win/win compensation package. The developer agreed to accept the exact amount of money he had paid, waiving any additional reimbursement for the time that had lapsed and expenses incurred for planning, designs, and all the costs of legal counsel. None of this would have happened if Peter Young hadn’t approached all parties with fairness, honesty and integrity. He did his homework. His professional training as an appraiser and longtime involvement in the planning process on behalf of the community helped him understand what needed to be done.

“Another individual said this about Peter Young: ‘I particularly admire his ability to face issues head on and not duck the problem and delay action just because it is a tough call. He makes the call. His proactive business-like approach in committing to doing the right thing has earned him the respect of many’

“Mr. President and fellow Senators, I believe he has earned the respect of the Committee and that is why I am requesting everyone to confirm Mr. Peter Young as Chair of the Department of Land and Natural Resources.

“Thank you, Mr. President and colleagues, for this time.”

Senator Hogue rose in support of the nominee and said:

“Mr. President, I rise in support.

“Mr. President, I urge all my colleagues to support Peter Young as the new Director of the Department of Land and Natural Resources. During his short tenure and the short time that I’ve gotten an opportunity to meet Mr. Young, I’ve been impressed with his professionalism, courtesy, his flexibility, his accessibility, and moreover, his willingness to listen to community concerns.

“In the fight against Salvinia, Peter Young has stepped up to the plate. He has indicated that the department in the past has not moved quickly enough. He has moved quickly. He has been helpful at Lake Wilson and at Kawai Nui Marsh.

“For all of these reasons, I believe the he is just the right kind of Director of DLNR that we need right now and I urge all of my colleagues to support Peter Young as the Director of DLNR.

“Thank you, Mr. President.”

Senator Ihara rose in support with reservations and said:

“Mr. President, could you please note my support of this nomination.

“I have reservations concerning a Native Hawaiian issue in Kona and have written remarks for insertion into the Journal.”

The Chair having so ordered, Senator Ihara’s remarks read as follows:

“Mr. President, please note my support of this nomination with reservations related to a native Hawaiian issue in Kona. In particular, I am referring to Mr. Young’s decision to implement a court-approved settlement agreement involving the protection of burials at Pu`u Ohau by ordering the construction of a wall on the pu`u at the 110-foot elevation, which he contends is the ‘base’ intended in the settlement. Because today’s vote is being taken before I’ve had adequate time to study this issue, I still have concerns similar to those raised by the Protect Keopuka Ohana, which is the direct lineal descendants of the Pu`u Ohau burials.

“Thank you.”

Senator Ige rose in support with reservations and said:

“Mr. President, I would also like to note my support with reservations.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kawamoto, Sakamoto, Taniguchi, Whalen).

Senator Inouye then introduced Mr. Young and his family to the members of the Senate.

At 12:36 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:44 o’clock p.m.

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM THURSDAY, MARCH 6, 2003

Stand. Com. Rep. No. 1003 (S.C.R. No. 13, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 13, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES,” was adopted.

ADJOURNMENT

At 12:46 o’clock p.m., on motion by Senator Tsutsui, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Monday, March 10, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWENTY-NINTH DAY

Monday, March 10, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Hiromi Kawaji, Aiea Hongwanji Mission, after which the Roll was called showing all Senators present with the exception of Senators English, Ihara and Sakamoto who were excused.

The President announced that he had read and approved the Journal of the Twenty-Eighth Day.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

At this time, Senator Hooser, with the assistance of Senators Hogue and Kawamoto, introduced and congratulated the following recipients of the Milken Family Foundation National Educator Awards: Lynne Aki Johnson of Aikahi Elementary School, and Leonard Villanueva of Honowai Elementary School.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 61 to 65) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 61 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE FOR HEARING AID DEVICES AND SERVICES."

Offered by: Senators Menor, Baker.

No. 62 "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS."

Offered by: Senators Menor, Baker.

No. 63 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON RENOVATION AND RECONSTRUCTION OPTIONS FOR ALOHA STADIUM."

Offered by: Senator Bunda.

No. 64 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE IMPORTATION TO HAWAII OF TUNA PROCESSED WITH 'TASTELESS SMOKE' OR CARBON MONOXIDE."

Offered by: Senators Kokubun, Chun Oakland, Inouye, Baker.

No. 65 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ESTABLISH AN INTERGOVERNMENTAL-COMMUNITY TASK FORCE TO PLAN FOR THE DEVELOPMENT OF AN ALTERNATIVE ACCESS ROAD TO KAILUA HIGH SCHOOL IN KAILUA, O'AHU."

Offered by: Senators Hogue, Trimble, Aduja, Chun Oakland, Hemmings, Tsutsui, Taniguchi.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 41 to 43) were read by the Clerk and were deferred:

Senate Resolution

No. 41 "SENATE RESOLUTION REQUESTING A STUDY ON RENOVATION AND RECONSTRUCTION OPTIONS FOR ALOHA STADIUM."

Offered by: Senator Bunda.

No. 42 "SENATE RESOLUTION REQUESTING A REVIEW OF THE IMPORTATION TO HAWAII OF TUNA PROCESSED WITH 'TASTELESS SMOKE' OR CARBON MONOXIDE."

Offered by: Senators Kokubun, Chun Oakland, Inouye, Baker.

No. 43 "SENATE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ESTABLISH AN INTERGOVERNMENTAL-COMMUNITY TASK FORCE TO COORDINATE A PLAN FOR THE DEVELOPMENT OF AN ALTERNATIVE ACCESS ROAD TO KAILUA HIGH SCHOOL IN KAILUA, O'AHU."

Offered by: Senators Hogue, Trimble, Aduja, Chun Oakland, Hemmings.

ORDER OF THE DAY

REFERRAL OF HOUSE BILLS

MATTERS DEFERRED FROM FRIDAY, MARCH 7, 2003

The President made the following committee assignments of House bills received on Friday, March 7, 2003:

House Bill Referred to:

No. 284, H.D. 1 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations

No. 1077, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

ADOPTION OF RESOLUTION

**MATTER DEFERRED FROM
FRIDAY, MARCH 7, 2003**

Stand. Com. Rep. No. 1007 (S.C.R. No. 16, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP PUBLIC HEALTH STRATEGIES TO ADDRESS THE HEPATITIS C PROBLEM," was adopted.

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, February 27, 2003; Friday, February 28, 2003; Tuesday, March 4, 2003; and Friday, March 7, 2003:

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| Senate
Concurrent
Resolution | Referred to: |
| No. 35 | Committee on Transportation, Military Affairs, and Government Operations |
| No. 36 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 37 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs |
| No. 38 | Jointly to the Committee on Tourism and the Committee on Science, Arts, and Technology |
| No. 39 | Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology |
| No. 40 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs |
| No. 41 | Jointly to the Committee on Economic Development and the Committee on Health |
| No. 42 | Jointly to the Committee on Tourism and the Committee on Science, Arts, and Technology |
| No. 43 | Committee on Ways and Means |
| No. 44 | Committee on Transportation, Military Affairs, and Government Operations |
| No. 45 | Jointly to the Committee on Human Services and the Committee on Education |
| No. 46 | Committee on Economic Development |
| No. 47 | Jointly to the Committee on Human Services and the Committee on Education |
| No. 48 | Committee on Health, then to the Committee on Ways and Means |

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| No. 49 | Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means |
| No. 50 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs |
| No. 51 | Committee on Education |
| No. 52 | Committee on Education |
| No. 53 | Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs |
| No. 54 | Committee on Judiciary and Hawaiian Affairs |
| No. 55 | Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs |
| No. 56 | Jointly to the Committee on Human Services and the Committee on Health |
| No. 57 | Committee on Education |
| No. 58 | Committee on Education |
| No. 59 | Committee on Education |
| No. 60 | Committee on Education |

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, February 27, 2003; Friday, February 28, 2003; Tuesday, March 4, 2003; and Friday, March 7, 2003:

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| Senate
Resolution | Referred to: |
| No. 22 | Committee on Transportation, Military Affairs, and Government Operations |
| No. 23 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 24 | Jointly to the Committee on Tourism and the Committee on Science, Arts, and Technology |
| No. 25 | Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology |
| No. 26 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs |
| No. 27 | Committee on Ways and Means |
| No. 28 | Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means |
| No. 29 | Committee on Education |

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- No. 30 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs
- No. 31 Committee on Education
- No. 32 Committee on Education
- No. 33 Jointly to the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs
- No. 34 Committee on Judiciary and Hawaiian Affairs
- No. 35 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs
- No. 36 Jointly to the Committee on Human Services and the Committee on Health
- No. 37 Committee on Education
- No. 38 Committee on Education
- No. 39 Committee on Education
- No. 40 Committee on Education

ADJOURNMENT

At 11:56 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 11, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTIETH DAY

Tuesday, March 11, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Larry Fisher, Our Lady of Sorrows Church, after which the Roll was called showing all Senators present with the exception of Senators Ihara and Whalen who were excused.

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

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

Senator Sakamoto, with the assistance of Senators Taniguchi and English, introduced Rae Takemoto, a third grade teacher at Kula Elementary School, and Jonathan Yorck, a kindergarten teacher at Punahou School, and congratulated them on being named Hawaii's Outstanding Global Teachers for 2002.

Senators Trimble, Chun Oakland, Fukunaga and English introduced Jeffrey Apaka, Gregory Wong and Joan Naguwa from the Waikiki Community Center and congratulated them on the occasion of the Center's 25th anniversary.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 232 to 234) were read by the Clerk and were placed on file:

Gov. Msg. No. 232, dated December 20, 2002, transmitting the 2002 Annual Report prepared by the Natural Energy Laboratory of Hawaii Authority, pursuant to Chapter 227D, HRS.

Gov. Msg. No. 233, dated February 21, 2003, transmitting the Detailed Quarterly Reports on Projected and Actual Expenditures from the Behavioral Health Administration for the Quarter Ending December 31, 2002, prepared by the Department of Health pursuant to Act 259, Section 36, SLH 2001.

Gov. Msg. No. 234, dated March 4, 2003, transmitting the 2001-2002 Annual Report of the State Foundation on Culture and the Arts, pursuant to Section 9-3, HRS.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 66 to 96) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 66 "SENATE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN."

Offered by: Senators Espero, Kawamoto, Aduja, Ige, Hooser, Kanno, Whalen.

No. 67 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF MEDICAL EXAMINERS CONVENE A PANEL TO DEVELOP PROTOCOLS AND MATERIALS FOR PHYSICIANS USE IN COMMUNICATING MATERIAL RISKS OF MEDICAL TREATMENTS AND SURGICAL PROCEDURES TO OBTAIN PATIENTS' INFORMED CONSENT."

Offered by: Senators Hanabusa, Kim, Ihara, Tsutsui, Chun Oakland, Kawamoto, Kokubun, Espero, Taniguchi, Aduja, Kanno.

No. 68 "SENATE CONCURRENT RESOLUTION CREATING A JOINT TASK FORCE ON CEDED LAND REVENUES."

Offered by: Senators Hanabusa, Chun Oakland, Ige, English, Kim, Ihara, Tsutsui, Kawamoto, Kokubun, Espero, Taniguchi, Aduja, Kanno.

No. 69 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUE."

Offered by: Senators Hanabusa, Chun Oakland, Espero, Aduja, Kokubun, Ihara, Tsutsui, Kawamoto, Kim, Taniguchi, Kanno.

No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO EXEMPT HAWAII, ALASKA, GUAM, AND PUERTO RICO FROM THE JONES ACT FOR THE HEALTH, SAFETY, AND SECURITY OF THEIR RESIDENTS."

Offered by: Senators Slom, Trimble, Hemmings, Whalen, Hogue.

No. 71 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO SUPPORT THE UNITED STATES PRESIDENT'S CALL FOR LEGAL REFORM."

Offered by: Senators Slom, Trimble, Hemmings, Whalen, Hogue.

No. 72 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII SENATORS DANIEL K. INOUE AND DANIEL K. AKAKA TO SUPPORT THE FLOOR VOTE AND NOMINATION OF JUDICIAL NOMINEE MIGUEL ESTRADA."

Offered by: Senators Slom, Trimble, Hemmings, Whalen, Hogue.

No. 73 "SENATE CONCURRENT RESOLUTION REQUESTING EXAMINATION OF THE FEASIBILITY OF DEDICATING TEN PERCENT OF GENERAL EXCISE TAX FROM OCEAN RECREATION BUSINESSES TO THE STATEWIDE BOATING PROGRAM."

Offered by: Senators Fukunaga, Trimble, Ihara, Kokubun, Kanno, Aduja, Espero, Baker, Kim.

No. 74 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS,

ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TECHNOLOGY TRADE ASSOCIATION TO FORM A PUBLIC-PRIVATE PARTNERSHIP TO INVESTIGATE THE FEASIBILITY OF DEVELOPING AN INTERNET WEBSITE AS A PORTAL TO MARKET ALTERNATIVE ENERGY ACTIVITIES AND BUSINESS OPPORTUNITIES IN HAWAII.”

Offered by: Senators Fukunaga, Kawamoto, Ihara, Trimble, English, Tsutsui, Menor, Ige, Whalen, Espero, Chun Oakland, Taniguchi, Sakamoto, Kim, Baker.

No. 75 “SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CONVENE A TASK FORCE TO ADDRESS THE CONTINUAL NEED AND UNMET DEMAND FOR TRANSITIONAL HOUSING FACILITIES ON OAHU.”

Offered by: Senator Fukunaga.

No. 76 “SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR AND STATE DEPARTMENTS AND AGENCIES TO RECOGNIZE THE CONCERNS ADDRESSED IN THE SMALL BUSINESS BILL OF RIGHTS AND TO TAKE STEPS TO CREATE A MORE BUSINESS-FRIENDLY ENVIRONMENT FOR SMALL BUSINESSES.”

Offered by: Senators Baker, Fukunaga, Ige, Ihara, Chun Oakland.

No. 77 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DETERMINE THE NEED FOR LEGISLATION PROHIBITING THE USE OF NON-PRESCRIPTION DRUGS, MEDICATIONS, AND NUTRITIONAL SUPPLEMENTS BY PARTICIPANTS IN INTERSCHOLASTIC SPORTS.”

Offered by: Senators Kokubun, Tsutsui, Inouye, Baker.

No. 78 “SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEMWIDE SENIOR CITIZEN VISITOR PROGRAM.”

Offered by: Senators Baker, Tsutsui, Sakamoto, Ige, Chun Oakland, Aduja, Fukunaga, Hooser, Menor, Kokubun, Ihara, Inouye, Kawamoto.

No. 79 “SENATE CONCURRENT RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION.”

Offered by: Senator Kokubun.

No. 80 “SENATE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONVENING OF THE 2003 ANNUAL MEETING OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL’S PERMANENT FORUM ON INDIGENOUS ISSUES TO BE HELD IN HAWAII.”

Offered by: Senators Kokubun, Hanabusa.

No. 81 “SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS.”

Offered by: Senators Inouye, Espero, Slom, Hanabusa, Ihara, Ige, Baker, Hogue, Hemmings, English, Kim, Fukunaga, Trimble.

No. 82 “SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO OBTAIN REASONABLE COMPENSATION FOR THE USE OF THE LANDS ON MAUNA KEA BY THE ASTRONOMICAL OBSERVATORIES.”

Offered by: Senators Inouye, Kokubun, Espero, Ihara, Fukunaga, Baker, English, Tsutsui, Kim, Hemmings, Hanabusa.

No. 83 “SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII MEDICAL ASSOCIATION, THE HAWAII NURSES’ ASSOCIATION, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND THE UNIVERSITY OF HAWAII SCHOOL OF NURSING TO PROVIDE TRAINING TO PHYSICIANS AND NURSES TO IMPROVE PAIN MANAGEMENT AND PALLIATIVE CARE.”

Offered by: Senators Baker, Chun Oakland, Fukunaga, Tsutsui, Ihara, Hooser, Inouye, Ige.

No. 84 “SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE STUDY ON HEALTH INSURANCE MARKET CONDITIONS.”

Offered by: Senators Baker, Chun Oakland, Fukunaga, Tsutsui, Ihara, Hooser, Inouye, Kokubun, Ige.

No. 85 “SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE ANAHOLA HOMESTEADERS COUNCIL IN DEVELOPING THE PROJECT FAITH MULTI-PURPOSE COMMUNITY CENTER IN ANAHOLA, KAUAI.”

Offered by: Senators Hanabusa, Kim, Baker, Chun Oakland, Aduja, English, Tsutsui, Taniguchi, Kokubun.

No. 86 “SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW.”

Offered by: Senators Hanabusa, Kawamoto, Aduja, Menor, Kim, Kokubun, English, Inouye, Taniguchi, Ige, Baker.

No. 87 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE REVENUE LOSS FROM CERTAIN ACTIVITIES IN THE STATE OF HAWAII.”

Offered by: Senators Hanabusa, Kokubun, English, Inouye, Aduja, Espero, Taniguchi, Ige, Kim, Baker.

No. 88 “SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE LEVEL OF LIGHT POLLUTION IN THE STATE OF HAWAII AND DEVELOP A STRATEGY FOR REDUCING THE AMOUNT OF ELECTRICITY BEING CONSUMED BY EXCESS ILLUMINATION.”

Offered by: Senators Espero, Whalen, Hemmings, Kokubun, Hooser, English, Chun Oakland.

No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON REAL PROPERTY LEASES."

Offered by: Senators Sakamoto, Chun Oakland.

No. 90 "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF AND RECOMMENDATIONS ON POLICIES TO ALIGN WORKFORCE DEVELOPMENT EDUCATION TO RESPOND TO ECONOMIC AND WORKFORCE NEEDS."

Offered by: Senator Sakamoto.

No. 91 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO REPORT ON THE PROGRESS MADE BY THE DEPARTMENT TO ADDRESS THE CONCERNS RAISED IN THE AUDITOR'S MANAGEMENT AUDIT OF THE DISABILITY COMPENSATION DIVISION."

Offered by: Senator Sakamoto.

No. 92 "SENATE CONCURRENT RESOLUTION REQUESTING THE GATHERING AND ANALYZING OF LONGITUDINAL DATA ON STUDENT ACHIEVEMENT AND THE SUBMISSION OF AN ANNUAL REPORT, INCLUDING IDENTIFICATION OF KEY INDICATORS OF PERFORMANCE."

Offered by: Senator Sakamoto.

No. 93 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO STUDY THE CONTINUATION OF SERVICES AFTER THE PLANNED CLOSING OF THE CASEY FAMILY FOUNDATION OFFICES IN HAWAII."

Offered by: Senators Chun Oakland, Whalen, Baker, Ige, Hanabusa, Hooser, Trimble, Taniguchi, Tsutsui, English, Aduja, Espero.

No. 94 "SENATE CONCURRENT RESOLUTION DECLARING APRIL 9 AS 'SAFE RETURN DAY' FOR INDIVIDUALS WITH ALZHEIMER'S DISEASE IN THE STATE OF HAWAII."

Offered by: Senators Chun Oakland, Whalen, Baker, Ige, Hanabusa, Espero, Tsutsui, Aduja, Trimble, English, Hooser, Taniguchi.

No. 95 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW CONCERNING THE REGULATION AND LICENSURE REQUIREMENTS OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Offered by: Senators Menor, Hemmings, Kawamoto, Chun Oakland, Espero, Inouye, Fukunaga, Aduja, Ige, Baker, English, Kokubun, Ihara, Whalen, Taniguchi, Hanabusa, Hooser, Tsutsui.

No. 96 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII HOMEOWNERSHIP CENTER."

Offered by: Senators Menor, Hemmings, Chun Oakland, Espero, Inouye, Hooser, Ihara, Kawamoto,

Hanabusa, Tsutsui, Baker, Kokubun, English, Whalen, Fukunaga, Ige, Aduja.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 44 to 65) were read by the Clerk and were deferred:

Senate Resolution

No. 44 "SENATE RESOLUTION REQUESTING THAT THE BOARD OF MEDICAL EXAMINERS CONVENE A PANEL TO DEVELOP PROTOCOLS AND MATERIALS FOR PHYSICIANS USE IN COMMUNICATING MATERIAL RISKS OF MEDICAL TREATMENTS AND SURGICAL PROCEDURES TO OBTAIN PATIENTS' INFORMED CONSENT."

Offered by: Senators Hanabusa, Kim, Ihara, Tsutsui, Aduja, Chun Oakland, Kokubun, Kanno, Espero.

No. 45 "SENATE RESOLUTION CREATING A JOINT TASK FORCE ON CEDED LAND REVENUES."

Offered by: Senators Hanabusa, Chun Oakland, Kawamoto, Ige, English, Kim, Tsutsui, Kokubun, Espero, Ihara, Aduja, Taniguchi, Kanno.

No. 46 "SENATE RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUE."

Offered by: Senators Hanabusa, Chun Oakland, Kim, Ihara, Tsutsui, Aduja, Kawamoto, Kokubun, Kanno, Espero.

No. 47 "SENATE RESOLUTION REQUESTING CONGRESS TO EXEMPT HAWAII, ALASKA, GUAM, AND PUERTO RICO FROM THE JONES ACT FOR THE HEALTH, SAFETY, AND SECURITY OF THEIR RESIDENTS."

Offered by: Senators Slom, Trimble, Hemmings, Whalen, Hogue.

No. 48 "SENATE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO SUPPORT THE UNITED STATES PRESIDENT'S CALL FOR LEGAL REFORM."

Offered by: Senators Slom, Trimble, Hemmings, Whalen, Hogue.

No. 49 "SENATE RESOLUTION REQUESTING HAWAII SENATORS DANIEL K. INOUE AND DANIEL K. AKAKA TO SUPPORT THE FLOOR VOTE AND NOMINATION OF JUDICIAL NOMINEE MIGUEL ESTRADA."

Offered by: Senators Slom, Trimble, Hemmings, Whalen, Hogue.

No. 50 "SENATE RESOLUTION URGING THE GOVERNOR TO CONVENE A TASK FORCE TO ADDRESS THE CONTINUAL NEED AND UNMET DEMAND FOR TRANSITIONAL HOUSING FACILITIES ON OAHU."

Offered by: Senator Fukunaga.

No. 51 "SENATE RESOLUTION URGING THE GOVERNOR AND STATE DEPARTMENTS AND

AGENCIES TO RECOGNIZE THE CONCERNS ADDRESSED IN THE SMALL BUSINESS BILL OF RIGHTS AND TO TAKE STEPS TO CREATE A MORE BUSINESS-FRIENDLY ENVIRONMENT FOR SMALL BUSINESSES.”

Offered by: Senators Baker, Fukunaga, Ige, Ihara, Chun Oakland.

No. 52 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DETERMINE THE NEED FOR LEGISLATION PROHIBITING THE USE OF NON-PRESCRIPTION DRUGS, MEDICATIONS, AND NUTRITIONAL SUPPLEMENTS BY PARTICIPANTS IN INTERSCHOLASTIC SPORTS.”

Offered by: Senators Kokubun, Tsutsui, Inouye, Baker.

No. 53 “SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEMWIDE SENIOR CITIZEN VISITOR PROGRAM.”

Offered by: Senators Baker, Tsutsui, Sakamoto, Ige, Aduja, Fukunaga, Kawamoto, Kokubun, Ihara, Hooser.

No. 54 “SENATE RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION.”

Offered by: Senator Kokubun.

No. 55 “SENATE RESOLUTION STRONGLY SUPPORTING THE CONVENING OF THE 2003 ANNUAL MEETING OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL’S PERMANENT FORUM ON INDIGENOUS ISSUES TO BE HELD IN HAWAII.”

Offered by: Senators Kokubun, Hanabusa.

No. 56 “SENATE RESOLUTION URGING THE BUREAU OF CITIZENSHIP AND IMMIGRATIONS SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY TO RECOGNIZE HAWAII’S CATHOLIC SCHOOLS AS LICENSED SCHOOLS IN THE STATE OF HAWAII.”

Offered by: Senators Espero, Aduja.

No. 57 “SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS.”

Offered by: Senators Inouye, Espero, Slom, Ihara, Hanabusa, Ige, Baker, Hogue, Hemmings, English, Kim, Fukunaga, Trimble.

No. 58 “SENATE RESOLUTION REQUESTING THE HAWAII MEDICAL ASSOCIATION, THE HAWAII NURSES’ ASSOCIATION, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND THE UNIVERSITY OF HAWAII SCHOOL OF NURSING TO PROVIDE TRAINING TO PHYSICIANS AND NURSES TO IMPROVE PAIN MANAGEMENT AND PALLIATIVE CARE.”

Offered by: Senators Baker, Chun Oakland, Fukunaga, Tsutsui, Ihara, Hooser, Inouye, Ige.

No. 59 “SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE ANAHOLA HOMESTEADERS COUNCIL IN DEVELOPING THE PROJECT FAITH

MULTI-PURPOSE COMMUNITY CENTER IN ANAHOLA, KAUA’I.”

Offered by: Senators Hanabusa, Baker, Chun Oakland, Aduja, English, Tsutsui, Taniguchi, Kim, Kokubun.

No. 60 “SENATE RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW.”

Offered by: Senators Hanabusa, Kawamoto, Aduja, Menor, Kim, Kokubun, English, Inouye, Baker, Ige, Taniguchi.

No. 61 “SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE REVENUE LOSS FROM CERTAIN ACTIVITIES IN THE STATE OF HAWAII.”

Offered by: Senators Hanabusa, Kokubun, English, Inouye, Aduja, Espero, Baker, Kim, Ige.

No. 62 “SENATE RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE LEVEL OF LIGHT POLLUTION IN THE STATE OF HAWAII AND DEVELOP A STRATEGY FOR REDUCING THE AMOUNT OF ELECTRICITY BEING CONSUMED BY EXCESS ILLUMINATION.”

Offered by: Senators Espero, Whalen, Hemmings, Kokubun, Hooser, English, Chun Oakland.

No. 63 “SENATE RESOLUTION REQUESTING A STUDY ON REAL PROPERTY LEASES.”

Offered by: Senators Sakamoto, Chun Oakland.

No. 64 “SENATE RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO REPORT ON THE PROGRESS MADE BY THE DEPARTMENT TO ADDRESS THE CONCERNS RAISED IN THE AUDITOR’S MANAGEMENT AUDIT OF THE DISABILITY COMPENSATION DIVISION.”

Offered by: Senator Sakamoto.

No. 65 “SENATE RESOLUTION REQUESTING THE GATHERING AND ANALYZING OF LONGITUDINAL DATA ON STUDENT ACHIEVEMENT AND THE SUBMISSION OF AN ANNUAL REPORT, INCLUDING IDENTIFICATION OF KEY INDICATORS OF PERFORMANCE.”

Offered by: Senator Sakamoto.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1008) recommending that S.C.R. No. 10, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1008 and S.C.R. No. 10, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HEALTH’S QUALITY ASSURANCE FOR PROVIDERS OF SERVICES TO THE DEVELOPMENTALLY DISABLED,” was deferred until Wednesday, March 12, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1009) recommending that S.C.R. No. 12 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1009 and S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON GRADUATED PARENTING," was deferred until Wednesday, March 12, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1010) recommending that the Senate advise and consent to the nomination of GEORGINA KAWAMURA as Director of the Department of Budget and Finance, in accordance with Gov. Msg. No. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1010 and Gov. Msg. No. 2 was deferred until Wednesday, March 12, 2003.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 21, H.D. 1 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 53 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 90, H.D. 1 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 129, H.D. 1 Jointly to the Committee on Human Services and the Committee on Education, then to the Committee on Ways and Means

No. 132, H.D. 1 Committee on Labor, then to the Committee on Ways and Means

No. 291, H.D. 2 Jointly to the Committee on Economic Development and the Committee on Labor, then to the Committee on Ways and Means

No. 377, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 378, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 379, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 380, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 381, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 382, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 383, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 384, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 422, H.D. 2 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means

No. 685, H.D. 2 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1155, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1217, H.D. 1 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 1307, H.D. 1 Committee on Ways and Means

No. 1572, H.D. 3 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 1616, H.D. 1 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

ADJOURNMENT

At 12:03 o'clock p.m., on motion by Senator Tsutsui, seconded by Senator Hemmings and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 12, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-FIRST DAY

Wednesday, March 12, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bill Stonebraker, Calvary Chapel, Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Ige and Ihara who were excused.

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

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

Senator Hogue congratulated the Kailua High School Girls Softball Team on becoming the 2003 State Champions and introduced Head Coach Bernard Victor, Athletic Director Melvin Imai, and the following members of the team: Jaushlyn Mansinon, Kainoa Hughes, Danielle Young, Loke Lastimoso and Courtney Kessell.

Senators Sakamoto and Kim introduced and congratulated Randall Fong on being named the Hawaii School Counselors Association Counselor of the Year for 2003; and Roger Takabayashi on being named the Hawaii School Counselors Association Counselor Advocate of the Year for 2003.

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

The Senate reconvened at 11:59 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 235, dated February 12, 2003, transmitting Errata sheets for the Multi-Year Program and Financial Plan and Executive Budget for the Period 2003 to 2009, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 97 to 102) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 97 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT MANAGEMENT AND FINANCIAL AUDITS."

Offered by: Senators Menor, Hemmings, Chun Oakland, Espero, Inouye, Fukunaga, Baker, Tsutsui, Hooser, Whalen, Hanabusa, Ige, Aduja, Kawamoto, Ihara.

No. 98 "SENATE CONCURRENT RESOLUTION CONVENING AN ECONOMIC SUMMIT."

Offered by: Senators Fukunaga, Ige, Aduja, Espero, Trimble, Hanabusa, Ihara, Kawamoto, Hooser, English.

No. 99 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TRAFFIC ADVISORY TASK FORCE TO STUDY OAHU TRAFFIC CONGESTION ISSUES AND RECOMMEND SOLUTIONS."

Offered by: Senators Kawamoto, Aduja, Kanno, Whalen, Espero, Menor, Baker.

No. 100 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II."

Offered by: Senators Kawamoto, Aduja, Espero, Menor, Baker, Kanno, Whalen.

No. 101 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II."

Offered by: Senators Kawamoto, Aduja, Espero, Menor, Baker, Kanno, Whalen.

No. 102 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL AND THE DEPARTMENT OF AGRICULTURE TO STUDY THE FEASIBILITY OF UTILIZING BIOSOLIDS AS A SOURCE OF NUTRIENTS IN AGRICULTURE."

Offered by: Senator Inouye.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 66 to 70) were read by the Clerk and were deferred:

Senate Resolution

No. 66 "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT MANAGEMENT AND FINANCIAL AUDITS."

Offered by: Senators Menor, Chun Oakland, Espero, Fukunaga, Whalen, Hooser, Hanabusa, Kawamoto, Ige, Aduja.

No. 67 "SENATE RESOLUTION CONVENING AN ECONOMIC SUMMIT."

Offered by: Senators Fukunaga, Ige, Aduja, Espero, Trimble, Hanabusa, Ihara, Kawamoto, Hooser, English.

No. 68 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TRAFFIC ADVISORY TASK FORCE TO STUDY OAHU TRAFFIC CONGESTION ISSUES AND RECOMMEND SOLUTIONS."

Offered by: Senators Kawamoto, Aduja, Kanno, Whalen, Espero, Baker, Menor.

No. 69 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II."

Offered by: Senators Kawamoto, Aduja, Espero, Menor, Baker, Whalen.

No. 70 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II."

Offered by: Senators Kawamoto, Aduja, Espero, Menor, Baker, Kanno, Whalen.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1011) recommending that the Senate consent to the nomination of MATTHEW S.K. PYUN to the office of Judge, District Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1011 and Jud. Com. No. 1 was deferred until Thursday, March 13, 2003.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1012) recommending that H.B. No. 29, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 29, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1013) recommending that H.B. No. 290, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 290, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1014) recommending that H.B. No. 389, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 389, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1015) recommending that H.B. No. 531 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1010 (Gov. Msg. No. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1010 be received and placed on file, seconded by Senator Kokubun and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of GEORGINA KAWAMURA as Director of the Department of Budget and Finance, term to expire December 4, 2006, seconded by Senator Kokubun.

Senator Taniguchi rose to speak in favor of the nominee and said:

"Mr. President, I rise to speak in favor of this nomination.

"Mr. President and members, your Committee on Ways and Means held a very thorough hearing on this nominee and found her credentials and character to be of high standards. Her colleagues, both past and present, hold her in very high regard.

"Mr. President, we grilled her, and we grilled her, and she didn't break. (Laughter.)

"I have found Ms. Kawamura to be very open, approachable, and sensitive to the many perspectives of those she works with. She was also an award-winning budget director for the county of Maui, which is a talent that is being put to the test early and often in her current role as acting budget director. Thus far, she has demonstrated that she has a good working knowledge of government budgeting, and that she is capable of handling what I predict will be an immense task in the weeks and years to come.

"Members, I believe Ms. Georgina Kawamura is an excellent candidate to lead our Department of Budget and Finance, and I urge you to support her nomination.

"Thank you."

Senator Baker rose to speak in support of the nomination as follows:

"Mr. President, I rise in support of this nomination.

"Mr. President, when the nominee was the budget director for the county of Maui, I know that she exhibited grace under fire; she was very forthcoming with council members; she worked well with all of her departments, and she had, and still does have, a wonderful personality. I know that she will serve not only this administration, but our body well by giving the information in a timely fashion and in a way that is both understandable and accessible and is willing to work with us.

"I'm pleased to stand in support of this nomination."

Senator English also rose in support of the nominee and stated:

"Mr. President, I rise in support of the nomination.

"Mr. President, Georgina is a resident of Lana'i in my district and I have worked with her as a council member when she was the budget director for the county of Maui. I can attest to her forthrightness and to her ability to cut to the chase, give us accurate numbers in a timely manner, and when we asked to

lay out possible scenarios – what if we did this – she’d say, ‘okay, if you did this, this and this and this will happen. If you do that, these other things will follow.’ And that was very much appreciated by me.

“She has exhibited, in the few weeks that we have worked with her, an ability to do the same here and an ability to communicate some very difficult messages to not only the Legislature, but also to take our responses back to the Governor.

“So, I stand in support of the nomination based on my working experience with her in Maui County and ask my fellow members to support her nomination to this position. Thank you, Mr. President.”

Senator Slom rose to support the nominee and said:

“Mr. President, on behalf of the Minority, I stand in very strong support for the confirmation of Georgina Kawamura.

“We all know about her qualifications and about her experience, but I think what my colleagues have just spoken about is much more important – her sensitivity and her people skills and her communication skills, particularly as this time. It’s a very critical time in our State’s history and our legislative history. And it takes a very special person to be able to do the things that are required, while at the same time understanding that we’re dealing with the public’s money and accountability is extremely important. And we can’t say ‘yes’ to everybody and that means we have to have good reasons to prioritize, but ultimately, we have to make those decisions – those tough decisions.

“In order to make those tough decisions, the nominee has sought, throughout her career, a buy in from the community for as many of the stakeholders as possible. She is open. She is above board. She answers questions. She seeks alternatives and options, and that’s a very good sign.

“I think that we are all agreed, particularly after seeing her so many times before so many Committees this year delivering a message that is very difficult yet very necessary, that Georgina Kawamura is the right woman at the right time for this job. No, Mr. President, she is the right person for this position at this time, and we urge your unanimous confirmation of Georgina Kawamura.

“Aloha.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Fukunaga, Ige, Ihara).

At this time, Senator Taniguchi introduced and congratulated Georgina Kawamura who was seated in the gallery.

At 12:05 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 o’clock p.m.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, MARCH 11, 2003

Stand. Com. Rep. No. 1008 (S.C.R. No. 10, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.C.R. No. 10, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HEALTH’S QUALITY ASSURANCE FOR PROVIDERS OF SERVICES TO THE DEVELOPMENTALLY DISABLED,” was adopted.

Stand. Com. Rep. No. 1009 (S.C.R. No. 12):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 12, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON GRADUATED PARENTING,” was adopted.

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 146, H.D. 2 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means

No. 405 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 473, H.D. 2 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means

No. 551, H.D. 2 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 744, H.D. 1 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1182, H.D. 2 Committee on Health, then to the Committee on Ways and Means

No. 1258, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 1261, H.D. 2 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1361, H.D. 2 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, then to the Committee on Ways and Means

No. 1453, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 1465, H.D. 2 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1495, H.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on

Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1594, H.D. 1 Committee on Commerce, Consumer Protection and Housing

No. 1652 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, then to the Committee on Ways and Means

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following Senate concurrent resolutions that were offered:

Senate
Concurrent
Resolution Referred to:

No. 38 Jointly to the Committee on Tourism and the Committee on Economic Development

No. 42 Jointly to the Committee on Tourism and the Committee on Economic Development

No. 55 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Science, Arts, and Technology, then to the Committee on Judiciary and Hawaiian Affairs

No. 56 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Transportation, Military Affairs, and Government Operations

**RE-REFERRAL OF
SENATE RESOLUTIONS**

The Chair re-referred the following Senate resolutions that were offered:

Senate
Resolution Referred to:

No. 24 Jointly to the Committee on Tourism and the Committee on Economic Development

No. 35 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Science, Arts, and Technology, then to the Committee on Judiciary and Hawaiian Affairs

No. 36 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Transportation, Military Affairs, and Government Operations

Senator Slom rose on a point of personal privilege as follows:

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

“We have just completed one-half of the Legislative Session as of yesterday. We have half to go, and that’s significant. It’s significant in the work that we have yet to do. We still have a very full agenda and a full plate of things to do.

“Today we are also noting that this is the 100th day of the administration of the new Governor. I think it’s important to note that in those first 100 days, this administration, which is

different from any administration in anyone’s memory, has distinguished itself by the promises that have been kept, the things that have been accomplished thus far. The people may argue back and forth as to what was done, what was not done.

“One of the things that I said right after the election was that the people are going to have higher expectations and less patience than they’ve had in the past. And that’s a good thing. I think that we should hold all of our elected officials responsible and accountable for things that they say, promises that they make, and things that they say that they’re going to do.

“In the case of the Governor and her administration, I think probably the number one thing that will rank as an achievement are the quality individuals that she has appointed to cabinet level positions, such as the budget director whom we just confirmed at this point. Nearly all of those people came from areas where they had expertise, they had qualifications that were impeccable, they worked with people, they were open and accessible, but they weren’t known in government. And some people have said that’s a negative thing; that we should only deal with people that have great experience in the halls of government. I, for one, disagree, and I think that it’s important and it’s a sign to show people in the community that we really want to have your input and your expertise.

“The Governor promised that she would choose people not on the basis of who they knew or what their political party was, and I think she’s demonstrated that by the individuals that this body has already confirmed and are still holding hearings on.

“In addition to that, she made a promise to resume the payments to OHA that have been suspended by the previous administration, and that promise has been kept. In addition to that, she made a promise that she would personally lobby for the Akaka bill and for Native Hawaiian rights. She went to Congress, to the Executive Branch, to people in the federal cabinet and she did that very vigorously. She kept that promise as well.

“She made a promise during the campaign that the injustice that was done to an engineer that was with the state Department of Transportation for 57 years would be reversed – Mr. Tetsuo Harano – and his name would be placed back on the tunnel at the H-3 – something that the daughter of the late Governor John Burns had urged; something that 8,000 people who signed a petition had urged but that the last administration ignored. That was done as well.

“She is keeping a promise in terms of keeping all live bodies in the difficult task of trying to balance this budget, trying to retain funds where they’re supposed to be, such as in the hurricane relief fund, getting rid of special funds where they’re not supposed to be. She has been visible. She has been accessible. She has gone to schools. She has gone to medical facilities. She has gone to Lake Wilson, and she came back alive. These are all achievements that we can applaud.

“She also had the vision and advanced a program from prescription drugs that was criticized because it would not take care of all the people but it would take care of several thousand, nearly 20,000 to 25,000 people right now. She also advanced a plan for long-term care insurance tax credits that would help thousands of people right now.

“She also tries daily to improve our business climate. When she was in Washington, we all had a laugh about her trying to sell Kona coffee to the White House and to the halls of government, and yet that indicates that her focus is always on Hawaii, always on Hawaii’s products and on Hawaii’s people.

And if it's something as small, seemingly small, as one product, Hawaiian coffee, it shows that that's where the emphasis is.

"She's well known by the business community nationally and internationally. She has met with business and investment advisors. She's also met with, successfully, people that rate the bonds of our state government, and she, I think, did quite well on CNN and Fox News and is becoming a national personality. That is not a partisan thing because her emphasis continues to be Hawaii and the improvement. And she realizes the difficulties and the crisis that we all face now and one which may become even more difficult in the days ahead.

"She said that she was opening the 'open for business' sign in Hawaii and immediately the new head of the DCCA cut regulations, red tape, and actual fees for the first time in anyone's memories. People now are talking about the business-friendly attitude of the same public employees who have been here and who have been dedicated for years but did not have incentive and did not have the leadership and the management to encourage them to do their best and to recognize them for doing their best.

"So, for these and other reasons, I think that we can all take note of this first 100 days, and that's all it is – it's the first 100 days. There will be many more days and hopefully we can all work together to get these policies passed, to get good legislation passed to help the people of Hawaii in the long term.

"Thank you, Mr. President."

ADJOURNMENT

At 12:16 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., Thursday, March 13, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-SECOND DAY

Thursday, March 13, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Jack Nordgren, Hope Chapel, South Shore, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

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

Senator Sakamoto, with the assistance of Senators Hooser, Whalen, Hanabusa and Aduja, introduced and congratulated Roberta Zarbaugh on being named the Hawaii State Teachers Association Teacher of the Year 2003; Susan Miyashita on being named the Department of Education's 2002 Teacher of the Year; Marlene Bourke-Faustina, the Leeward District Teacher of the Year; and Margaret Almony, Windward District's Teacher of the Year.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 287 to 289) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 287, transmitting H.B. No. 200, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 200, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 288, transmitting H.B. No. 808, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 808, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then Committee on Ways and Means.

Hse. Com. No. 289, transmitting H.B. No. 1300, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1300, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 103 to 206) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 103 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION."

Offered by: Senators Slom, Hogue, Chun Oakland, Aduja, Hemmings, Kim, Kawamoto, Hooser, Espero, Whalen, Baker, Ige, Hanabusa, Trimble, English, Ihara.

No. 104 "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF INTER-ISLAND AND INTRA-ISLAND FERRY SYSTEMS AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A COMPETITION TO DESIGN THE FERRY."

Offered by: Senators Trimble, English, Tsutsui, Espero, Kokubun, Whalen, Hooser.

No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES TO REVIEW CURRENT LAWS REGARDING EMERGENCY VEHICLES."

Offered by: Senators Trimble, Kokubun, Hooser, Whalen, Taniguchi, Espero, Aduja.

No. 106 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOGNIZE ON-LINE COURSES FROM ACCREDITED INSTITUTIONS."

Offered by: Senators Menor, Sakamoto, Inouye, Taniguchi, Kokubun, English, Espero, Trimble.

No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO FIND SOLUTIONS TO THE ALGAE GROWTH IN THE CAPITOL POOLS."

Offered by: Senators Kim, Kawamoto, Tsutsui, Inouye, Espero, Kokubun, Taniguchi, Baker, Menor, Kanno, Hanabusa, Bunda.

No. 108 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF AN INFORMATION TECHNOLOGY COLLABORATIVE TO SUPPORT THE INCREASED USE OF INFORMATION TECHNOLOGY BY HAWAII PHYSICIANS."

Offered by: Senators Ige, Chun Oakland, Aduja, Sakamoto, Kanno, Hanabusa, Inouye, Hogue, Hooser, Fukunaga, Trimble, Ihara, Kawamoto, Espero, Baker.

No. 109 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF USING OPEN SOURCE SOFTWARE VERSUS COMMERCIAL SOFTWARE FOR GOVERNMENT OPERATIONS."

Offered by: Senators Ige, Kawamoto, Espero, Aduja, Sakamoto, Inouye, Hooser, Trimble, Ihara, Kanno, Chun Oakland, Hanabusa, Baker, Hogue, Fukunaga.

No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLAND OF HAWAII."

Offered by: Senator Whalen.

No. 111 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE SUBMERGED AND TIDAL LANDS OF THE HONOKOHAU SMALL BOAT HARBOR TO PRIVATE ENTITIES FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, AND RESEARCH PURPOSES."

Offered by: Senator Whalen.

No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS."

Offered by: Senator Whalen.

No. 113 "SENATE CONCURRENT RESOLUTION SUPPORTING THE ALLOCATION OF RESOURCES TO ENSURE MEANINGFUL LANGUAGE ACCESS FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY TO FEDERALLY-ASSISTED PROGRAMS AND SERVICES, AS REQUIRED BY FEDERAL LAW."

Offered by: Senators Chun Oakland, Inouye, Espero, Kawamoto.

No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RESEARCH OPTIONS FOR ESTABLISHING A DEDICATED FUNDING MECHANISM TO IMPLEMENT THE PUBLIC PURPOSE AND RESPONSIBILITIES AS SPECIFIED IN ACT 77, SESSION LAWS OF HAWAII 1997, RELATING TO EARLY CHILDHOOD EDUCATION AND CARE."

Offered by: Senators Chun Oakland, Inouye, Espero, Kawamoto.

No. 115 "SENATE CONCURRENT RESOLUTION SUPPORTING THE CONTINUED AVAILABILITY OF A STATEWIDE NETWORK OF MULTI-PURPOSE SENIOR CENTERS."

Offered by: Senators Chun Oakland, Inouye, Espero, Kawamoto.

No. 116 "SENATE CONCURRENT RESOLUTION REQUESTING AN ACTUARIAL STUDY ON HEALTH INSURANCE PARITY FOR THE TREATMENT OF ALCOHOL DEPENDENCY AND DRUG DEPENDENCY."

Offered by: Senators Chun Oakland, Inouye, Espero, Kawamoto.

No. 117 "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT

AUDIT OF THE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS."

Offered by: Senators Ihara, Baker, Chun Oakland.

No. 118 "SENATE CONCURRENT RESOLUTION URGING THE ADOPTION OF DISCLOSURE POLICIES AND EMPLOYMENT GUIDELINES REGARDING SERVICES PROVIDED DURING THE LEGISLATIVE SESSION BY THE EXECUTIVE DEPARTMENT AND PRIVATE ENTITY EMPLOYEES."

Offered by: Senator Ihara.

No. 119 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS."

Offered by: Senators Ihara, Inouye.

No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A STATEWIDE IMPLEMENTATION PLAN FOR PUBLIC, EDUCATION, AND GOVERNMENT ACCESS TELEVISION."

Offered by: Senators English, Ihara, Ige, Hooser, Aduja, Baker, Inouye.

No. 121 "SENATE CONCURRENT RESOLUTION REQUESTING A FRANCHISE AUDIT OF AOL TIME WARNER CABLE'S MONOPOLY CABLE FRANCHISE."

Offered by: Senators English, Ihara, Ige, Hooser, Aduja, Trimble, Inouye, Chun Oakland, Baker.

No. 122 "SENATE CONCURRENT RESOLUTION REQUESTING A SURVEY TO IDENTIFY AREAS OF THE MARINE ENVIRONMENT WHERE MANAGEMENT AND RESOURCE PROTECTION NEEDS ARE GREATEST."

Offered by: Senators Inouye, Trimble, English, Hooser, Espero, Hanabusa, Baker, Chun Oakland, Hemmings.

No. 123 "SENATE CONCURRENT RESOLUTION REQUESTING AN UPDATE OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN (ORMP) TO ACHIEVE A COMPREHENSIVE AND INTEGRATED OCEAN AND COASTAL RESOURCES MANAGEMENT APPROACH FOR HAWAII."

Offered by: Senators Inouye, Trimble, English, Hooser, Espero, Hanabusa, Baker, Chun Oakland, Hemmings, Taniguchi.

No. 124 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RURAL HEALTH SCIENCE CENTER AT THE UNIVERSITY OF HAWAII AT HILO."

Offered by: Senators Inouye, Trimble, Hooser, Espero, Aduja, Hanabusa, Baker, Chun Oakland.

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING FURTHER INQUIRY WITH RESPECT TO THE DESIGNATION OF LANDS ON THE ISLAND OF HAWAII AS CRITICAL HABITAT."

Offered by: Senators Inouye, Trimble, Espero, Aduja, Hanabusa, Baker, Chun Oakland, Hemmings, Taniguchi.

No. 126 "SENATE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM."

Offered by: Senators Inouye, Baker, Chun Oakland, Hemmings, English, Trimble.

No. 127 "SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON LAND EXCHANGES."

Offered by: Senators Inouye, Trimble, English, Hemmings, Aduja, Espero, Chun Oakland.

No. 128 "SENATE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY THE KO'OLAU GREENBELT AND HERITAGE TRAILS SYSTEM TO PROVIDE A HOLISTIC APPROACH TO WATERSHED PROTECTION FOR THE ENTIRE KO'OLAU SYSTEM AND TO FACILITATE PARTNERSHIPS TO DETERMINE THE FUTURE OF WINDWARD OAHU'S NATURAL AND HUMAN RESOURCES."

Offered by: Senator Hemmings, by request.

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ECONOMIC IMPACT OF REPEALING ARTICLE VII, SECTIONS 5 AND 6, OF THE STATE CONSTITUTION, RELATING TO EXPENDITURE CONTROLS AND THE DISPOSITION OF EXCESS REVENUES."

Offered by: Senators Kanno, Aduja, Espero, Chun Oakland, Baker, Kokubun, Tsutsui, Kawamoto, Kim, Inouye, Ige, Taniguchi.

No. 130 "SENATE CONCURRENT RESOLUTION ESTABLISHING AN AWARDS PROGRAM TO RECOGNIZE BUSINESSES WITH PARENT-FRIENDLY POLICIES."

Offered by: Senators Kanno, Chun Oakland, Inouye, Kawamoto, English, Aduja, Menor, Kokubun, Ihara, Fukunaga, Espero, Taniguchi, Baker, Hanabusa, Tsutsui, Kim, Ige.

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE IMPACT OF MANDATED GROUP HEALTH INSURANCE COVERAGE FOR INFERTILITY."

Offered by: Senators Kanno, Baker, Aduja, Chun Oakland, Hanabusa, Kim, Menor, Kokubun, Tsutsui, Kawamoto, Fukunaga, Inouye, Ige.

No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A PUBLIC EDUCATIONAL CAMPAIGN ON THE DANGERS OF CRYSTAL METHAMPHETAMINE."

Offered by: Senators Hanabusa, Chun Oakland, Kokubun, English, Ige, Inouye.

No. 133 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE ACQUISITION OF WAO KELE 'O PUNA FOR PERPETUAL CONSERVATION, EDUCATION, AND STEWARDSHIP PURPOSES."

Offered by: Senators Hanabusa, Kokubun, English, Chun Oakland, Ige, Inouye.

No. 134 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON POLICIES, PROCEDURES, AND FEES FOR PROVIDING THE PUBLIC WITH COPIES OF LEGISLATIVE DOCUMENTS OR SUBSCRIPTION SERVICE."

Offered by: Senators Hanabusa, Kokubun, English, Chun Oakland, Ige, Inouye, Ihara.

No. 135 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENSURE PROMPT COMPLIANCE WITH ACT 150, SESSION LAWS OF HAWAII 1990."

Offered by: Senators Hanabusa, Fukunaga, Kim, Chun Oakland, English, Taniguchi, Kokubun, Ige, Trimble, Aduja.

No. 136 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO DEVELOP A DRIVER'S EDUCATION PROGRAM SPECIFICALLY FOR VISITORS TO HAWAII ON LOCAL DRIVING RULES AND ETIQUETTE."

Offered by: Senators Trimble, English, Kokubun, Ige, Inouye, Hanabusa.

No. 137 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE KALAUPAPA SETTLEMENT OPERATIONS AND EXPENDITURES."

Offered by: Senator Taniguchi, by request.

No. 138 "SENATE CONCURRENT RESOLUTION RESOLUTION TO FORMALIZE THE ONGOING EFFORTS OF THE AGRICULTURE AND LAND USE WORKING GROUP IN ADDRESSING THE MANDATE OF ARTICLE XI, SECTION 3 OF THE STATE CONSTITUTION AND RELATED AGRICULTURAL AND LAND ISSUES."

Offered by: Senators Inouye, Trimble, Hogue, Fukunaga, Hemmings.

No. 139 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE POTENTIAL OF REDEVELOPMENT OR CONDEMNATION FOR PUBLIC USES FOR THE COCO PALMS RESORT AND THE POIPU BEACH HOTEL PROPERTIES ON KAUA'I, AND RECOMMENDATIONS FOR A PLAN AND COMMUNITY PROCESS IN THE EVENT OF NO PRIVATE REDEVELOPMENT."

Offered by: Senators Hooser, Kokubun, Tsutsui, English, Inouye, Aduja, Espero, Taniguchi, Trimble, Ihara, Ige.

No. 140 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DISCUSS ISSUES, STUDY IMPACTS, AND MAKE

RECOMMENDATIONS RELATING TO GENETICALLY MODIFIED ORGANISMS.”

Offered by: Senators Hooser, Trimble, Baker, Hemmings, Ihara, Kokubun.

No. 141 “SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ANALYZE ECONOMIC IMPACTS OF CURRENT FLIGHT SCHEDULE REDUCTIONS AND MAKE RECOMMENDATIONS FOR INCREASING THE AVAILABILITY OF INTERISLAND FLIGHTS.”

Offered by: Senators Hooser, English, Trimble, Baker, Inouye, Hemmings, Whalen, Ihara, Kokubun.

No. 142 “SENATE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES’ RETIREMENT SYSTEM TO STUDY THE FEASIBILITY OF A DEFERRED RETIREMENT OPTION PLAN BENEFIT FOR FIRE FIGHTERS AND POLICE OFFICERS.”

Offered by: Senators Hooser, Kokubun, Tsutsui, Inouye, Aduja, Espero, Ige, Taniguchi, Trimble, Ihara.

No. 143 “SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO DO EVERYTHING POSSIBLE TO EXPEDITE IMPLEMENTATION OF THE PACIFIC HEALTH CENTER MASTER PLAN.”

Offered by: Senators Kawamoto, Espero.

No. 144 “SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A WIRELESS ENHANCED 911 INTERIM WORKING GROUP.”

Offered by: Senators Kawamoto, Espero.

No. 145 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CRITERIA FOR ALLOCATING VICE-PRINCIPAL POSITIONS IN ORDER TO ASSIST PRINCIPALS OF ALL SCHOOLS REGARDLESS OF ENROLLMENT COUNTS.”

Offered by: Senators Kokubun, English, Sakamoto, Tsutsui, Hogue, Menor, Hooser, Chun Oakland, Kawamoto.

No. 146 “SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A LONG-RANGE PLAN TO ADDRESS THE FUTURE OF PUBLIC AND SCHOOL LIBRARIES.”

Offered by: Senators Kokubun, English, Espero, Inouye, Hemmings, Tsutsui, Aduja, Hooser.

No. 147 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF SEVEN CERTIFICATED PUBLIC SCHOOLS IN COOPERATION WITH THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION.”

Offered by: Senator Sakamoto.

No. 148 “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON HOW THE LIMITED NUMBER OF SECONDARY AND POST-SECONDARY GRADUATES FROM HEALTH CARE-RELATED FIELDS IMPACTS ON RISING HEALTH CARE COSTS IN THE STATE.”

Offered by: Senator Sakamoto.

No. 149 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS.”

Offered by: Senator Sakamoto.

No. 150 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ASIA-PACIFIC EDUCATION TO ENSURE THAT HAWAII’S STUDENTS MEET HIGH PERFORMANCE STANDARDS IN EDUCATION ABOUT ASIA AND THE PACIFIC AND UNDERSTAND THE IMPACT OF THE STATE’S RELATIONSHIP WITH THE REGION.”

Offered by: Senator Sakamoto.

No. 151 “SENATE CONCURRENT RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII’S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION.”

Offered by: Senator Sakamoto.

No. 152 “SENATE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE’S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE.”

Offered by: Senators Hanabusa, Kokubun, Hooser, Slom, Kim, Sakamoto.

No. 153 “SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION ON THE STATE AND COUNTIES’ LAND USE POLICIES WITH REGARD TO SOLID WASTE MANAGEMENT PROGRAMS.”

Offered by: Senators Hanabusa, Kokubun, English, Aduja, Sakamoto.

No. 154 “SENATE CONCURRENT RESOLUTION REQUESTING THE REVISION OF THE ASSISTANCE ALLOWANCE PERCENTAGE FORMULA UNDER THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES PROGRAM.”

Offered by: Senators Hanabusa, English, Kokubun, Sakamoto, Aduja.

No. 155 “SENATE CONCURRENT RESOLUTION URGING THE APPOINTMENT OF A SPECIAL MASTER TO COMPLETE THE ASSESSMENT AND SETTLEMENT OF NATIVE HAWAIIAN INDIVIDUAL TRUST CLAIMS.”

Offered by: Senators Hanabusa, English, Kokubun, Sakamoto, Aduja.

No. 156 “SENATE CONCURRENT RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO ASSIST IN THE DEVELOPMENT OF STANDARDIZED POWER PURCHASE AGREEMENTS TO REDUCE THE APPROVAL PROCESS TIME FOR THE IMPLEMENTATION OF NEW RENEWABLE ENERGY SYSTEMS.”

Offered by: Senator English.

No. 157 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS."

Offered by: Senator English.

No. 158 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF EXISTING LEGISLATION REGULATING CRUISE SHIPS AND THEIR ENVIRONMENTAL EFFECTS."

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Fukunaga, Ihara, Kokubun, Taniguchi.

No. 159 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES PRESIDENT TO SUBMIT THE KYOTO PROTOCOL TO THE UNITED STATES SENATE FOR RATIFICATION."

Offered by: Senators English, Tsutsui, Baker, Kokubun, Hanabusa, Hooser, Ige.

No. 160 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING AN INTER-ISLAND FERRY SYSTEM BETWEEN THE ISLANDS OF MOLOKA'I, LANAI, AND MAUI."

Offered by: Senators English, Tsutsui, Baker.

No. 161 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE CORRECT AND REGULAR USAGE OF THE HAWAIIAN LANGUAGE."

Offered by: Senator English.

No. 162 "SENATE CONCURRENT RESOLUTION REQUESTING THE CRUISE SHIP INDUSTRY TO PAY THE FULL COST OF DEVELOPING AND OPERATING A WASTEWATER INFRASTRUCTURE SYSTEM."

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Taniguchi, Kokubun, Trimble, Ihara, Fukunaga.

No. 163 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A 'STATE CAPITOL MURAL ART BY STUDENTS' PROJECT TO HANG OR PAINT STUDENT MURALS ON THE WALLS OF THE STATE CAPITOL."

Offered by: Senators English, Hooser, Baker, Fukunaga, Ihara, Taniguchi, Aduja, Kim.

No. 164 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF AN EMISSIONS TASK FORCE TO MEASURE THE STATE'S POWER PLANT AND MOTOR VEHICLE EMISSIONS AND DEVELOP COMPREHENSIVE STRATEGIES TO REDUCE EMISSIONS."

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Taniguchi, Kokubun, Trimble, Ihara, Fukunaga.

No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND DRAFT LEGISLATION ON PROTECTION OF PERSONAL INFORMATION RELATING TO FINANCIAL TRANSACTIONS."

Offered by: Senators English, Baker, Tsutsui, Kim, Hemmings, Kokubun, Trimble, Ihara, Fukunaga.

No. 166 "SENATE CONCURRENT RESOLUTION URGING A JOINT EFFORT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STOP THE IMPORTATION OF ALIEN AQUATIC ORGANISMS THAT COULD BECOME INVASIVE."

Offered by: Senators English, Kokubun, Trimble, Ihara, Fukunaga.

No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT TO THE LEGISLATURE ON THE COMPLIANCE WITH AND IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING ENTERED INTO ON OCTOBER 24, 2002, BETWEEN THE STATE AND THE NORTH WEST CRUISESHIP ASSOCIATION."

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Kokubun, Ihara, Fukunaga.

No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO BEGIN THE PROCESS OF ESTABLISHING A MARINE PROTECTED AREA IN KANEOHE BAY AS MANDATED BY THE KANEOHE BAY MASTER PLAN."

Offered by: Senators English, Hooser, Trimble, Baker, Kim, Fukunaga, Hemmings, Kokubun, Ihara.

No. 169 "SENATE CONCURRENT RESOLUTION REQUESTING A MORATORIUM ON THE DEPLOYMENT OF HIGH INTENSITY ACTIVE SONAR, INCLUDING LOW FREQUENCY ACTIVE SONAR BY THE UNITED STATES AND NATO NAVIES."

Offered by: Senator English.

No. 170 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO FORM AN AD HOC ADVISORY GROUP TO INVESTIGATE AND MAKE RECOMMENDATIONS REGARDING THE IMPLEMENTATION OF STANDARD OFFER CONTRACTS AND STANDARDIZED INTERCONNECTION AGREEMENTS TO FACILITATE THE PURCHASE OF ELECTRICITY FROM RENEWABLE ENERGY PRODUCERS IN HAWAII."

Offered by: Senator English.

No. 171 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO REVIEW THE FEASIBILITY OF HAWAII BECOMING A MEMBER OF THE CHICAGO CLIMATE EXCHANGE AND THE FEASIBILITY OF REQUIRING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH A

RENEWABLE ENERGY CREDITS TRADING PROGRAM IN HAWAII.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Taniguchi, Kokubun, Ihara, Fukunaga.

No. 172 “SENATE CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF A SELF-DETERMINATION DEMONSTRATION PROJECT USING CONSUMER-DIRECTED APPROACHES.”

Offered by: Senators Baker, Aduja, Hooser, Chun Oakland.

No. 173 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONTINUE TO PROCEED WITH IMPROVEMENTS TO HAWAII’S SMALL BOAT HARBORS.”

Offered by: Senators Baker, English, Tsutsui, Hooser, Chun Oakland, Ihara, Fukunaga, Ige.

No. 174 “SENATE CONCURRENT RESOLUTION REQUESTING THE MEMBERS OF HAWAII’S CONGRESSIONAL DELEGATION TO SUPPORT THE REAUTHORIZATION OF THE CLEAN VESSEL ACT.”

Offered by: Senators Baker, English, Chun Oakland, Ihara, Fukunaga, Ige, Tsutsui, Hooser.

No. 175 “SENATE CONCURRENT RESOLUTION REQUESTING A REPORT BY THE PATIENT SAFETY TASK FORCE OF THE HEALTHCARE ASSOCIATION OF HAWAII.”

Offered by: Senators Baker, Chun Oakland, Hooser, Tsutsui, Ige, Inouye, Ihara, Fukunaga.

No. 176 “SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO DISCONTINUE MILITARY BASE CLOSURES IN THE STATE OF HAWAII.”

Offered by: Senators Kawamoto, Espero, Aduja, Hemmings, Kim, Tsutsui, Hooser.

No. 177 “SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A SMART GROWTH AND BOUNDARY REVIEW TASK FORCE.”

Offered by: Senators Kokubun, English, Espero, Inouye.

No. 178 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR A STATEWIDE MARINE RESERVES NETWORK THAT WOULD INCORPORATE CURRENT AND FUTURE RESERVES.”

Offered by: Senators Kokubun, English, Espero.

No. 179 “SENATE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO ADDRESS SOLID WASTE MANAGEMENT CONCERNS AND TO ASSIST WITH THE REVISION AND IMPLEMENTATION OF INTEGRATED SOLID WASTE MANAGEMENT PLANS FOR THE STATE AND EACH COUNTY.”

Offered by: Senators Kokubun, English, Hanabusa, Hooser.

No. 180 “SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ISLAND BURIAL COUNCIL TASK FORCE TO REVIEW PROCEDURES AND OPERATIONS OF THE ISLAND BURIAL COUNCILS.”

Offered by: Senators Kokubun, English.

No. 181 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM.”

Offered by: Senator Kokubun.

No. 182 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ADVANTAGES AND COST-EFFECTIVENESS OF OUTSOURCING THE PROPERTY MANAGEMENT OF PUBLIC SCHOOL BUILDINGS, FACILITIES, AND GROUNDS.”

Offered by: Senator Sakamoto.

No. 183 “SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND EVALUATE THE TOTAL ANNUAL COMPENSATION PACKAGE OF HAWAII PUBLIC SCHOOL TEACHERS.”

Offered by: Senator Sakamoto.

No. 184 “SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY DRUG TESTING IN SCHOOLS.”

Offered by: Senators Sakamoto, Hanabusa, Bunda.

No. 185 “SENATE CONCURRENT RESOLUTION RECOGNIZING THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY.”

Offered by: Senator Sakamoto.

No. 186 “SENATE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR ESTABLISH A COMMISSION TO OVERSEE THE TRANSFER OF KAHO’OLAWA FROM THE UNITED STATES NAVY TO THE STATE OF HAWAII.”

Offered by: Senators Sakamoto, Kawamoto, Inouye.

No. 187 “SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY AT THE UNIVERSITY OF HAWAII AT MANOA.”

Offered by: Senator Bunda.

No. 188 “SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO RECONSIDER THE EXISTING KALAELOA REDEVELOPMENT PLAN AND MAKE REVISIONS AS NECESSARY TO MAXIMIZE THE SOCIAL AND ECONOMIC DEVELOPMENT POTENTIAL OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT.”

Offered by: Senator Bunda.

No. 189 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON CAREER CRIMINALS AND THE FEASIBILITY OF INSTITUTING ENHANCED PENALTIES FOR MULTIPLE FELONY CONVICTIONS."

Offered by: Senator Bunda.

No. 190 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO ESTABLISH A MENTAL HEALTH COURT IN HAWAII."

Offered by: Senators Chun Oakland, Hooser.

No. 191 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE INFORMATION ON THE PETER BOY KEMA CASE THAT COULD FACILITATE LOCATING THE MISSING CHILD."

Offered by: Senator Chun Oakland.

No. 192 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW EXISTING POLICIES AND PROCEDURES AND WORK WITH THE DEPARTMENT OF PSYCHIATRY AT THE UNIVERSITY OF HAWAII, SCHOOL OF MEDICINE TO IMPROVE ACCESS TO MENTAL HEALTH SERVICES BY MEDICAID AND HAWAII QUEST PARTICIPANTS."

Offered by: Senator Chun Oakland.

No. 193 "SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION."

Offered by: Senator Chun Oakland.

No. 194 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONSIDERATION OF ALTERNATIVES TO DISPOSING SLUDGE FROM THE ALA WAI CANAL INTO THE AIRPORT REEF RUNWAY, AND TO ENSURE MAXIMUM COMMUNITY PARTICIPATION AND THAT ALL ENVIRONMENTAL PROTECTIONS BE TAKEN."

Offered by: Senator Chun Oakland.

No. 195 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF CREATING PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE COST-EFFECTIVE REHABILITATION SERVICES TO LOW INCOME AND MEDICAID ELIGIBLE INDIVIDUALS AND GOVERNMENT EMPLOYEES."

Offered by: Senator Chun Oakland.

No. 196 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STRATEGIC ACTION PLAN TO ESTABLISH AN EXPANDING AND SUSTAINABLE FILM AND TELEVISION PRODUCTION INDUSTRY IN HAWAII."

Offered by: Senator Fukunaga.

No. 197 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO DEVELOP POLICIES AND GUIDELINES TO EXCLUDE FROM REPORTS ANY INFORMATION THAT MAY IMPACT PENDING LITIGATION INVOLVING THE STATE OR A COUNTY."

Offered by: Senator Aduja.

No. 198 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING AN ELECTRONIC VISA SYSTEM."

Offered by: Senators Aduja, English, Sakamoto, Espero, Kokubun, Fukunaga, Chun Oakland, Hemmings, Ige, Taniguchi, Trimble, Whalen, Hooser, Tsutsui.

No. 199 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONSIDERATION OF STRATEGIC PARTNERSHIPS WITH NON-PROFIT ENTITIES TO ENHANCE SELECTED PARK PROPERTIES WHILE APPLYING A COMMUNITY-BASED CULTURAL TOURISM MODEL."

Offered by: Senators Aduja, Sakamoto, Espero, Fukunaga, Chun Oakland, Hemmings, Ige, Baker, Hooser.

No. 200 "SENATE CONCURRENT RESOLUTION REQUESTING THE USE OF COST EFFICIENT CONSTRUCTION METHODS AND ENERGY-EFFICIENT TECHNOLOGIES TO BUILD MODULAR HOMES ON HAWAIIAN HOME LANDS."

Offered by: Senators Aduja, English, Sakamoto, Espero, Kokubun, Whalen, Chun Oakland, Fukunaga, Hemmings, Ige, Tsutsui.

No. 201 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF ESTABLISHING A HAWAII STATE SPORTS AUTHORITY."

Offered by: Senators Aduja, Sakamoto, Kokubun, Fukunaga, Chun Oakland, Hemmings, Ige, Baker, Whalen, Hooser.

No. 202 "SENATE CONCURRENT RESOLUTION REQUESTING THE PERPETUATION OF THE AHUPUA`A DISTRICTS FOR GOVERNMENT-OWNED LANDS."

Offered by: Senators Aduja, Espero, Kawamoto, Slom, Hemmings, Kim, Tsutsui, Hooser, English.

No. 203 "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WINDWARD AHUPUA`A ALLIANCE TO RESTORE, PRESERVE, AND PROMOTE ACCESS TO THE MAUKA LANDS ALONG THE KO`OLAU MOUNTAIN RANGE AND ITS KO`OLAU GREENBELT AND HERITAGE TRAILS SYSTEM."

Offered by: Senators Aduja, Hemmings, Kawamoto, Slom, Tsutsui, Kim, Hooser, Espero, Bunda.

No. 204 "SENATE CONCURRENT RESOLUTION RELATING TO CELEBRATION OF ADMISSION DAY."

Offered by: Senators Aduja, Hogue, Ige, Slom, Trimble, Hooser, Sakamoto, Kawamoto, Kokubun, Inouye, Espero, Fukunaga, Chun Oakland, Bunda.

No. 205 "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR PROMOTING HAWAII AS A RESEARCH AND DEVELOPMENT CENTER FOR HYDROGEN FUEL CELL ENERGY."

Offered by: Senators Aduja, English, Sakamoto, Espero, Fukunaga, Chun Oakland, Trimble, Hooser, Baker, Taniguchi, Whalen, Hemmings, Kokubun, Ige, Tsutsui.

No. 206 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON STATE AND COUNTY COMPLIANCE WITH APPLICABLE SOLID WASTE MANAGEMENT LAWS, RULES, AND REGULATIONS."

Offered by: Senators Aduja, Kawamoto, Bunda, Espero, Hooser, Trimble.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 71 to 144) were read by the Clerk and were deferred:

Senate Resolution

No. 71 "SENATE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION."

Offered by: Senators Slom, Hogue, Chun Oakland, Aduja, Hemmings, Kim, Kawamoto, Whalen, Baker, Hooser, Espero, Ige, Hanabusa, English, Trimble, Ihara.

No. 72 "SENATE RESOLUTION SUPPORTING THE DEVELOPMENT OF INTER-ISLAND AND INTRA-ISLAND FERRY SYSTEMS AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A COMPETITION TO DESIGN THE FERRY."

Offered by: Senators Trimble, English, Hooser, Espero, Kokubun, Whalen.

No. 73 "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES TO REVIEW CURRENT LAWS REGARDING EMERGENCY VEHICLES."

Offered by: Senators Trimble, Kokubun, Hooser, Whalen, Taniguchi, Kim, Espero, Aduja.

No. 74 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOGNIZE ON-LINE COURSES FROM ACCREDITED INSTITUTIONS."

Offered by: Senators Menor, Sakamoto, Kokubun, English, Espero, Inouye, Trimble.

No. 75 "SENATE RESOLUTION REQUESTING A STUDY TO FIND SOLUTIONS TO THE ALGAE GROWTH IN THE CAPITOL POOLS."

Offered by: Senators Kim, Kawamoto, Inouye, Tsutsui, Espero, Menor, Baker, Hanabusa, Kokubun, Taniguchi, Kanno, Bunda.

No. 76 "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF USING OPEN SOURCE

SOFTWARE VERSUS COMMERCIAL SOFTWARE FOR GOVERNMENT OPERATIONS."

Offered by: Senators Ige, Kawamoto, Espero, Aduja, Sakamoto, Inouye, Hooser, Trimble, Ihara, Kanno, Chun Oakland, Hanabusa, Baker, Hogue, Fukunaga.

No. 77 "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLAND OF HAWAII."

Offered by: Senator Whalen.

No. 78 "SENATE RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS."

Offered by: Senators Ihara, Inouye.

No. 79 "SENATE RESOLUTION REQUESTING THE FORMATION OF A STATEWIDE IMPLEMENTATION PLAN FOR PUBLIC, EDUCATION, AND GOVERNMENT ACCESS TELEVISION."

Offered by: Senators English, Ihara, Ige, Hooser, Aduja, Baker, Inouye.

No. 80 "SENATE RESOLUTION REQUESTING A FRANCHISE AUDIT OF AOL TIME WARNER CABLE'S MONOPOLY CABLE FRANCHISE."

Offered by: Senators English, Ihara, Ige, Hooser, Aduja, Trimble, Inouye, Baker, Chun Oakland.

No. 81 "SENATE RESOLUTION REQUESTING A SURVEY TO IDENTIFY AREAS OF THE MARINE ENVIRONMENT WHERE MANAGEMENT AND RESOURCE PROTECTION NEEDS ARE GREATEST."

Offered by: Senators Inouye, Trimble, English, Hooser, Espero, Hanabusa, Baker, Chun Oakland, Hemmings.

No. 82 "SENATE RESOLUTION REQUESTING AN UPDATE OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN (ORMP) TO ACHIEVE A COMPREHENSIVE AND INTEGRATED OCEAN AND COASTAL RESOURCES MANAGEMENT APPROACH FOR HAWAII."

Offered by: Senators Inouye, Trimble, English, Hooser, Espero, Hanabusa, Baker, Chun Oakland, Hemmings.

No. 83 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RURAL HEALTH SCIENCE CENTER AT THE UNIVERSITY OF HAWAII AT HILO."

Offered by: Senators Inouye, Trimble, Hooser, Espero, Aduja, Hanabusa, Baker, Chun Oakland.

No. 84 "SENATE RESOLUTION REQUESTING FURTHER INQUIRY WITH RESPECT TO THE DESIGNATION OF LANDS ON THE ISLAND OF HAWAII AS CRITICAL HABITAT."

Offered by: Senators Inouye, Trimble, Espero, Aduja, Hanabusa, Baker, Chun Oakland, Hemmings.

No. 85 "SENATE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM."

Offered by: Senators Inouye, Baker, Chun Oakland, English, Trimble.

No. 86 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A PUBLIC EDUCATIONAL CAMPAIGN ON THE DANGERS OF CRYSTAL METHAMPHETAMINE."

Offered by: Senators Hanabusa, Chun Oakland, Kokubun, English, Ige, Inouye.

No. 87 "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE ACQUISITION OF WAO KELE `O PUNA FOR PERPETUAL CONSERVATION, EDUCATION, AND STEWARDSHIP PURPOSES."

Offered by: Senators Hanabusa, Kokubun, English, Chun Oakland, Ige, Inouye.

No. 88 "SENATE RESOLUTION REQUESTING A STUDY ON POLICIES, PROCEDURES, AND FEES FOR PROVIDING THE PUBLIC WITH COPIES OF LEGISLATIVE DOCUMENTS OR SUBSCRIPTION SERVICE."

Offered by: Senators Hanabusa, Kokubun, English, Chun Oakland, Ige, Inouye, Ihara.

No. 89 "SENATE RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENSURE PROMPT COMPLIANCE WITH ACT 150, SESSION LAWS OF HAWAII 1990."

Offered by: Senators Hanabusa, Fukunaga, Kim, Chun Oakland, English, Kokubun, Ige, Trimble, Aduja.

No. 90 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO DEVELOP A DRIVER'S EDUCATION PROGRAM SPECIFICALLY FOR VISITORS TO HAWAII ON LOCAL DRIVING RULES AND ETIQUETTE."

Offered by: Senators Trimble, English, Kokubun, Hanabusa, Ige, Inouye.

No. 91 "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE KALAUPAPA SETTLEMENT OPERATIONS AND EXPENDITURES."

Offered by: Senator Taniguchi, by request.

No. 92 "SENATE RESOLUTION REQUESTING A STUDY ON THE POTENTIAL OF REDEVELOPMENT OR CONDEMNATION FOR PUBLIC USES FOR THE COCO PALMS RESORT AND THE POIPU BEACH HOTEL PROPERTIES ON KAUA'I, AND RECOMMENDATIONS FOR A PLAN AND COMMUNITY PROCESS IN THE EVENT OF NO PRIVATE REDEVELOPMENT."

Offered by: Senators Hooser, Kokubun, Tsutsui, English, Aduja, Espero, Trimble, Ihara.

No. 93 "SENATE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DISCUSS ISSUES, STUDY IMPACTS, AND MAKE RECOMMENDATIONS RELATING TO GENETICALLY MODIFIED ORGANISMS."

Offered by: Senators Hooser, Trimble, Baker, Hemmings, Ihara, Kokubun.

No. 94 "SENATE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ANALYZE ECONOMIC IMPACTS OF CURRENT FLIGHT SCHEDULE REDUCTIONS AND MAKE RECOMMENDATIONS FOR INCREASING THE AVAILABILITY OF INTERISLAND FLIGHTS."

Offered by: Senators Hooser, English, Trimble, Baker, Inouye, Hemmings, Whalen, Ihara, Kokubun.

No. 95 "SENATE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO DO EVERYTHING POSSIBLE TO EXPEDITE IMPLEMENTATION OF THE PACIFIC HEALTH CENTER MASTER PLAN."

Offered by: Senators Kawamoto, Espero.

No. 96 "SENATE RESOLUTION REQUESTING THE FORMATION OF A WIRELESS ENHANCED 911 INTERIM WORKING GROUP."

Offered by: Senators Kawamoto, Espero.

No. 97 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CRITERIA FOR ALLOCATING VICE-PRINCIPAL POSITIONS IN ORDER TO ASSIST PRINCIPALS OF ALL SCHOOLS REGARDLESS OF ENROLLMENT COUNTS."

Offered by: Senators Kokubun, English, Tsutsui, Hogue, Menor, Kawamoto, Chun Oakland, Hooser, Sakamoto.

No. 98 "SENATE RESOLUTION REQUESTING THE FORMATION OF A LONG-RANGE PLAN TO ADDRESS THE FUTURE OF PUBLIC AND SCHOOL LIBRARIES."

Offered by: Senators Kokubun, English, Espero, Inouye, Hemmings, Tsutsui, Aduja, Hooser.

No. 99 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF SEVEN CERTIFICATED PUBLIC SCHOOLS IN COOPERATION WITH THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION."

Offered by: Senator Sakamoto.

No. 100 "SENATE RESOLUTION REQUESTING A STUDY ON HOW THE LIMITED NUMBER OF SECONDARY AND POST-SECONDARY GRADUATES FROM HEALTH CARE-RELATED FIELDS IMPACTS ON RISING HEALTH CARE COSTS IN THE STATE."

Offered by: Senator Sakamoto.

No. 101 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT

GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS.”

Offered by: Senator Sakamoto.

No. 102 “SENATE RESOLUTION REQUESTING THE REVISION OF THE ASSISTANCE ALLOWANCE PERCENTAGE FORMULA UNDER THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES PROGRAM.”

Offered by: Senators Hanabusa, English, Kokubun, Sakamoto, Aduja.

No. 103 “SENATE RESOLUTION URGING THE APPOINTMENT OF A SPECIAL MASTER TO COMPLETE THE ASSESSMENT AND SETTLEMENT OF NATIVE HAWAIIAN INDIVIDUAL TRUST CLAIMS.”

Offered by: Senators Hanabusa, English, Kokubun, Sakamoto, Aduja.

No. 104 “SENATE RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII’S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION.”

Offered by: Senator Sakamoto.

No. 105 “SENATE RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO ASSIST IN THE DEVELOPMENT OF STANDARDIZED POWER PURCHASE AGREEMENTS TO REDUCE THE APPROVAL PROCESS TIME FOR THE IMPLEMENTATION OF NEW RENEWABLE ENERGY SYSTEMS.”

Offered by: Senator English.

No. 106 “SENATE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS.”

Offered by: Senator English.

No. 107 “SENATE RESOLUTION REQUESTING A REVIEW OF EXISTING LEGISLATION REGULATING CRUISE SHIPS AND THEIR ENVIRONMENTAL EFFECTS.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Fukunaga, Ihara, Kim, Hemmings, Kokubun.

No. 108 “SENATE RESOLUTION REQUESTING THE UNITED STATES PRESIDENT TO SUBMIT THE KYOTO PROTOCOL TO THE UNITED STATES SENATE FOR RATIFICATION.”

Offered by: Senators English, Tsutsui, Baker, Kokubun, Hanabusa, Ige, Hooser.

No. 109 “SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING AN INTER-ISLAND FERRY SYSTEM BETWEEN THE ISLANDS OF MOLOKA’I, LANA’I, AND MAUI.”

Offered by: Senators English, Tsutsui, Baker.

No. 110 “SENATE RESOLUTION ENCOURAGING THE CORRECT AND REGULAR USAGE OF THE HAWAIIAN LANGUAGE.”

Offered by: Senator English.

No. 111 “SENATE RESOLUTION REQUESTING THE CRUISE SHIP INDUSTRY TO PAY THE FULL COST OF DEVELOPING AND OPERATING A WASTEWATER INFRASTRUCTURE SYSTEM.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Kokubun, Trimble, Ihara, Fukunaga.

No. 112 “SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A ‘STATE CAPITOL MURAL ART BY STUDENTS’ PROJECT TO HANG OR PAINT STUDENT MURALS ON THE WALLS OF THE STATE CAPITOL.”

Offered by: Senators English, Hooser, Baker, Kim, Aduja, Ihara, Fukunaga.

No. 113 “SENATE RESOLUTION REQUESTING THE CONVENING OF AN EMISSIONS TASK FORCE TO MEASURE THE STATE’S POWER PLANT AND MOTOR VEHICLE EMISSIONS AND DEVELOP COMPREHENSIVE STRATEGIES TO REDUCE EMISSIONS.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Taniguchi, Kokubun, Trimble, Ihara, Fukunaga.

No. 114 “SENATE RESOLUTION REQUESTING A STUDY AND DRAFT LEGISLATION ON PROTECTION OF PERSONAL INFORMATION RELATING TO FINANCIAL TRANSACTIONS.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Kokubun, Trimble, Ihara, Fukunaga.

No. 115 “SENATE RESOLUTION URGING A JOINT EFFORT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STOP THE IMPORTATION OF ALIEN AQUATIC ORGANISMS THAT COULD BECOME INVASIVE.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Kokubun, Trimble, Ihara, Fukunaga.

No. 116 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT TO THE LEGISLATURE ON THE COMPLIANCE WITH AND IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING ENTERED INTO ON OCTOBER 24, 2002, BETWEEN THE STATE AND THE NORTH WEST CRUISESHIP ASSOCIATION.”

Offered by: Senators English, Baker, Tsutsui, Hanabusa, Kim, Hemmings, Kokubun, Ihara, Fukunaga.

No. 117 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO BEGIN THE PROCESS OF ESTABLISHING A MARINE PROTECTED AREA IN KANEOHE BAY AS MANDATED BY THE KANEOHE BAY MASTER PLAN.”

Offered by: Senators English, Hooser, Trimble, Baker, Kim, Kokubun, Hemmings, Ihara, Fukunaga.

No. 118 "SENATE RESOLUTION REQUESTING A MORATORIUM ON THE DEPLOYMENT OF HIGH INTENSITY ACTIVE SONAR, INCLUDING LOW FREQUENCY ACTIVE SONAR BY THE UNITED STATES AND NATO NAVIES."

Offered by: Senator English.

No. 119 "SENATE RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO FORM AN AD HOC ADVISORY GROUP TO INVESTIGATE AND MAKE RECOMMENDATIONS REGARDING THE IMPLEMENTATION OF STANDARD OFFER CONTRACTS AND STANDARDIZED INTERCONNECTION AGREEMENTS TO FACILITATE THE PURCHASE OF ELECTRICITY FROM RENEWABLE ENERGY PRODUCERS IN HAWAII."

Offered by: Senator English.

No. 120 "SENATE RESOLUTION SUPPORTING THE DEVELOPMENT OF A SELF-DETERMINATION DEMONSTRATION PROJECT USING CONSUMER-DIRECTED APPROACHES."

Offered by: Senators Baker, Aduja, Hooser, Chun Oakland.

No. 121 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONTINUE TO PROCEED WITH IMPROVEMENTS TO HAWAII'S SMALL BOAT HARBORS."

Offered by: Senators Baker, English, Tsutsui, Hooser, Chun Oakland, Ihara, Fukunaga, Ige.

No. 122 "SENATE RESOLUTION REQUESTING THE MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE REAUTHORIZATION OF THE CLEAN VESSEL ACT."

Offered by: Senators Baker, English, Chun Oakland, Ihara, Fukunaga, Ige, Tsutsui, Hooser.

No. 123 "SENATE RESOLUTION REQUESTING A REPORT BY THE PATIENT SAFETY TASK FORCE OF THE HEALTHCARE ASSOCIATION OF HAWAII."

Offered by: Senators Baker, Chun Oakland, Hooser, Tsutsui, Ige, Kokubun, Inouye, Ihara, Fukunaga.

No. 124 "SENATE RESOLUTION URGING THE U.S. CONGRESS TO DISCONTINUE MILITARY BASE CLOSURES IN THE STATE OF HAWAII."

Offered by: Senators Kawamoto, Espero, Aduja, Slom, Hemmings, Kim, Hooser, Bunda.

No. 125 "SENATE RESOLUTION REQUESTING THE FORMATION OF A SMART GROWTH AND BOUNDARY REVIEW TASK FORCE."

Offered by: Senators Kokubun, English, Espero, Inouye.

No. 126 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR A STATEWIDE

MARINE RESERVES NETWORK THAT WOULD INCORPORATE CURRENT AND FUTURE RESERVES."

Offered by: Senators Kokubun, English, Espero.

No. 127 "SENATE RESOLUTION ESTABLISHING A TASK FORCE TO ADDRESS SOLID WASTE MANAGEMENT CONCERNS AND TO ASSIST WITH THE REVISION AND IMPLEMENTATION OF INTEGRATED SOLID WASTE MANAGEMENT PLANS FOR THE STATE AND EACH COUNTY."

Offered by: Senators Kokubun, English, Hanabusa, Hooser, Baker.

No. 128 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ISLAND BURIAL COUNCIL TASK FORCE TO REVIEW PROCEDURES AND OPERATIONS OF THE ISLAND BURIAL COUNCILS."

Offered by: Senators Kokubun, English.

No. 129 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM."

Offered by: Senator Kokubun.

No. 130 "SENATE RESOLUTION CONVENING A TASK FORCE TO STUDY DRUG TESTING IN SCHOOLS."

Offered by: Senators Sakamoto, Hanabusa, Bunda.

No. 131 "SENATE RESOLUTION RECOGNIZING THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY."

Offered by: Senator Sakamoto.

No. 132 "SENATE RESOLUTION REQUESTING THAT THE GOVERNOR ESTABLISH A COMMISSION TO OVERSEE THE TRANSFER OF KAHO'OLAWA FROM THE UNITED STATES NAVY TO THE STATE OF HAWAII."

Offered by: Senators Sakamoto, Kawamoto, Inouye.

No. 133 "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY AT THE UNIVERSITY OF HAWAII AT MANOA."

Offered by: Senator Bunda.

No. 134 "SENATE RESOLUTION REQUESTING A STUDY ON CAREER CRIMINALS AND THE FEASIBILITY OF INSTITUTING ENHANCED PENALTIES FOR MULTIPLE FELONY CONVICTIONS."

Offered by: Senator Bunda.

No. 135 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF CREATING PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE COST-EFFECTIVE REHABILITATION SERVICES TO LOW INCOME AND MEDICAID ELIGIBLE INDIVIDUALS AND GOVERNMENT EMPLOYEES."

Offered by: Senator Chun Oakland.

No. 136 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A STRATEGIC ACTION PLAN TO ESTABLISH AN EXPANDING AND SUSTAINABLE FILM AND TELEVISION PRODUCTION INDUSTRY IN HAWAII."

Offered by: Senator Fukunaga.

No. 137 "SENATE RESOLUTION REQUESTING THE AUDITOR TO DEVELOP POLICIES AND GUIDELINES TO EXCLUDE FROM REPORTS ANY INFORMATION THAT MAY IMPACT PENDING LITIGATION INVOLVING THE STATE OR A COUNTY."

Offered by: Senator Aduja.

No. 138 "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING AN ELECTRONIC VISA SYSTEM."

Offered by: Senators Aduja, English, Sakamoto, Espero, Kokubun, Fukunaga, Chun Oakland, Hemmings, Ige, Taniguchi, Trimble, Hooser, Whalen, Tsutsui.

No. 139 "SENATE RESOLUTION REQUESTING THE CONSIDERATION OF STRATEGIC PARTNERSHIPS WITH NON-PROFIT ENTITIES TO ENHANCE SELECTED PARK PROPERTIES WHILE APPLYING A COMMUNITY-BASED CULTURAL TOURISM MODEL."

Offered by: Senators Aduja, English, Sakamoto, Fukunaga, Hooser, Taniguchi, Espero, Baker, Chun Oakland, Ige, Hemmings.

No. 140 "SENATE RESOLUTION REQUESTING THE USE OF COST EFFICIENT CONSTRUCTION METHODS AND ENERGY-EFFICIENT TECHNOLOGIES TO BUILD MODULAR HOMES ON HAWAIIAN HOME LANDS."

Offered by: Senators Aduja, English, Sakamoto, Espero, Kokubun, Fukunaga, Trimble, Ige, Baker.

No. 141 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF ESTABLISHING A HAWAII STATE SPORTS AUTHORITY."

Offered by: Senators Aduja, Hemmings, Whalen, Fukunaga, Ige, Sakamoto, Hooser.

No. 142 "SENATE RESOLUTION REQUESTING THE PERPETUATION OF THE AHUPUA'A DISTRICTS FOR GOVERNMENT-OWNED LANDS."

Offered by: Senators Aduja, Espero, Tsutsui, Kim, Hooser, English, Bunda.

No. 143 "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WINDWARD AHUPUA'A ALLIANCE TO RESTORE, PRESERVE, AND PROMOTE ACCESS TO THE MAUKA LANDS ALONG THE KO'OLAU MOUNTAIN RANGE AND ITS KO'OLAU GREENBELT AND HERITAGE TRAILS SYSTEM."

Offered by: Senators Aduja, Hemmings, Kawamoto, Kim, Espero, Slom, Tsutsui, Bunda, Hooser, Trimble.

No. 144 "SENATE RESOLUTION RELATING TO CELEBRATION OF ADMISSION DAY."

Offered by: Senators Aduja, Hogue, Ige, Slom, Trimble, Hooser, Sakamoto, Kawamoto, Kokubun, Bunda, Espero, Fukunaga, Inouye, Chun Oakland.

STANDING COMMITTEE REPORT

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1016) recommending that the Senate advise and consent to the nomination of MARK RECKTENWALD as Director of the Department of Commerce and Consumer Affairs, in accordance with Gov. Msg. No. 4.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1016 and Gov. Msg. No. 4 was deferred until Friday, March 14, 2003.

By unanimous consent, action on Stand. Com. Rep. No. 1016 and Gov. Msg. No. 4 was deferred until Monday, March 17, 2003.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1011 (Jud. Com. No. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1011 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of MATTHEW S.K. PYUN as Judge of the District Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I rise to speak in favor of Jud. Com. No. 1, submitting for study and consideration the nomination of Matthew S.K. Pyun to the District Court of the Third Circuit.

"First of all, Mr. President, I think there are many lawyers who owe Mr. Pyun an apology. We have gone through 38 years of his legal career probably referring to him as Matt Pyun. And as Matt Pyun, many of you know him – he has been an exemplary member of the Bar Association and everyone knows that his talents have primarily been in the criminal defense area and he is not a stranger to the media, as well as very difficult cases.

"When Mr. Pyun came before us and I saw him as Jud. Com. No. 1, Mr. President, I was wondering why. Here is somebody who has served 38 years in the Bar Association and he has decided to not only become a district court judge, but a district court judge on the third circuit. And by that, I mean no offense to my colleagues from the Big Island, but I couldn't figure out why someone who has practiced law at the level that he has, would move to the Big Island. No offense, but . . . (Laughter.) Not quite as bad as Waianae, as my colleague to my left has pointed out. (More laughter.)

"To his credit and to the Big Island's credit and gain, he informed me that he has enjoyed the years that he has spent there. He has been like a gentleman farmer, going there on weekends. He has developed a nice healthy tan that many of

his colleagues feel has developed at Waiālae Country Club playing golf, but in actuality it's in the farm fields of the Big Island.

“When I asked him why district court, Mr. President, he said because he has come to believe that the district court is the first line of the judiciary – that is where most of the people of this State meet a judge and that is their experience of court. And he enjoys that. He believes that he can best serve people at that level because he can explain to them, having been part of the judiciary for so long, having heard and probably said everything that you could possibly hear and say to a judge. He knows how to handle them and he believes that he can serve them as you would serve any kind of consumer, any kind of customer, he can best serve them. And that is why by choice – by choice, Mr. President – he has chosen to be a district court judge in the third circuit on the Big Island.

“There’s no question about his credentials. He received his Bachelors degree from the University of Hawaii, his Juris Doctorate degree from Drake University. He has served as the law clerk for the infamous Judge Martin Pence – that, in and of itself, should be a badge of honor, especially since he survived it. He has also worked for the Legal Aid Society. He’s been a Deputy Corporation Counsel for the City and County of Honolulu. And of course, he has been in private practice.

“Mr. President, I believe that Matthew Pyun will be a great addition to the judiciary and I would like to tell my colleagues from the Big Island that Honolulu’s loss is truly your gain. I ask that you all vote to confirm Matthew Pyun.

“Thank you very much.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At this time, Senator Hanabusa introduced Judge Pyun to the members of the Senate. (Judge Pyun, who was seated in the gallery, rose to be recognized.)

At 12:13 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o’clock p.m.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Monday, March 10, 2003, and Tuesday, March 11, 2003:

Senate Concurrent Resolution	Referred to:
No. 61	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 62	Committee on Commerce, Consumer Protection and Housing
No. 63	Jointly to the Committee on Education and the Committee on Tourism
No. 64	Committee on Health

No. 65	Committee on Transportation, Military Affairs, and Government Operations
No. 66	Committee on Transportation, Military Affairs, and Government Operations
No. 67	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Commerce, Consumer Protection and Housing
No. 68	Committee on Judiciary and Hawaiian Affairs
No. 69	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 70	Committee on Transportation, Military Affairs, and Government Operations
No. 71	Committee on Judiciary and Hawaiian Affairs
No. 72	Committee on Judiciary and Hawaiian Affairs
No. 73	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Economic Development
No. 74	Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology
No. 75	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services
No. 76	Committee on Economic Development
No. 77	Jointly to the Committee on Health and the Committee on Education

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Monday, March 10, 2003, and Tuesday, March 11, 2003:

Senate Resolution	Referred to:
No. 41	Jointly to the Committee on Education and the Committee on Tourism
No. 42	Committee on Health
No. 43	Committee on Transportation, Military Affairs, and Government Operations
No. 44	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Commerce, Consumer Protection and Housing
No. 45	Committee on Judiciary and Hawaiian Affairs
No. 46	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 47	Committee on Transportation, Military Affairs, and Government Operations

No. 48 Committee on Judiciary and Hawaiian
Affairs

No. 49 Committee on Judiciary and Hawaiian
Affairs

No. 50 Jointly to the Committee on Commerce,
Consumer Protection and Housing and the Committee on
Human Services

No. 51 Committee on Economic Development

No. 52 Jointly to the Committee on Health and
the Committee on Education

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 73 Committee on Transportation, Military
Affairs, and Government Operations, then to the Committee on
Ways and Means

No. 192, H.D. 1 Jointly to the Committee on Water, Land,
and Agriculture and the Committee on Energy and
Environment, then to the Committee on Judiciary and Hawaiian
Affairs

No. 736, H.D. 1 Committee on Commerce, Consumer
Protection and Housing, then to the Committee on Judiciary and
Hawaiian Affairs

No. 1053 Jointly to the Committee on Water, Land,
and Agriculture and the Committee on Energy and
Environment, then to the Committee on Ways and Means

No. 1153, H.D. 1 Committee on Commerce, Consumer
Protection and Housing

ADJOURNMENT

At 12:17 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 14, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-THIRD DAY

Friday, March 14, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:48 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Grace Ripple, United Methodist Church, Hawaii District, after which the Roll was called showing all Senators present with the exception of Senators Kim and Tsutsui who were excused.

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

Senator Sakamoto, with the assistance of Senators English and Hogue, introduced and congratulated Stan Nagatani, vice principal of Kamehameha Middle School, on being named the 2003 State Assistant Principal of the Year, and Wade Araki, vice principal of Kailua High School; and Etuale Suafoa, vice principal of Radford High School, on being named the 2003 District Assistant Principals of the year.

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

The Senate reconvened at 12:07 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 236 and 237) were read by the Clerk and were placed on file:

Gov. Msg. No. 236, dated February 25, 2003, transmitting the Annual Report on Tuition Waiver Program 2001-2002, prepared by the University of Hawaii, Office of the Vice President for Student Affairs, pursuant to Section 304-16.5, HRS.

Gov. Msg. No. 237, dated March 12, 2003, transmitting a Status Report on the Progress Made in Upgrading the Technology Infrastructure of Developmental Disabilities Division to Meet the Makin Settlement Timelines, prepared by the Department of Health pursuant to Act 259, Section 26, SLH 2002.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 290 to 294) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 290, transmitting H.C.R. No. 20, which was adopted by the House of Representatives on March 13, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE LEGISLATURE'S COMMITMENT TO HUMAN RIGHTS, CIVIL LIBERTIES, AND ALL PROTECTIONS GUARANTEED BY THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF HAWAII, AND OTHER INTERNATIONAL CHARTERS AND COVENANTS," was deferred until Monday, March 17, 2003.

Hse. Com. No. 291, transmitting H.C.R. No. 22, H.D. 1, which was adopted by the House of Representatives on March 13, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO CONSIDER PROPOSALS THAT ARE CONSISTENT WITH THE UNITED STATES' NATIONAL INTERESTS AND ARE RESPONSIVE TO HOMELAND SECURITY CONCERNS TO RELAX THE RESTRICTIONS ON THE GRANTING OF NONIMMIGRANT VISAS TO NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF BUSINESS, TOURISM, AND STUDY IN THE UNITED STATES," was deferred until Monday, March 17, 2003.

Hse. Com. No. 292, transmitting H.C.R. No. 28, which was adopted by the House of Representatives on March 13, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO FULLY FUND THE MILLENNIUM CHALLENGE ACCOUNT AND INVOLVE WOMEN AS FULL AND ACTIVE PARTICIPANTS IN ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS IN THEIR NATIONS," was deferred until Monday, March 17, 2003.

Hse. Com. No. 293, transmitting H.C.R. No. 35, which was adopted by the House of Representatives on March 13, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PACIFIC BASIN ECONOMIC COUNCIL AND ENCOURAGING IT TO MAINTAIN ITS HEADQUARTERS IN HAWAII," was deferred until Monday, March 17, 2003.

Hse. Com. No. 294, transmitting H.C.R. No. 52, H.D. 1, which was adopted by the House of Representatives on March 13, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was deferred until Monday, March 17, 2003.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1017) recommending that H.B. No. 564, 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. 564, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 17, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 652 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. 652, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 17, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1019) recommending that H.B. No. 1111, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1111, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1020) recommending that H.B. No. 1154, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1021) recommending that S.C.R. No. 8 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1021 and S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR A WOMEN'S HEALTH PLATFORM THAT RECOGNIZES SERIOUS INEQUITIES IN THE HEALTH PREVENTION AND TREATMENT OF WOMEN, AND CALLS FOR THE ELIMINATION OF THESE INEQUITIES TO IMPROVE THE HEALTH STATUS OF WOMEN IN HAWAII," was deferred until Monday, March 17, 2003.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILL

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

House Bill Referred to:

No. 73 Committee on Transportation, Military Affairs, and Government Operations, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following Senate concurrent resolutions that were offered:

Senate
Concurrent
Resolution Referred to:

No. 56 Jointly to the Committee on Human Services, the Committee on Health and the Committee on Education, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 63 Jointly to the Committee on Economic Development and the Committee on Tourism

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following Senate resolutions that were offered:

Senate
Resolution Referred to:

No. 36 Jointly to the Committee on Human Services, the Committee on Health and the Committee on Education, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 41 Jointly to the Committee on Economic Development and the Committee on Tourism

ADJOURNMENT

At 12:09 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., Monday, March 17, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-FOURTH DAY

Monday, March 17, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Marla Wade, New Grace Christian Fellowship, after which the Roll was called showing all Senators present with the exception of Senator Kanno who was excused.

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

Senator Kawamoto introduced Wendy Hamilton, National President of Mothers Against Drunk Driving (MADD), and commended her on her efforts and accomplishments to reduce drunk driving tragedies through education, legislation, and passionate advocacy. Accompanying the honoree was her husband, Larry, and Carol McNamee, founder of MADD-Hawaii.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

HOUSE COMMUNICATION

Hse. Com. No. 295, transmitting H.C.R. No. 36, which was adopted by the House of Representatives on March 14, 2003, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING THE CONTRIBUTIONS OF HULA AND RECOGNIZING APRIL 1, 2003, TO MARCH 31, 2004, AS THE 'YEAR OF THE HULA,'" was placed on file.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1022) recommending that the Senate advise and consent to the nomination of CHIYOME L. FUKINO, MD, as Director of the Department of Health, in accordance with Gov. Msg. No. 9.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1022 and Gov. Msg. No. 9 was deferred until Tuesday, March 18, 2003.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1023) recommending that S.C.R. No. 24 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1023 and S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S HOTELS TO PROVIDE FACILITIES FOR EMAIL AND INTERNET ACCESS FOR THEIR GUESTS," was deferred until Tuesday, March 18, 2003.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM
FRIDAY, MARCH 14, 2003

H.C.R. No. 20 (Hse. Com. No. 290):

By unanimous consent, action on H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE LEGISLATURE'S COMMITMENT TO HUMAN RIGHTS, CIVIL LIBERTIES, AND ALL PROTECTIONS GUARANTEED BY THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF HAWAII, AND OTHER INTERNATIONAL CHARTERS AND COVENANTS," was deferred until Tuesday, March 18, 2003.

H.C.R. No. 22, H.D. 1 (Hse. Com. No. 291):

By unanimous consent, action on H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO CONSIDER PROPOSALS THAT ARE CONSISTENT WITH THE UNITED STATES' NATIONAL INTERESTS AND ARE RESPONSIVE TO HOMELAND SECURITY CONCERNS TO RELAX THE RESTRICTIONS ON THE GRANTING OF NONIMMIGRANT VISAS TO NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF BUSINESS, TOURISM, AND STUDY IN THE UNITED STATES," was deferred until Tuesday, March 18, 2003.

H.C.R. No. 28 (Hse. Com. No. 292):

By unanimous consent, action on H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO FULLY FUND THE MILLENNIUM CHALLENGE ACCOUNT AND INVOLVE WOMEN AS FULL AND ACTIVE PARTICIPANTS IN ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS IN THEIR NATIONS," was deferred until Tuesday, March 18, 2003.

H.C.R. No. 35 (Hse. Com. No. 293):

By unanimous consent, action on H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PACIFIC BASIN ECONOMIC COUNCIL AND ENCOURAGING IT TO MAINTAIN ITS HEADQUARTERS IN HAWAII," was deferred until Tuesday, March 18, 2003.

H.C.R. No. 52, H.D. 1 (Hse. Com. No. 294):

By unanimous consent, action on H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was deferred until Tuesday, March 18, 2003.

ADVISE AND CONSENT

MATTER DEFERRED FROM
THURSDAY, MARCH 13, 2003

Stand. Com. Rep. No. 1016 (Gov. Msg. No. 4):

Senator Menor moved that Stand. Com. Rep. No. 1016 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of MARK RECKTENWALD as Director of the Department of Commerce and Consumer

Affairs, term to expire December 4, 2006, seconded by Senator Baker.

Senator Menor rose to speak in support of the nominee and said:

“Mr. President, I rise in support of Gov. Msg. No. 4.

“It is indeed an honor and a privilege for me to speak in support of the confirmation of Mark Recktenwald as Director of the Department of Commerce and Consumer Affairs. Mr. President, when a newspaper reporter asked me what I thought about Mark Recktenwald’s appointment as DCCA director shortly after Governor Lingle nominated him for the position, I must confess that in one of the rare moments in my dealing with the news media, I didn’t have much to say. I had never met Mark, I didn’t know much about his background, and I took the position that I would reserve judgment and keep an open mind about his nomination over the coming weeks.

“However, in the time that I have had to work with him in his capacity as the Acting Director of DCCA, he has made a very favorable impression, and I am confident he will provide effective leadership for the department.

“His educational and professional backgrounds are quite impressive. He graduated magna cum laude from Harvard University in 1978 and in 1986 received his J.D. degree with honors from the University of Chicago Law School. His legal experience includes a clerkship with Chief United States District Judge Harold Fong, five years in private practice, and nine years with the Office of the United States Attorney where he received the Inspector General’s Integrity Award.

“As an attorney in private practice, he handled a variety of business and antitrust matters normally assigned to more senior attorneys. As a Deputy United States Attorney, Mr. Recktenwald successfully prosecuted cases involving financial and regulatory crimes, including cases of health care fraud.

“Mr. President, numerous supporters attested to his outstanding administrative skills, which enabled him to coordinate and lead a variety of task forces and working groups that included a large and diverse cross section of individuals from county, state, and federal agencies, as well as the private sector.

“Your Committee received unanimous and unequivocal testimony in support of Mr. Recktenwald’s professional skills and personal qualities. Time and time again, he was described as intelligent, hardworking, honest, ethical, fair, and compassionate. In fact, one colleague, who has known the nominee for almost twenty years, stated, ‘Mark treats everyone with dignity and respect. He listens carefully to all viewpoints and is prudent in making decisions. He will not yield to improper influences and is committed to doing what is right, rather than what is expedient. I am also confident that he will bring a balanced perspective as DCCA director, focusing on the concerns of business and at the same time protecting the interests of consumers in carrying out his regulatory duties and responsibilities.’

“In addition to his impressive credentials, Mark is also a genuinely nice person. It has been said that ‘nice guys finish last,’ but not so today, Mr. President. Accordingly, I ask my colleagues to join me in confirming Mark Recktenwald to the position of the Department of Commerce and Consumer Affairs Director.

“Thank you.”

Senator Hemmings rose to speak in favor of the nominee and said:

“Mr. President, I rise to speak in favor of Gov. Msg. No. 4, the nomination of Mark Recktenwald to head the DCCA.

“The previous speaker, the good Senator from Mililani, has done an excellent job, as all your Committee Chairs have done through the advice and consent process, in articulating these individuals and their qualifications to be in office. And it’s difficult to add to it, but I think there’s a perspective that’s quite a breath of fresh air that should be brought to bear in voting on this nomination.

“Mark Recktenwald, I think, represents a new breed of leaders in the executive branch of government. Recently in the good Senator from Manoa’s Ways and Means Committee hearing, Mark appeared to testify on legislation concerning special funds. And as we well know, most of the DCCA is a special fund to a certain extent and we also know that they have had a lot of excessive money collected by what some of us agree are excessive fees. Mark unilaterally expressed the opinion that some money can be restored from DCCA into the general fund to help the taxpayers of this State out, and further, to help the consumers out, which this agency is supposed to protect, that possibly in the future, fees could be reduced.

“This is the type of leadership and innovation that I think this State can really rely on and I guarantee that leadership like this, working in partnership with the Legislature, is indeed going to change the direction this State goes in.

“It’s with great pleasure that I add, along with my colleagues, the endorsement and support of Mark Recktenwald for this office. Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At this time, Senator Menor introduced Mr. Recktenwald and his family to the members of the Senate.

At 11:59 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o’clock p.m.

THIRD READING

H.B. No. 564, S.D. 1:

Senator Hanabusa moved that H.B. No. 564, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Taniguchi rose and said:

“Mr. President, will you please note my reservations on this measure.”

The Chair so ordered.

Senator Ihara rose with reservations and said:

“Mr. President, I have reservations on this bill in favor.”

The Chair so ordered.

Senator Hooser requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 564, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kanno, Kim, Whalen).

H.B. No. 652:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 652, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kanno, Kim, Whalen).

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM FRIDAY, MARCH 14, 2003

Stand. Com. Rep. No. 1021 (S.C.R. No. 8):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR A WOMEN'S HEALTH PLATFORM THAT RECOGNIZES SERIOUS INEQUITIES IN THE HEALTH PREVENTION AND TREATMENT OF WOMEN, AND CALLS FOR THE ELIMINATION OF THESE INEQUITIES TO IMPROVE THE HEALTH STATUS OF WOMEN IN HAWAII," was adopted.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, March 11, 2003 and Wednesday, March 12, 2003:

Senate
Concurrent
Resolution Referred to:

No. 78 Jointly to the Committee on Education and the Committee on Human Services

No. 79 Jointly to the Committee on Science, Arts, and Technology and the Committee on Education

No. 80 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations

No. 81 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 82 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Education, then to the Committee on Ways and Means

No. 83 Jointly to the Committee on Health and the Committee on Education

No. 84 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 85 Committee on Judiciary and Hawaiian Affairs

No. 86 Committee on Judiciary and Hawaiian Affairs

No. 87 Committee on Ways and Means

No. 88 Committee on Energy and Environment

No. 89 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 90 Jointly to the Committee on Education and the Committee on Labor

No. 91 Committee on Labor

No. 92 Committee on Education

No. 93 Committee on Human Services

No. 94 Committee on Human Services

No. 95 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 96 Committee on Commerce, Consumer Protection and Housing

No. 97 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 98 Committee on Economic Development

No. 99 Committee on Transportation, Military Affairs, and Government Operations

No. 100 Committee on Transportation, Military Affairs, and Government Operations

No. 101 Committee on Transportation, Military Affairs, and Government Operations

No. 102 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Tuesday, March 11, 2003 and Wednesday, March 12, 2003:

Senate Resolution Referred to:

No. 53 Jointly to the Committee on Education and the Committee on Human Services

No. 54 Jointly to the Committee on Science, Arts, and Technology and the Committee on Education

No. 55 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations

No. 56 Committee on Education

No. 57 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 58 Jointly to the Committee on Health and the Committee on Education

No. 59 Committee on Judiciary and Hawaiian Affairs

No. 60 Committee on Judiciary and Hawaiian Affairs

No. 61 Committee on Ways and Means

No. 62 Committee on Energy and Environment

No. 63 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 64 Committee on Labor

No. 65 Committee on Education

No. 66 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 67 Committee on Economic Development

No. 68 Committee on Transportation, Military Affairs, and Government Operations

No. 69 Committee on Transportation, Military Affairs, and Government Operations

No. 70 Committee on Transportation, Military Affairs, and Government Operations

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

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

Senate Concurrent Resolution Referred to:

No. 73 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture

ADJOURNMENT

At 12:17 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., Tuesday, March 18, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

RE-REFERRAL OF HOUSE BILL

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

House Bill Referred to:

No. 1029, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Ways and Means

THIRTY-FIFTH DAY

Tuesday, March 18, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father Conrado Lomibao, Saint Philomena Church, after which the Roll was called showing all Senators present.

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

Senator Kawamoto, on behalf of President Bunda and himself, introduced and commended Hugh Yoshida on his distinguished 30-year career in education and athletics and congratulated him on his retirement from the University of Hawaii as Athletics Director. Accompanying Mr. Yoshida was his wife, Patty; son, David; daughter-in-law, Fern; and grandson, Micah.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 238 and 239) were read by the Clerk and were placed on file:

Gov. Msg. No. 238, dated March 3, 2003, transmitting the 2002 State Energy Resources Coordinator's Annual Report, pursuant to Section 196-4, HRS.

Gov. Msg. No. 239, letter dated March 14, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of H.B. No. 1152, as amended, to balance the general fund financial plan.

JUDICIARY COMMUNICATIONS

The following messages from the Judiciary (Jud. Com. Nos. 2 and 3) were read by the Clerk and were disposed of as follows:

Jud. Com. No. 2, submitting for consideration and consent, the nomination of BERT I. AYABE to the Office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was referred to the Committee on Judiciary and Hawaiian Affairs.

Jud. Com. No. 3, submitting for consideration and consent, the nomination of MICHAEL F. BRODERICK to the Office of Judge, District Family Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was referred to the Committee on Judiciary and Hawaiian Affairs.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1024) recommending that H.B. No. 735, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 735, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1025) recommending that H.B. No. 176, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 176, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1026) recommending that H.B. No. 298, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 298, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1027) recommending that H.B. No. 851, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 851, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1028) recommending that H.B. No. 857, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 857, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No.

1029) recommending that H.B. No. 1003, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1003, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1030) recommending that H.B. No. 1116, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1116, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1031) recommending that H.B. No. 1302 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. 1302, 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 Thursday, March 20, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1032) recommending that the Senate advise and consent to the nomination of LILLIAN KOLLER as Director of the Department of Human Services, in accordance with Gov. Msg. No. 11.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1032 and Gov. Msg. No. 11 was deferred until Wednesday, March 19, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1033) recommending that H.B. No. 1077, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1077, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM MONDAY, MARCH 17, 2003

H.C.R. No. 20 (Hse. Com. No. 290):

By unanimous consent, action on H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE

LEGISLATURE'S COMMITMENT TO HUMAN RIGHTS, CIVIL LIBERTIES, AND ALL PROTECTIONS GUARANTEED BY THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF HAWAII, AND OTHER INTERNATIONAL CHARTERS AND COVENANTS," was deferred until Wednesday, March 19, 2003.

H.C.R. No. 22, H.D. 1 (Hse. Com. No. 291):

By unanimous consent, action on H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO CONSIDER PROPOSALS THAT ARE CONSISTENT WITH THE UNITED STATES' NATIONAL INTERESTS AND ARE RESPONSIVE TO HOMELAND SECURITY CONCERNS TO RELAX THE RESTRICTIONS ON THE GRANTING OF NONIMMIGRANT VISAS TO NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF BUSINESS, TOURISM, AND STUDY IN THE UNITED STATES," was deferred until Wednesday, March 19, 2003.

H.C.R. No. 28 (Hse. Com. No. 292):

By unanimous consent, action on H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO FULLY FUND THE MILLENNIUM CHALLENGE ACCOUNT AND INVOLVE WOMEN AS FULL AND ACTIVE PARTICIPANTS IN ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS IN THEIR NATIONS," was deferred until Wednesday, March 19, 2003.

H.C.R. No. 35 (Hse. Com. No. 293):

By unanimous consent, action on H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PACIFIC BASIN ECONOMIC COUNCIL AND ENCOURAGING IT TO MAINTAIN ITS HEADQUARTERS IN HAWAII," was deferred until Wednesday, March 19, 2003.

H.C.R. No. 52, H.D. 1 (Hse. Com. No. 294):

By unanimous consent, action on H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was deferred until Wednesday, March 19, 2003.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1022 (Gov. Msg. No. 9):

Senator Baker moved that Stand. Com. Rep. No. 1022 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of CHIYOME L. FUKINO, MD, as Director of the Department of Health, term to expire December 4, 2006, seconded by Senator Chun Oakland.

Senator Baker rose to speak in support of the nominee and said:

"Mr. President, I rise to speak in support of Gov. Msg. No. 9, nominating Dr. Chiyome Leina'ala Fukino, as Director of the Department of Health, the first woman and the first native Hawaiian ever to serve in this important post.

"Before she was nominated to serve as Director of the Department of Health, I did not know Chiyome Fukino. Her resume looked impressive but I was concerned about her seeming lack of administrative and public health experience. However, soon after her nomination was announced, I began receiving additional information that allayed those concerns. The information your Committee received about Dr. Fukino was very positive, almost glowing.

"First, her resume or as one testifier called it, her impeccable credentials: Dr. Fukino is a Kamehameha Schools graduate, received a Bachelor of Arts in Psychology from Brandeis University, is a graduate of the John A. Burns School of Medicine and since 1982 has been licensed to practice medicine in our State. Those who have followed her career note that Dr. Fukino has distinguished herself as a primary care internist, a general consultant, medical director and health care administrator. Her colleagues praise her compassion and professionalism. She was described during our committee hearings, as diligent, smart, fair, focused, objective, ethical, caring and pragmatic – what a role model for young women to follow. Patients expressed their regret that they would no longer have the benefit of her listening ear, sage advice and compassionate care. She will be greatly missed in private practice they said, but hope she will give the state's health care system the same attention that they received from this gentle, soft-spoken physician.

"Dr. Fukino is also well known for her passion about her work. Many testifiers emphasized her leadership and experience with native Hawaiian health issues and programs. Supporters from Ahahui o na Kauka (Association of Native Hawaiian Physicians) and Papa Ola Lokahi spoke of her exemplary advocacy for native Hawaiian health issues. They noted that Dr. Fukino is one of the founders of E Ola Mau, the first non-profit organization of native Hawaiian health care professionals dedicated to addressing the health care needs of native Hawaiians. In addition to leading this organization as president, she has coordinated many statewide programs and workshops on improving the health of native Hawaiians. In that capacity, one testifier wrote she demonstrated the 'value of partnering with others and utilizing a team approach,' a quality, I contend, that will serve her well in government. Some of her prospective staff told me confidentially how she brought together, for the first time, parts of the Department that should have been working together but hadn't been – she brought them together to begin an important dialog of collaboration for problem solving, efficiency and improved program delivery.

"She's been described by a colleague as a big picture person, who doesn't overlook the fine print. I am hopeful that this same dedication and thoroughness will be applied to the three priority areas she has identified: long-term care, substance abuse, and mental health. In addition, Dr. Fukino has acknowledged the importance of devoting resources, time and attention to long term strategies for prevention and wellness programs, areas that always seem to get cut when the budget crunches.

"Whether in meetings with stakeholder groups, testifying before the Health Committee, on a site visit to Kalaupapa or in personal conversations, I have found Dr. Fukino open and direct, a quality her professional colleagues commented on as well. But equally important, she has a profound commitment to serve the most vulnerable among our citizens and a strong sense of urgency for improving the public's health.

"All of Dr. Fukino's professional colleagues attested that she has the management experience and breadth of knowledge to be an effective Director of Health. She has an understanding of numerous issues within the health care industry as well as the

requisite analytical and problem-solving skills to tackle the tough issues that will come before her Department. She is also known for her quick and creative mind and understands the importance of valid information in making wise decisions. Finally, her supporters believe she will bring a fresh perspective to a system with deficiencies to be addressed at a time of decreasing fiscal resources and court mandates. Her colleagues praised her ability to think on her feet, and her willingness to 'go outside the box,' even in the complex environment of health care, resource allocation and regulatory compliance. Expectations for this nominee are very high, indeed, regarding her ability to examine the Department of Health from a new perspective and devise original solutions to systemic problems.

"Mr. President, your Committee has performed its due diligence with regards to Gov. Msg. No. 9. We believe that the nominee has the qualities, skills and talents to be an effective leader of this varied and complex department. She will be ably assisted by a seasoned knowledgeable administrator and public health professional Dr. Jane Kadohiro. From my observation, they make a good team and it is truly a delight, Mr. President, to see this department headed up by two such capable women.

"Dr. Fukino has an awesome task ahead – to be an advocate and a leader in a time of increasing demands and dwindling resources. However, Mr. President, your Committee believes she's up to the challenge. As one testifier stated, 'In a world filled with cynicism about how the political process works, you (meaning us Senators) have the opportunity to confirm a woman who brings an integrity and freshness of spirit and focus' to her job.

"Mr. President, I am pleased to stand in strong support of Dr. Chiyome Leina`ala Fukino as the Director of Health and urge my colleagues to join me to advise and consent to this nomination.

"Mahalo."

Senator Hogue rose in support of the nominee and said:

"Mr. President, on behalf of the Minority, I rise in support of Dr. Fukino, and I guess maybe I rise on behalf of the other sex here. So I rise on behalf of the men who are also impressed with this woman, Dr. Fukino, who has done a terrific, terrific job.

"Like so many of the Governor's nominees, we have seen Dr. Fukino show openness, a willingness to discuss controversial issues and see both sides of these issues. And like so many of the accolades that were given and hoisted upon her by the good Senator from Maui, besides the fact that she is intelligent and focused, Dr. Fukino has also shown that she is animated and enthusiastic. When you get into a personal conversation with her, you can feel that excitement. Colleagues, I must tell you that when you feel that excitement from her, you feel excited about that issue as well.

"So, truly she will bring a positive breath of fresh air to the Department of Health and should be and I believe will be a great director of the Department of Health in this healthy State of Hawaii. So, Dr. Fukino, we'll be voting 'yes.' Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Baker introduced Dr. Fukino, who was seated in the gallery with members of her family.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

ADOPTION OF RESOLUTION

**MATTER DEFERRED FROM
MONDAY, MARCH 17, 2003**

Stand. Com. Rep. No. 1023 (S.C.R. No. 24):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S HOTELS TO PROVIDE FACILITIES FOR EMAIL AND INTERNET ACCESS FOR THEIR GUESTS," was adopted.

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 13, 2003:

Senate
Concurrent
Resolution

Referred to:

- No. 103 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 104 Committee on Transportation, Military Affairs, and Government Operations
- No. 105 Committee on Transportation, Military Affairs, and Government Operations
- No. 106 Committee on Commerce, Consumer Protection and Housing
- No. 107 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education
- No. 108 Jointly to the Committee on Health and the Committee on Science, Arts, and Technology
- No. 109 Committee on Science, Arts, and Technology
- No. 110 Committee on Transportation, Military Affairs, and Government Operations
- No. 111 Committee on Water, Land, and Agriculture
- No. 112 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
- No. 113 Jointly to the Committee on Human Services and the Committee on Transportation, Military Affairs, and Government Operations
- No. 114 Committee on Human Services, then to the Committee on Ways and Means
- No. 115 Committee on Human Services

- No. 116 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing
- No. 117 Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 118 Committee on Transportation, Military Affairs, and Government Operations
- No. 119 Committee on Judiciary and Hawaiian Affairs
- No. 120 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology
- No. 121 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology
- No. 122 Committee on Water, Land, and Agriculture
- No. 123 Committee on Water, Land, and Agriculture
- No. 124 Jointly to the Committee on Education and the Committee on Health
- No. 125 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 126 Committee on Transportation, Military Affairs, and Government Operations
- No. 127 Committee on Water, Land, and Agriculture
- No. 128 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment
- No. 129 Committee on Ways and Means
- No. 130 Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
- No. 131 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
- No. 132 Committee on Health
- No. 133 Committee on Water, Land, and Agriculture
- No. 134 Committee on Ways and Means
- No. 135 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 136 Committee on Transportation, Military Affairs, and Government Operations
- No. 137 Committee on Health, then to the Committee on Ways and Means

No. 138	Committee on Water, Land, and Agriculture	No. 160	Committee on Transportation, Military Affairs, and Government Operations
No. 139	Committee on Water, Land, and Agriculture	No. 161	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Science, Arts, and Technology
No. 140	Jointly to the Committee on Health and the Committee on Water, Land, and Agriculture	No. 162	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
No. 141	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development	No. 163	Committee on Science, Arts, and Technology
No. 142	Committee on Labor	No. 164	Jointly to the Committee on Energy and Environment, the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations
No. 143	Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations	No. 165	Committee on Commerce, Consumer Protection and Housing
No. 144	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 166	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture
No. 145	Committee on Education	No. 167	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
No. 146	Committee on Education	No. 168	Committee on Water, Land, and Agriculture
No. 147	Committee on Education	No. 169	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
No. 148	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health	No. 170	Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing
No. 149	Committee on Education, then to the Committee on Ways and Means	No. 171	Jointly to the Committee on Energy and Environment, the Committee on Commerce, Consumer Protection and Housing and the Committee on Economic Development
No. 150	Committee on Education	No. 172	Jointly to the Committee on Health and the Committee on Human Services
No. 151	Committee on Education	No. 173	Committee on Water, Land, and Agriculture
No. 152	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 174	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
No. 153	Jointly to the Committee on Water, Land, and Agriculture, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment, then to the Committee on Ways and Means	No. 175	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing
No. 154	Committee on Human Services	No. 176	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development
No. 155	Committee on Judiciary and Hawaiian Affairs	No. 177	Committee on Water, Land, and Agriculture
No. 156	Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing	No. 178	Committee on Water, Land, and Agriculture
No. 157	Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture		
No. 158	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means		
No. 159	Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations		

No. 179 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations

No. 180 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs

No. 181 Committee on Education

No. 182 Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 183 Jointly to the Committee on Education and the Committee on Labor, then to the Committee on Ways and Means

No. 184 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs

No. 185 File

No. 186 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 187 Committee on Education

No. 188 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations

No. 189 Committee on Judiciary and Hawaiian Affairs

No. 190 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health

No. 191 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services

No. 192 Jointly to the Committee on Health and the Committee on Human Services

No. 193 Committee on Human Services

No. 194 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture

No. 195 Committee on Human Services

No. 196 Committee on Economic Development

No. 197 Committee on Judiciary and Hawaiian Affairs

No. 198 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 199 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture

No. 200 Committee on Judiciary and Hawaiian Affairs

No. 201 Jointly to the Committee on Economic Development and the Committee on Tourism

No. 202 Committee on Water, Land, and Agriculture

No. 203 Committee on Water, Land, and Agriculture

No. 204 Committee on Science, Arts, and Technology

No. 205 Jointly to the Committee on Energy and Environment and the Committee on Economic Development

No. 206 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, March 13, 2003:

Senate Resolution	Referred to:
No. 71	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 72	Committee on Transportation, Military Affairs, and Government Operations
No. 73	Committee on Transportation, Military Affairs, and Government Operations
No. 74	Committee on Commerce, Consumer Protection and Housing
No. 75	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education
No. 76	Committee on Science, Arts, and Technology
No. 77	Committee on Transportation, Military Affairs, and Government Operations
No. 78	Committee on Judiciary and Hawaiian Affairs
No. 79	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology
No. 80	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology
No. 81	Committee on Water, Land, and Agriculture
No. 82	Committee on Water, Land, and Agriculture
No. 83	Jointly to the Committee on Education and the Committee on Health

- No. 84 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 85 Committee on Transportation, Military Affairs, and Government Operations
- No. 86 Committee on Health
- No. 87 Committee on Water, Land, and Agriculture
- No. 88 Committee on Ways and Means
- No. 89 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 90 Committee on Transportation, Military Affairs, and Government Operations
- No. 91 Committee on Health, then to the Committee on Ways and Means
- No. 92 Committee on Water, Land, and Agriculture
- No. 93 Jointly to the Committee on Health and the Committee on Water, Land, and Agriculture
- No. 94 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development
- No. 95 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations
- No. 96 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 97 Committee on Education
- No. 98 Committee on Education
- No. 99 Committee on Education
- No. 100 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
- No. 101 Committee on Education, then to the Committee on Ways and Means
- No. 102 Committee on Human Services
- No. 103 Committee on Judiciary and Hawaiian Affairs
- No. 104 Committee on Education
- No. 105 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing
- No. 106 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture
- No. 107 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 108 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
- No. 109 Committee on Transportation, Military Affairs, and Government Operations
- No. 110 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Science, Arts, and Technology
- No. 111 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
- No. 112 Committee on Science, Arts, and Technology
- No. 113 Jointly to the Committee on Energy and Environment, the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations
- No. 114 Committee on Commerce, Consumer Protection and Housing
- No. 115 Jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture
- No. 116 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
- No. 117 Committee on Water, Land, and Agriculture
- No. 118 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
- No. 119 Jointly to the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing
- No. 120 Jointly to the Committee on Health and the Committee on Human Services
- No. 121 Committee on Water, Land, and Agriculture
- No. 122 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations
- No. 123 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing
- No. 124 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development
- No. 125 Committee on Water, Land, and Agriculture

No. 126 Committee on Water, Land, and Agriculture

Senator Kim, Chair of the Committee on Tourism, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1400.

No. 127 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations

Senator Kim noted:

No. 128 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs

“Mr. President, this bill extends the hotel construction and remodeling tax credit and your Committee needs to hear it before the lateral deadline this Friday.”

No. 129 Committee on Education

The Chair then granted the waiver.

ADJOURNMENT

No. 130 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs

At 12:18 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., Wednesday, March 19, 2003.

No. 131 File

Respectfully submitted,

No. 132 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 133 Committee on Education

Clerk of the Senate

No. 134 Committee on Judiciary and Hawaiian Affairs

Approved:

No. 135 Committee on Human Services

No. 136 Committee on Economic Development

President of the Senate

No. 137 Committee on Judiciary and Hawaiian Affairs

No. 138 Jointly to the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 139 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture

No. 140 Committee on Judiciary and Hawaiian Affairs

No. 141 Jointly to the Committee on Economic Development and the Committee on Tourism

No. 142 Committee on Water, Land, and Agriculture

No. 143 Committee on Water, Land, and Agriculture

No. 144 Committee on Science, Arts, and Technology

Senator Fukunaga, Chair of the Committee on Economic Development, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.R. No. 136.

Senator Fukunaga noted:

“Mr. President, the hearing notice for the companion resolution, S.C.R. No. 196, was filed yesterday and your Committee would like to hear this resolution at the same time.”

The Chair then granted the waiver.

THIRTY-SIXTH DAY

Wednesday, March 19, 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 Pastor Elwin Ahu, New Hope Christian Fellowship, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 240 to 242) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 240, submitting for consideration and confirmation as Chairperson of the Public Utilities Commission, the nomination of CARLITO P. CALIBOSO, term to expire June 30, 2004, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nomination of GILBERT COLOMA-AGARAN, term to expire June 30, 2003, was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nomination of BERT H. SAKATA, term to expire June 30, 2007, was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations.

HOUSE COMMUNICATION

Hse. Com. No. 296, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 564 (S.D. 1), was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1034) recommending that H.B. No. 320, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 320, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1035) recommending

that H.B. No. 418, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 418, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1036) recommending that H.B. No. 488 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," passed Second Reading and was referred to the Committee on Ways and Means with Senators Baker, English and Tsutsui voting "No."

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1037) recommending that H.B. No. 1564 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1564, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY," passed Second Reading and was referred to the Committee on Ways and Means with Senators Baker, English and Tsutsui voting "No."

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1038) recommending that H.B. No. 485 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 485, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU'OLI SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means with Senators Baker, English and Tsutsui voting "No."

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1039) recommending that H.B. No. 712 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 712, entitled: "A BILL FOR AN ACT RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1040) recommending that H.B. No. 939 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means with Senators Baker, English and Tsutsui voting "No."

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1041) recommending that H.B. No. 1362 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1362, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means with Senators Baker, English and Tsutsui voting "No."

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1042) recommending that H.B. No. 1506, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1506, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1043) recommending that H.B. No. 1548, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1548, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUBLIC SCHOOL IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1044) recommending that H.B. No. 377, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 377, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1045) recommending that H.B. No. 378, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 378, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT

CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1046) recommending that H.B. No. 379, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 379, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1047) recommending that H.B. No. 380, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 380, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1048) recommending that H.B. No. 381, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 381, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1049) recommending that H.B. No. 382, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1050) recommending that H.B. No. 383, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 383, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE

FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 384, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 384, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1052) recommending that H.B. No. 645 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 645, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1053) recommending that H.B. No. 1181, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1181, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 295, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 295, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 1029, H.D. 1, pass Second Reading and be referred jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1029, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," passed Second Reading and was referred jointly to the Committee on Transportation, Military Affairs, and

Government Operations and the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1056) recommending that H.B. No. 1155, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1057) recommending that H.B. No. 1303 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 814 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. 814, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 815 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. 815, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 1004, H.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. 1004, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 1022 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. 1022, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1062) recommending that H.B. No. 1220 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. 1220, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1063) recommending that H.B. No. 1509, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1509, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM TUESDAY, MARCH 18, 2003

H.C.R. No. 20 (Hse. Com. No. 290):

By unanimous consent, action on H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE LEGISLATURE'S COMMITMENT TO HUMAN RIGHTS, CIVIL LIBERTIES, AND ALL PROTECTIONS GUARANTEED BY THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF HAWAII, AND OTHER INTERNATIONAL CHARTERS AND COVENANTS," was deferred until Thursday, March 20, 2003.

H.C.R. No. 22, H.D. 1 (Hse. Com. No. 291):

By unanimous consent, action on H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO CONSIDER PROPOSALS THAT ARE CONSISTENT WITH THE UNITED STATES' NATIONAL INTERESTS AND ARE RESPONSIVE TO HOMELAND SECURITY CONCERNS TO RELAX THE RESTRICTIONS ON THE GRANTING OF NONIMMIGRANT VISAS TO NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF BUSINESS, TOURISM, AND STUDY IN THE UNITED STATES," was deferred until Thursday, March 20, 2003.

H.C.R. No. 28 (Hse. Com. No. 292):

By unanimous consent, action on H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO FULLY FUND THE MILLENNIUM CHALLENGE ACCOUNT AND INVOLVE WOMEN AS FULL AND ACTIVE PARTICIPANTS IN ECONOMIC

DEVELOPMENT ASSISTANCE PROGRAMS IN THEIR NATIONS," was deferred until Thursday, March 20, 2003.

H.C.R. No. 35 (Hse. Com. No. 293):

By unanimous consent, action on H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PACIFIC BASIN ECONOMIC COUNCIL AND ENCOURAGING IT TO MAINTAIN ITS HEADQUARTERS IN HAWAII," was deferred until Thursday, March 20, 2003.

H.C.R. No. 52, H.D. 1 (Hse. Com. No. 294):

By unanimous consent, action on H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was deferred until Thursday, March 20, 2003.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1032 (Gov. Msg. No. 11):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1032 be received and placed on file, seconded by Senator Inouye and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of LILLIAN KOLLER as Director of the Department of Human Services, term to expire December 4, 2006, seconded by Senator Inouye.

Senator Chun Oakland rose to speak in favor of the nominee as follows:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 11, the confirmation of Lillian Koller as Director of the Department of Human Services.

"DHS is one of the largest state departments and serves a critical purpose focusing on taking care of our families, our children, our elders, and others in our community when they need help. With the state's challenging economic climate and on the brink of war, it is especially important that the safety net of programs be maintained and even expanded despite the state budgets being tighter than ever before. In these challenging times, we need a strong leader with proven administrative skills, someone who is open to new ideas and new approaches in order to maintain our safety net of programs for our people. Lillian Koller is such a person.

"The testifiers who filled our conference room and those that could not attend overwhelmingly expressed their support for Lillian as well. She graduated with highest honors from UCLA with a philosophy major and a psychology minor and was an editor of the Law Review at Martin Luther King, Jr., School of Law at UC Davis. She has worked as an attorney in private practice in both California and in Hawaii. She has served as deputy prosecuting attorney and as deputy corporation counsel for Maui County and was named the County of Maui's Managerial Employee of the Year in 1994.

"Mayor Alan Arakawa and fellow colleagues all praise Lillian's honesty, responsibility and professionalism, and her compassion, commitment and dedication to public service. In 1999, she was selected to head the newly established Maui Drug Court program, and in just three years she developed the Maui Drug Court into a nationally award-winning program that is a community standard and a model for other states. The

Maui police chief praised Lillian's ability to 'coordinate a collaborative effort by many county, state and private agencies, some of which did not historically work well together' to provide drug treatment and rehabilitation for nonviolent drug users.

"Lillian created a nonprofit organization called the Friends of the Maui Drug Court that raises funds to support the program. With what one provider called 'her unrelenting drive,' Lillian personally went out into the community and asked for their support initiating fund-raisers, grant awards and donations from the community. Lillian's personal commitment and drive helped the Maui Drug Court and even expand, despite government budget cuts.

"Perhaps most importantly, Lillian never forgot that the Maui Drug Court was about the clients. She took personal interest in the success of each client. She made them a part of her life by celebrating the drug-free babies that were born, taking a personal interest in each client's health and well being, and fighting for as many ways and opportunities as possible to make the Drug Court a place where people could regain their life, dignity and family and become a responsible and productive member of the community.

"In the few weeks that she's been on the job, Lillian Koller has already impressed many with her energy, her quick intelligence, and her willingness to work with all involved parties to craft a workable, reasonable solution.

"Within the first week as director, Lillian was faced with the crisis involving problems with the new Medicaid payment and billing system which caused significant delays in payments to service providers. Lillian 'immediately went to work' to resolve these problems and in a very short period of time was able to handle the acute situation to the satisfaction of most of the service providers. She has scheduled regular working meetings with the director of health to address mutual concerns and is working on a more permanent solution to the Medicaid payment problems.

"Perhaps the highest praise for Lillian Koller came from a service provider from Kauai who asked, 'What do I know about this woman? Not much. I've never even met her.' But this provider was so impressed with Lillian's handling of the Medicaid payment problem that she got on a plane and came to Honolulu to testify in support of her nomination. This provider said, 'I am so grateful that Lillian got it. She was willing to take immediate action, to think creatively to meet our needs as contractors and to balance it with the legal obligations of our state agency to come up with a response. I am also impressed that she did not just simply accept a proposal to fix the system within four to six months but continued to push for a better solution.'

"Finally, Lillian brings a deep personal commitment to public service. She has been cared for by her parents who were the sole survivors of their families killed in the Auschwitz concentration camp. As a mother, Lillian can understand the issues facing Hawaii's families and is committed to their well being.

"In closing, Lillian has promised that she will not balance the budget on the backs of those least able to care for themselves. Instead, as she stated, 'we will, because we must, find new ways to provide the essential services to help those in need get back on their feet and stay there.' Compassionate leadership and the ability to get things done, that's what we need at DHS to ensure that there is a safety net for our families, children, elders and others who may need our help. That's what Lillian Koller brings to the state.

"Mr. President and colleagues, I urge your favorable vote to confirm the Governor's nominee for Director of the Department of Human Services, Lillian Koller."

Senator Baker also rose in support of the nominee and said:

"Mr. President, I, too, rise in support of this nomination.

"Mr. President, another capable, bright, intelligent woman is being elevated to one of our most difficult and complex departments and we on Maui are happy to share this intelligent, articulate, caring, resourceful and creative person, Lillian Koller, who I believe is well up to the challenge of the Department of Human Services. I am pleased to support this nomination and encourage all my colleagues to do so as well."

Senator English rose to speak in support of the nomination as follows:

"Mr. President, I rise in support of the nomination.

"Mr. President, members of the Senate, Lillian Koller comes from Maui, as you know, and is part of the wonderful team that we've exported to the Capitol for service to the greater State of Hawai'i.

"I just want to comment on Lillian's 'can do' attitude and ability to think 'outside of the box,' and in her job – in this particular job – you're going to have to do that quite a bit. I want to lend my support and ask my colleagues to support her nomination because I know Lillian and I've worked with her when she was Corp Counsel in Maui. She worked with the council, when I was on the council, very closely and always provided us with very clear and concise advice, and sometimes that was hard to get. So, she was always there to do that for us and I think that her ability to think through complex problems and come up with innovative and creative ideas will serve the State of Hawai'i well.

"I also would like to comment that Lillian and I share the same ancestry. And so, with that, we can know that our people are well served.

"Members, I ask for your support of this nomination. Thank you."

Senator Trimble rose to speak in favor of the nominee and said:

"Mr. President, I rise to support the confirmation and speak in favor of the confirmation of Lillian Koller.

"Unlike some of my colleagues, I am occasionally at a loss for words. If I were to search for one word that came closest to conveying my feelings, the word would be awesome. Senator Chun Oakland has left me very little to say.

"I guess the brightest moment of sitting and serving on her Committee was when Lillian Koller walked into the room and started to give testimony. She is engaging and she certainly is engaged. She is very bright, but she's also very committed.

"One trait stands out above the rest, and that is the sense of compassion that she conveys when she testifies.

"I urge my colleagues to unanimously support her confirmation. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Taniguchi).

At this time, Senator Chun Oakland introduced Lillian Koller to the members of the Senate. (Ms. Koller, who was seated in the gallery, rose to be recognized.)

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

The Senate reconvened at 12:06 o'clock p.m.

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

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

Senate
Concurrent
Resolution Referred to:

No. 90 Jointly to the Committee on Education,
the Committee on Economic Development and the Committee
on Labor

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 91.

Senator Kawamoto noted:

“Mr. President, this bill exempts the sale of goods and services to the state from the general excise tax and makes changes to the central service assessment for special funds. The Ways and Means Committee would like to have this heard.”

The Chair then granted the waiver.

ADJOURNMENT

At 12:09 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., Thursday, March 20, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-SEVENTH DAY

Thursday, March 20, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bill Stonebraker, Calvary Chapel, Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Hemmings, Ihara and Menor who were excused.

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

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 243, dated March 13, 2003, transmitting the Foreign-Trade Zone No. 9's Annual Report for Federal Fiscal Year Ending September 30, 2002, was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 297, returning S.B. No. 460, which passed Third Reading in the House of Representatives on March 19, 2003, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1064) recommending that H.B. No. 297, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 297, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1065) recommending that H.B. No. 756, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 756, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1066) recommending that H.B. No. 1255, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1255, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep.

No. 1067) recommending that H.B. No. 75, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 75, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1068) recommending that H.B. No. 1511, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1511, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1069) recommending that H.B. No. 475 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1070) recommending that H.B. No. 473, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 473, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1071) recommending that H.B. No. 10, H.D. 2, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 10, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1072) recommending that H.B. No. 196, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 196, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A GEOTHERMAL-TO-HYDROGEN TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1073) recommending that H.B. No. 1276, H.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. 1276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 2003.

Senators Kim and Fukunaga, for the Committee on Tourism and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1074) recommending that H.B. No. 662, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 662, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SPORTS HALL OF FAME," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kawamoto, for the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1075) recommending that H.B. No. 620, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 620, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hanabusa, for the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 631 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 631, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 1077, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1077 and H.B. No. 1077, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR," was deferred until Friday, March 21, 2003.

ORDER OF THE DAY

**REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM
WEDNESDAY, MARCH 19, 2003**

The President made the following committee assignments of House concurrent resolutions that were received on Friday, March 14, 2003:

- | | |
|-----------------------------------|---|
| House
Concurrent
Resolution | Referred to: |
| No. 20 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs |
| No. 22, H.D. 1 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs |
| No. 28 | Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services |
| No. 35 | Committee on Economic Development |
| No. 52, H.D. 1 | Committee on Transportation, Military Affairs, and Government Operations |

THIRD READING

H.B. No. 1302:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 1302, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hemmings, Ihara, Menor).

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 130.

Senator Kanno noted:

"Mr. President, this bill relates to ERS benefit options, and your Committee would like to hold a hearing tomorrow in order to meet the lateral deadline."

The Chair then granted the waiver.

Senator Sakamoto, Chair of the Committee on Education, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 277.

Senator Sakamoto noted:

"Mr. President, this bill relates to penalties for truants, and your Committee would like to hold a hearing tomorrow in order to meet the lateral deadline."

The Chair granted the waiver.

ADJOURNMENT

At 11:48 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 21, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-EIGHTH DAY

Friday, March 21, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend George Scott, Central Union Church, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 244 to 248) were read by the Clerk and were placed on file:

Gov. Msg. No. 244, dated March 3, 2003, transmitting the Department of Labor and Industrial Relations' Annual Report pursuant to Section 371-7, HRS.

Gov. Msg. No. 245, dated March 3, 2003, transmitting the Special Unemployment Insurance Fund Revenues and Expenditures Report for Fiscal Year Ended June 30, 2002, pursuant to Section 383-127, HRS.

Gov. Msg. No. 246, dated March 17, 2003, transmitting a report, An Assessment of the Field Impacts of Funding Support Provided by the Hawaii State Foundation on Culture and the Arts, prepared by the Western States Arts Federation.

Gov. Msg. No. 247, letter dated March 5, 2003, transmitting proposed changes to the General Appropriations Act, H.B. No. 200.

Gov. Msg. No. 248, letter dated March 20, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of H.B. No. 1230, which makes an emergency appropriation and authorization of \$5,661,084 from the Airport Special Fund and \$2,300,000 from the Harbor Special Fund to allow the Department of Transportation, Airports and Harbors Divisions, to pay for additional security costs due to the war with Iraq.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 28, from the State Auditor dated March 20, 2003, transmitting a report, "Review of Selected University of Hawaii Non-General Funds and Accounts," (Report No. 03-04), was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 298, returning S.B. No. 374, S.D. 1, which passed Third Reading in the House of Representatives on March 20, 2003, in an amended form, was read by the Clerk and was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 374, S.D. 1, and requested a conference on the subject matter thereof.

STANDING COMMITTEE REPORTS

Senators Baker and Sakamoto, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 422, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 422, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1079) recommending that H.B. No. 548, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 548, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 127, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 668, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 1342, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1342, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YOUTH SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1083) recommending that H.B. No. 1429, H.D. 2, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1429, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1084) recommending that H.B. No. 49, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 49, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1085) recommending that H.B. No. 58 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1086) recommending that H.B. No. 659 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1087) recommending that H.B. No. 772 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 772, entitled: "A BILL FOR AN ACT RELATING TO BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 773 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 773, entitled: "A BILL FOR AN ACT

RELATING TO BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 818, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 818, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 899, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 899, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 1247, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CONTRAFLOW LANE ON FARRINGTON HIGHWAY ALONG THE WAIANAE COAST FROM MOHIHI STREET TO PILIOKAHI AVENUE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 150, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 150, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 285, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 285, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1094) recommending that H.B. No. 1010, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1010, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1095) recommending that H.B. No. 1363, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1363, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1096) recommending that H.B. No. 132, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1097) recommending that H.B. No. 287, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 287, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1098) recommending that H.B. No. 294 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 294, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1099) recommending that H.B. No. 403, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 403, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1100) recommending that H.B. No. 507, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 507, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL TECHNICIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1101) recommending that H.B. No. 731, H.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 731, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1102) recommending that H.B. No. 968, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 968, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1103) recommending that H.B. No. 986, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 986, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS OF SURVIVING CHILDREN OF PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1104) recommending that H.B. No. 1041 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1041, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1105) recommending that H.B. No. 1042 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1042, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1106) recommending that H.B. No. 1043 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1043, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1107) recommending that H.B. No. 1044 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1044, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1108) recommending that H.B. No. 1045 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1045, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1109) recommending that H.B. No. 1046 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1046, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1110) recommending that H.B. No. 1047 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1047, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1111) recommending that H.B. No. 1157, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1112) recommending that H.B. No. 1198, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1198, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD LABOR," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1113) recommending that H.B. No. 1373, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1114) recommending that H.B. No. 373, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 373, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SPEECH," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1115) recommending that H.B. No. 887, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 887, H.D. 1, entitled: "A BILL FOR AN ACT CORPORATE DISCLOSURE FOR CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1116) recommending that H.B. No. 1453, H.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1117) recommending that H.B. No. 1532, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1532, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CELEBRATION OF MARTIN LUTHER KING, JR. DAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1118) recommending that H.B. No. 122, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1119) recommending that H.B. No. 914, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 914, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1120) recommending that H.B. No. 189, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 189, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1121) recommending that H.B. No. 651, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and H.B. No. 651, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1122) recommending that H.B. No. 1182, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1182, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1123) recommending that H.B. No. 83, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1124) recommending that H.B. No. 179, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 179, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND IN NORTH KONA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1125) recommending that H.B. No. 1214, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1214, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1126) recommending that H.B. No. 1285, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1285, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1127)

recommending that H.B. No. 1613, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1613, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1128) recommending that H.B. No. 1217, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1217, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

At this time, Senator Kawamoto moved that the Senate authorize the adoption of standing committee reports recommending that House bills pass Second Reading and be referred to committees, seconded by Senator Hogue and carried unanimously. The Senate further authorized the adoption of standing committee reports recommending that House bills be referred to committees of last referral.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

ORDER OF THE DAY

THIRD READING

H.B. No. 814:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 814, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ihara, Taniguchi, Whalen).

H.B. No. 815:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 815, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ihara, Taniguchi, Whalen).

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

By unanimous consent, H.B. No. 1004, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," was recommitted to the Committee on Judiciary and Hawaiian Affairs.

H.B. No. 1022:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 1022, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ihara, Taniguchi, Whalen).

H.B. No. 1220:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 1220, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ihara, Taniguchi, Whalen).

H.B. No. 1276, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 1276, H.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, 22. Noes, none. Excused, 3 (Ihara, Taniguchi, Whalen).

Stand. Com. Rep. No. 1077 (H.B. No. 1077, H.D. 1, S.D. 1):

Senator Kokubun moved that Stand. Com. Rep. No. 1077 be adopted and having been read throughout, pass Third Reading, seconded by Senator Aduja.

Senator Hemmings rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of H.B. No. 1077, H.D. 1, S.D. 1.

"I want to offer my congratulations and admiration for your leadership and the leadership of the Democrats, the Majority Party in the State Senate, for seeing the wisdom in giving the Office of the Governor, the executive branch of government, the necessary basic funding to do their job on behalf of all the people of Hawaii. I especially want to recognize that the Senate was able to put aside what could have been a partisan issue and did what's best for the people of this State, and for that, I commend you.

"Thank you, Mr. President."

Senator Kawamoto also rose in favor of the measure and said:

"Mr. President, I rise to speak in favor of the bill.

"Mr. President, first of all I'd like to thank the Senate leadership who gave the concept of the bill and the numbers to put in the bill so we were able to pass it out. So, I'd like to give credit where credit is due and it's the Senate leadership.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1077 was adopted and H.B. No. 1077, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE

GOVERNOR AND LIEUTENANT GOVERNOR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ihara, Taniguchi, Whalen).

RE-REFERRAL OF HOUSE BILL

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

House Bill Referred to:

No. 500, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

Senator Chun Oakland, Chair of the Committee on Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1272.

Senator Chun Oakland noted:

“Mr. President, this bill provides legal assistance and funding for certain children with special needs, disabled children, and the elderly. Your Committee held a hearing on this bill on March 12 and would like to hold decision making in order to meet today’s lateral deadline.”

The Chair granted the waiver.

Senator Hogue rose on a point of personal privilege as follows:

“Mr. President, I rise to speak on a point of personal privilege.

“Today, colleagues, out in the rotunda there is a rally being held to talk about support for what is being called the three strikes law and I’m sure that many of you have seen the story in the news recently. I would like to speak just briefly about why we should enact the three strikes law here in Hawaii.

“By enacting the three strikes law we would be making a policy choice to protect the public from individuals who, time after time, engage in serious or violent criminal activity.

“I’m sure all of you were deeply saddened by the recent murder of police officer Glen Gaspar. I attended his burial ceremony in Kaneohe and it was a very, very touching ceremony. I was also saddened not just because of the heinous nature of the offense, but because Officer Gaspar’s alleged assailant has a lengthy criminal history that includes over 60 charges against him and 14 prior convictions, including four felonies, and our justice system was still not effective in protecting our police officers from him. Unfortunately, Officer Gaspar’s death was only one example of heinous crimes committed by career criminals. We need to send a message to those who are career criminals . . . criminals who are obviously not deterred by our current sentencing laws.

“The infestation of crime and drug addiction is eating away at our islands. Hawaii is now facing epidemic ice use, and along with the ice we may see increases in crime on a level that has never occurred in our islands before. Among adults arrested in Honolulu, more than 40 percent test positive for ice. In addition, the U.S. Sentencing Commission found that federal drug traffic convictions in Hawaii far exceeded those on the mainland. On the mainland, it’s just 14 percent, which is still pretty high – in Hawaii, 51 percent. The bottom line is – our

state is facing increasing drug related violence and violent crimes in general, and we need to do something about it!

“A California Department of Justice study showed that, after enacting the three strikes law, recidivism dropped 25 percent in four years. The three strikes law holds great promise for our State.

“The three strikes amendment that I would have presented today would allow us to obtain an immediate term of life imprisonment, or at least 25 years, in cases involving habitual criminal offenders. As you may have already heard, a recent study in California showed that nearly 60 percent of the crimes in the state were committed by about 6 percent of criminal offenders – those 6 percent are the criminal offenders we need to get out of our communities.

“It has been said that the three strikes law has the potential for injustice because of some disproportionately harsh sentences for relatively minor crimes, and I’m sure you’ve seen those on the news. However, a three strikes bill can be written which would allow for discretion in its implementation. The prosecutors would be able to exercise discretion to assure proportionality and consistency.

“Finally, colleagues, it is time that Hawaii seriously considers the three strikes law. We need to come down hard on career criminals and I urge all of my colleagues to support a resolution, which I understand is going forward, to stand behind the three strikes law.

“Thank you very much, Mr. President.”

Senator Hanabusa rose on a point of personal privilege and stated:

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

“Mr. President, I’d like to thank my good colleague from Kaneohe for plugging the resolution that is going through. It is S.C.R. No. 86 or S.R. No. 60, and that is the convening of a task force to determine whether Hawaii should enact a three strikes law.

“Mr. President, this is a serious issue and one that we must give full debate to and have the public participate in. That is why as Chair of your Judiciary Committee, it was decided that we could not rush into a three strikes law.

“Mr. President, as I reviewed, for example, what was placed on our desks this morning, one possible violent crime is an assault against a police officer. Mr. President, it is this year that this body, the Senate, has actually passed over a bill for the House consideration to make that not a misdemeanor but, in fact, a class C felony. It is not even a felony today. We have to look at all of the various crimes, whether we call them violent or otherwise.

“As my good colleague from Kaneohe says, we must look at violent crimes. And the question is – What are violent crimes? We have already in the statutes that a killing of a police officer is first degree murder. Mr. President, that is life in prison without the parole. And it is not only for police officers, it is also for judges and it is also for prosecutors who are acting in their ‘line of duty.’ In addition, if someone is determined to be a habitual type of criminal or a murder for hire type of person, that person also can be convicted of murder in the first degree.

“In addition, we have enhanced sentencing already on the books. Enhanced sentencing so that, for example, if someone were to do three class C felonies . . . and class C felonies that

we have identified, this Legislature have identified, includes, for example, the theft of livestock. If you do that three times, the fourth time you are going to go to jail for no less than five years – for theft of livestock. More importantly than that, Mr. President, it is also the attempt to do it that will put you in the same category. That’s how our laws are written. The attempt carries the same penalty as the crime itself – the attempt.

“We have also made decisions as a legislative body about drugs – whether as a society we will look upon drugs as an incarcerated event or whether we will look at it upon treatment. If we define drugs as something that will mandatorily require sentencing in prison, then Mr. President, we’ve got to build prisons.

“Recidivism is an interesting concept, and it’s one that we all look to. But if we are throwing people into prisons, then logically, the recidivism rates will not increase because they’re behind bars. And maybe that is what society wants. That is what we should hear from our communities – how they want us to look on this issue of recidivism, of three strikes, but let’s get detailed, well thought out with people who are experts in the area advising us.

“So I thank my colleague from Kaneohe for saying that we should get behind the Senate resolutions because that will give us the information we need. Let’s hear from the U.S. Attorney; let’s hear from the police chiefs; let’s hear from the public defenders; let’s hear from the judiciary; let’s hear from the bar members – because they know this area way better than we do and they can tell us, if we’re going to do three strikes, what is it that should rise to the level of violent crimes.

“Thank you, Mr. President.”

STANDING COMMITTEE REPORTS

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that House bills pass Second Reading and be referred to committees. The Senate further authorized the adoption of standing committee reports recommending that House bills be referred to committees of last referral. In consequence thereof, and subsequent to its recessing at 12:19 o’clock p.m., the Senate took the following actions on the following bills and standing committee reports:

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1129) recommending that H.B. No. 385, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 385, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kanno and Sakamoto, for the Committee on Labor and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1130) recommending that H.B. No. 317, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 317, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’

RETIREMENT SYSTEM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1131) recommending that H.B. No. 129, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 129, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1132) recommending that H.B. No. 133, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 133, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD PROTECTION,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1133) recommending that H.B. No. 1430, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1430, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY ORAL HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1134) recommending that H.B. No. 292, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 292, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1135) recommending that H.B. No. 314, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 314, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1136) recommending that H.B. No. 316, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 316, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND PURPOSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1137) recommending that H.B. No. 339, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 339, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COLLEGE SAVINGS PROGRAM TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1138) recommending that H.B. No. 1175, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1175, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1139) recommending that H.B. No. 1176, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1176, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1140) recommending that H.B. No. 1492, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1492, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1141) recommending that H.B. No. 1405, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1405, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOFUEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1142) recommending that H.B. No. 193, H.D. 1, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 193, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators English and Menor, for the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1143) recommending that H.B. No. 288, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 288, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION INITIATIVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Menor, for the Committee on Energy and Environment and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1144) recommending that H.B. No. 1456, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1456, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1145) recommending that H.B. No. 512, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 512, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1146) recommending that H.B. No. 155, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 155, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1147) recommending that H.B. No. 192, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was

adopted and H.B. No. 192, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1148) recommending that H.B. No. 293, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 293, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FARMERS' MARKET," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1149) recommending that H.B. No. 426, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 426, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1150) recommending that H.B. No. 604 pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senators Inouye and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1151) recommending that H.B. No. 1053, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1053, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1152) recommending that H.B. No. 1434, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1434, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Fukunaga, for the Committee on Water, Land, and Agriculture and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1153) recommending that H.B. No. 146, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 146, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Fukunaga, for the Committee on Tourism and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1154) recommending that H.B. No. 1400, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1400, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1155) recommending that H.B. No. 43, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 43, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1156) recommending that H.B. No. 78, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1157) recommending that H.B. No. 135, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 135, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep.

No. 1158) recommending that H.B. No. 640, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 640, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1159) recommending that H.B. No. 736, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 736, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1160) recommending that H.B. No. 1163, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1161) recommending that H.B. No. 638, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 638, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hanabusa, for the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1162) recommending that H.B. No. 1021, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1021, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1163) recommending that H.B. No. 281, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 281, H.D. 1, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kanno, for the Committee on Economic Development and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1164) recommending that H.B. No. 291, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 291, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB CREATION INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1165) recommending that H.B. No. 1394, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1394, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION TO STIMULATE THE ECONOMY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1166) recommending that H.B. No. 1628, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1628, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1167) recommending that H.B. No. 1465, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1465, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1168) recommending that H.B. No. 21, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 21, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATE DISCLOSURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1169) recommending that H.B. No. 685, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 685, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1170) recommending that H.B. No. 1579, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1579, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1171) recommending that H.B. No. 529, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 529, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAVE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1172) recommending that H.B. No. 50, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 50, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1173) recommending that H.B. No. 130, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 130, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1174) recommending that H.B. No. 391, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 391, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Sakamoto, for the Committee on Labor and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1175) recommending that H.B. No. 509, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 509, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1176) recommending that H.B. No. 1013, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1013, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1177) recommending that H.B. No. 1510, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1510, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1178) recommending that H.B. No. 500, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1179) recommending that H.B. No. 808, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 808, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1180) recommending that H.B. No. 1300, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1300, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1181) recommending that H.B. No. 52, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 52, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1182) recommending that H.B. No. 73, as amended in S.D. 1, pass Second Reading and be referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 73, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Senators Kawamoto and Kanno, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1183) recommending that H.B. No. 510, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 510, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1184) recommending that H.B. No. 704, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 704, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1185) recommending that H.B. No. 807, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 807, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291E," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1186) recommending that H.B. No. 1064, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1064, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Kim, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1187) recommending that H.B. No. 1554, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1554, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1188) recommending that H.B. No. 754 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 754, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Baker, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1189) recommending that H.B. No. 1572, H.D. 3, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1572, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Menor and Chun Oakland, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1190) recommending that H.B. No. 1652 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1652, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1191) recommending that H.B. No. 277, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1192) recommending that H.B. No. 289, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 289, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1193) recommending that H.B. No. 1272, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1272, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVOCACY FOR HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1194) recommending that H.B. No. 1616, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1616, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1195) recommending that H.B. No. 32, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 32, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1196) recommending that H.B. No. 714, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 714, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1197) recommending that H.B. No. 91, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 91, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1198) recommending that H.B. No. 1230, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1230, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1199) recommending that H.B. No. 1438, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1438, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME LOAN PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Menor and Chun Oakland, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1200) recommending that H.B. No. 1361, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1361, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1201) recommending that H.B. No. 1412, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1412, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1202) recommending that H.B. No. 1471, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1471, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

ADJOURNMENT

At 8:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, March 24, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

THIRTY-NINTH DAY

Monday, March 24, 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 Ricki Aoki, Leeward Community Church, after which the Roll was called showing all Senators present with the exception of Senators Ihara, Kawamoto, Kim, Sakamoto and Trimble who were excused.

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

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

Senator Baker introduced Selena Pang of Baldwin High School and James Choe of Maui High School and commended them and their teammates for taking Best Project honors at the 2003 Western Region EAST (Environmental and Spatial Technology) Conference.

Senator Espero, in recognizing Oahu's Neighborhood Boards and Neighborhood Commission, introduced the following individuals Karen Iwamoto, Kalene Shim-Sakamoto, and Dr. Charles Beamer.

Senator Chun Oakland, with the assistance of Senators Aduja, Hogue, Hanabusa and Fukunaga, introduced and congratulated the following YWCA 2003 Leader Luncheon Honorees: Diane Plotts, representing Kamehameha Schools; and Patricia McManaman, representing Na Loio. Other recipients who were not present were Naleen Naupaka Andrade, MD, who was represented by Kay Wery; and Carol McNamee and Jean Rolles, who were represented by Cathy Kelihoomalua.

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:41 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1203) recommending that H.B. No. 401, 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 Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1204) recommending that H.B. No. 562, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Second Reading and was

placed on the calendar for Third Reading on Thursday, March 27, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1205) recommending that H.B. No. 980, 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 Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 980, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SETTLEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1206) recommending that H.B. No. 1076, 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 Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1076, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1207) recommending that H.B. No. 324, 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 Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 324, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1208) recommending that H.B. No. 993 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 993, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1209) recommending that H.B. No. 1607, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1607, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZED EMERGENCY VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 2003.

ADJOURNMENT

At 12:42 o'clock p.m., on motion by Senator Tsutsui, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 25, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTIETH DAY

Tuesday, March 25, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father William Kunisch, Associate Pastor, St. Anthony's Church, Kailua, after which the Roll was called showing all Senators present with the exception of Senators Kokubun, Trimble and Whalen who were excused.

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

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

Senator Sakamoto introduced and congratulated the following individuals on becoming National Board Certified Teachers: Dewey Gottlieb II, Leslie Hamasaki, Kalen Kitagawa, Patricia Miyahira, Jami Muranaka, Kathleen Nagaji, Rena Arakawa, Loraine Hotoke, Carolyn Kirio, Julie Tomomitsu and Lisa Yanase.

Senator Aduja recognized the Polynesian Cultural Center on the occasion of its 40th anniversary and introduced the following individuals: Von Orgill, president; Delsa Moe, director of cultural presentations; and Cy Bridges, director of theater productions.

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 249, letter dated March 17, 2003, pursuant to Act 259, Section 158, SLH 2001, authorizing the transfer of \$500,000 from the Department of Health's Environmental Response Revolving Fund to the Department of Land and Natural Resources for *Salvinia molesta* removal from Lake Wilson, was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 299, transmitting H.C.R. No. 64, which was adopted by the House of Representatives on March 24, 2003, was read by the Clerk and was placed on file.

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 Thursday, March 27, 2003.

STANDING COMMITTEE REPORTS

Senators Kim and Fukunaga, for the Committee on Tourism and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1210) recommending that S.C.R. No. 38 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1210 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 deferred until Thursday, March 27, 2003.

Senators Kim and Fukunaga, for the Committee on Tourism and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1211) recommending that S.R. No. 24 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1211 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 deferred until Thursday, March 27, 2003.

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

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

Senate Concurrent Resolution	Referred to:
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No. 130	Jointly to the Committee on Human Services and the Committee on Labor
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Senator Ihara rose on a point of personal privilege as follows:

"Mr. President, I rise on two points of personal privilege.

"Mr. President, the first point relates to my absence on Friday. I was recovering from a cold and I wanted to register my objection to 74 bills that were passed on second reading in abstentia. I've objected to this before and voted against the motion enabling these second readings.

"My objection is basically that the Hawaii constitution gives the Legislature the sole power to adopt laws. And our power to cast votes is given to us by the constitution and not by state law or statute. The constitution also requires three separate readings on separate days. And I believe the people, when they adopted the constitution, did not intend that second reading votes be a mere formality. Instead I believe that the voters of our state intended that when we cast second reading votes, that we be aware of what we are voting on.

"This past Friday, 74 bills were passed on second reading after the Senate recessed for the day. And before any of the members knew what those bills were, though some of the members might have known some of the bills if you are on a Committee, you pass the bills. But for most of us, most of the Senators did not know the identity or the contents of the bills that were to be voted on, which all passed second reading.

"I'm going to say something kind of strong now, Mr. President, so members, kind of brace yourself. I do have high respect for each Senator and I believe that voting on a bill without knowing the identity or contents is a misuse of our constitutional right to vote for adopting state laws.

"My second point, Mr. President, has to do with an article in this morning's paper. The heading is, 'Leasehold bill passes second reading in the House.' This is regarding S.B. No. 1468. Basically, a House Committee took a Senate bill and took out its contents in its entirety and put in completely unrelated

contents into the bill. This was without giving notice of a House draft. Sometimes, although I still object to it, at least for some committees, if you're going to do that, you post a notice saying you're going to accept testimony on a proposed Senate draft. In this case, it would have been a proposed House draft. That was not done. So the Committee took testimony on a completely different subject, did not even discuss the amendments prior to decision making and the Committee voted to insert, as I said, completely unrelated contents into the bill.

“With all due respect to the House Majority and their view that this was not unusual – I hope it is unusual and if it isn't, shame on us. And they called it an appropriate action. Mr. President, with all due respect to the House, I believe that this is a misdemeanor against democracy. It is not an unforgivable act, but it's an act, an action, legislative action, that should be avoided if at all possible. If it's used too much, I believe the danger of this gut and replace maneuver . . . it also is a stealth way to operate in the Legislature . . . the danger, I believe, is that it can lead to one of the houses having to vote on a bill that a Conference Committee may have agreed to as a result of an agreement on a completely unrelated bill.

“This kind of horse trading, as it's sometimes called, I believe is what contributes to public cynicism, and I encourage all of our Chairs to refrain from this kind of practice and hope that the House stops this type of activity as well.

“Thank you.”

The President then said:

“Senator Ihara, your objection is noted on those bills moving from Second Reading to Third Reading. We have discussed it in leadership and I believe we have an argument contrary to your belief. Nevertheless, I will be discussing this matter with the Attorney General this afternoon and I will report to you the results of that meeting.”

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

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

“With all due respect to the intent of the good Senator from Kaimuki, I must say that I have not misused my vote ever in this body. I take my constitutional duty very seriously, as I know my colleagues do. This Senate has complied with the constitution. There is no specific mandate in the constitution of when and how you vote on these issues. If the logic of the prior speaker was applied consistently, we would all be in serious trouble because we all vote for over a thousand bills on first reading without knowing the content at all since we have not heard them at all.

“Secondly, many of us, out of courtesy, sign bills, oftentimes, to show support with the intent, without necessarily agreeing with the content of that legislation. So I think our actions are wholly consistent with the constitution and the record should reflect that.

“The second item that the good Senator brought up, I happen to concur with. There is an abuse of power oftentimes, and it's an abuse by the Majority Party, I might note. It went on last year with the gas cap bill, which I thought was a political ploy and turned out to be just that. But that is something, Mr. President, I would suggest to the good speaker not to label us all with, here in the Legislature, because there are those of us from both sides of the aisle that object to this procedure. In fact, I do recall the good Senator from God's promised land objecting last year when the gas cap bill was passed in such a last minute and

somewhat deceptive manner. But I would suggest to the good Senator that he handle these problems within his own caucus.

“Thank you, Mr. President.”

ADJOURNMENT

At 12:31 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., Thursday, March 27, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

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

FORTY-SECOND DAY

Friday, March 28, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Max Wilkins, New Hope Christian Fellowship, Oahu, 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 Forty-First Day.

Senator Fukunaga, with the assistance of Senators Chun Oakland and Taniguchi, introduced Darah Dung and congratulated her on being crowned Miss Chinatown Hawaii 2003 and for capturing the title of Miss Chinatown USA 2003. Accompanying the honoree was First Princess Kimberly Lum.

Senator Menor, on behalf of President Bunda and himself, congratulated the Mililani High School Boys Soccer Team on winning its third consecutive High School Athletic Association Boys Varsity Soccer Championship Title and introduced the following coaches and players: Head Coach Jeff Yamamoto; Assistant Coaches Norman Beter, Steve McGehee and Tony Hart; and team captains Whitney Shimatsu, Nathan Amous and Brent Murakami.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 250, dated March 19, 2003, transmitting the following revised declarations that coincide with adjustments to H.B. No. 200: Declaration of Findings on the General Obligation Debt Limit and The State Aggregate General Fund Expenditure Ceiling and the Executive Branch Appropriation Ceiling Declarations, prepared by the Director of Finance, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 301 to 303) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 301, returning S.B. No. 554, which passed Third Reading in the House of Representatives on March 27, 2003, was placed on file.

Hse. Com. No. 302, returning S.B. No. 1058, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1058, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 303, transmitting H.C.R. No. 62, H.D. 1, which was adopted by the House of Representatives on March 27, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 62, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DETERMINE THE IMPACT OF THE COMPACT OF FREE ASSOCIATION ON THE STATE OF HAWAII, AND REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED AID FOR THE EDUCATIONAL AND SOCIAL IMPACT OF THE COMPACT, AND ANY NEWLY RENEGOTIATED COMPACT, ON THE STATE OF HAWAII," was deferred until Monday, March 31, 2003.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1216) recommending that S.C.R. No. 33, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1216 and S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE TO PURSUE LITIGATION AGAINST CHEVRONTEXACO FOR NONPAYMENT OF TAXES," was deferred until Monday, March 31, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1217) recommending that S.R. No. 21, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1217 and S.R. No. 21, S.D. 1, entitled: "SENATE RESOLUTION URGING THE STATE TO PURSUE LITIGATION AGAINST CHEVRONTEXACO FOR NONPAYMENT OF TAXES," was deferred until Monday, March 31, 2003.

Senators Kim and Fukunaga, for the Committee on Tourism and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1218) recommending that S.C.R. No. 42, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1218 and S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO DESIGN, IMPLEMENT, AND EVALUATE A CULTURAL TELEVISION AND FILM PILOT PROJECT," was deferred until Monday, March 31, 2003.

ORDER OF THE DAY

REFERRAL OF
HOUSE CONCURRENT RESOLUTIONMATTER DEFERRED FROM
THURSDAY, MARCH 27, 2003

The President made the following committee assignment of a House concurrent resolution that was received on Tuesday, March 25, 2003:

House Concurrent Resolution	Referred to:
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No. 64 Committee on Transportation, Military Affairs, and Government Operations

ADVISE AND CONSENT

Stand. Com. Rep. No. 1214 (Gov. Msg. No. 228):

Senator Taniguchi moved that Stand. Com. Rep. No. 1214 be received and placed on file, seconded by Senator Kokubun and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of KURT K. KAWAFUCHI as Director of the Department of Taxation, term to expire December 4, 2006, seconded by Senator Kokubun.

Senator Taniguchi rose to speak in support of the nominee and said:

“Mr. President, I rise to speak in favor of this nomination.

“Mr. President and members, Mr. Kawafuchi is well qualified for the position of Director of Taxation. He received his Juris Doctorate and Masters in Business Administration degree from Santa Clara University. He also holds a Master of Laws in Taxation degree from Georgetown University. Additionally, Mr. Kawafuchi is licensed to practice law in Hawaii and California and holds Certified Public Accountant status in both states.

“The Committee on Ways and Means held a thorough hearing on this nominee. Mr. Kawafuchi received wholehearted endorsements from both the legal and accountancy communities, including a judge from the United States Tax Court, the Hawaii Society of Certified Public Accountants, the former head of the Department of Taxation and the Hawaii State Bar Association. All cited Mr. Kawafuchi’s intelligence, thorough knowledge of the law, and leadership ability. They also commented on his high ethics, enthusiasm and sense of humor.

“Members, I believe that Mr. Kurt Kawafuchi will serve the State and the people of Hawaii well in his role as Director of Taxation. I urge you to support his nomination today.

“Thank you.”

Senator Slom also rose in support as follows:

“Mr. President, on behalf of your Minority Caucus, we, too, give our total support to Mr. Kawafuchi’s advise and consent.

“I echo the statements made by the Ways and Means Committee Chair. Also, we’d like to say that even though he’s not as attractive as the beauty queens that we just had the honor of meeting, his beauty is an inner beauty, and what can you say about somebody that is an attorney, is a CPA, and is going to do our taxes as well.

“You know that your Minority Caucus has been very hard on tax measures and on tax professionals, but we feel that Mr. Kawafuchi has not only the background and the experience, but as the Ways and Means Chair said and as people said at his confirmation hearing, the ethics and the integrity. And to me, we can look at a person’s qualifications and all of their degrees and everything else, but I think, to me, the telling point was people that came forward to spend some time in our committee hearing to tell us about the other side of Kurt Kawafuchi. We can talk about your expertise and your technical abilities, but they talked about his humanity, his sensitivity, his leadership, and his availability in the community, and the fact that he is

somebody that always volunteers to do things but is not out in front to get the credit or anything else.

“These are the kinds of people that reflect positively on all of us in government today. These are the kinds of people that we wholeheartedly support. And for those and other reasons, we wholeheartedly support Mr. Kawafuchi.

“Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ihara, Inouye, Kawamoto, Kim).

At this time, Senator Taniguchi introduced Mr. Kawafuchi to the members of the Senate. (Mr. Kawafuchi, who was seated in the gallery with family and friends, rose to be recognized.)

At 12:13 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o’clock p.m.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, MARCH 27, 2003

Stand. Com. Rep. No. 1212 (S.C.R. No. 63, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the joint report of the Committees was adopted 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 adopted.

Stand. Com. Rep. No. 1213 (S.R. No. 41, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Hogue and carried, the joint report of the Committees was adopted 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 adopted.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 7, from the 2002 Legislative Salary Commission dated March 25, 2003, transmitting the Commission’s salary recommendations for the 2005 and future members of the Hawaii State Legislature, was read by the Clerk and was placed on file.

Senator Hemmings rose on a point of personal privilege as follows:

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

“One of the great luxuries we have in this country is our First Amendment rights to speak out on the issues, and I’m going to exercise that right today because, unfortunately, oftentimes the media does not get the entire story and misleads the general public. And that is my opinion of what happened in this morning’s Advertiser in their article regarding long-term care. My colleagues may have read it.

"I won't belabor the particulars on it and why most of the Minority opposition here at the Legislature stands against the long-term care plan as it is now presented, but what I will tell you is that the story did misrepresent, I think, the insurance industry.

"How so, you say? It reported my comments regarding the long-term care monopoly that this bill would create for state government in the business. It secondly reported that I felt that the legislation in favor of long-term care by state government was being held hostage by the long-term health care tax credit being included in the bill. That's true; that's exactly what I said. But what is misleading is, following that portion of the article, the reporter went on to say that the insurance industry spokesperson they had talked to supported the legislation also.

"I took the liberty of calling that individual, and after talking to him for quite a while, found out that he was very unaware of the particulars of the legislation and, quite frankly, was misinformed on the impact that it may have. At the end of the conversation, he did volunteer to me that he did get the association endorsement of part of the legislation. That led me to ask him, well, what are they supporting? And he said they're supporting the tax credit. I asked him then, well, how do they feel about the legislation to start a state funded and operated long-term health care insurance program? And he said the industry was opposed to it, and hence, my point of personal privilege.

"The story was extremely misleading in that the individual's support of the legislation did not reflect the industry's opposition along with most insurance agents. And I want the record to be perfectly clear on this issue because I do think that this Senate was very responsible in handling this issue last year. We must be very, very clear that the industry, as a whole, is prepared to address the problem of long-term care and it is opposing the section of the bill that is in front of us now that would allow for government to set up its own insurance program. I think this is very important for the purposes of decision-making based on accurate information.

"Thank you, Mr. President."

Senator Baker also rose and said:

"Mr. President, in the interest of full disclosure and accuracy, let me just correct one of the points that the good Senator just made. The proposal that's before your Ways and Means Committee and was before your Health and Human Services Committees that the Senate voted on previously, doesn't set up a government program. It is a program that is clearly paid for through the income tax that people file, but it will be administered, it will be created, it will be run by a third party administrator. It's not going to be run by a state bureaucracy. It is going to be in the private sector and I think that makes it very different than what the Senator just described.

"Thank you."

Senator Hemmings rose in rebuttal and said:

"Mr. President, I rise on a point of personal privilege in rebuttal.

"I do not want to get into a debate on the Floor of the Senate regarding the particulars of this issue, especially when it comes to semantics, but when I give my money to somebody, they control where it's spent. And that's exactly what this legislation does.

"This law also mandates how this would be operated and how it would be paid for, which is through the taxpayers' pocket – to government and by government. Therefore, it is controlled by government, even though it can be administered by the private sector.

"There's nothing in the future that this government would not control this program, could come in and change the rules, up the fees, change the terms on who it would apply to and who it would not apply to. Therefore, follow the money, follow the control, and clearly it's a government program.

"Thank you, Mr. President."

Senator Sakamoto rose on a point of personal privilege as follows:

"Mr. President, may I make a point on personal privilege?"

"I agree with the Senator from Waimanalo on the global point that many times the media doesn't give the correct picture. I am dismayed sometimes that we don't have the opportunity or a good opportunity to correct what is misconstrued. And not on the specific points of this issue, which is a very important issue, but many times I would hope the media would really verify what they're saying, as opposed to putting something out as fact when many times it's half a fact.

"Thank you."

ADJOURNMENT

At 12:24 o'clock p.m., on motion by Senator Tsutsui, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 31, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-THIRD DAY

Monday, March 31, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Sam Slom, Hawaii State Senate, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Second Day.

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

Senator Hemmings introduced Wright Bowman, Sr., and commended him for his lifelong commitment to the preservation of the Hawaiian Culture and Arts.

Senator Sakamoto recognized the achievements of GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) Hawaii in providing educational opportunities for students in Hawaii and introduced its project director, Susan Kanagawa.

Senator Aduja introduced and congratulated Dr. Frank Kalama upon his retirement from the Hawaii public school system. Accompanying Dr. Kalama was his wife, Gladys, and grandson, Jonathan Cummings.

Senator Fukunaga introduced Allen Doane, Chief Executive Officer of Alexander and Baldwin, Inc., and commended him on guiding Alexander and Baldwin, Inc., to a #1 ranking in Social Responsibility in Fortune Magazine's 2003 Industry Rankings.

Senator Trimble introduced and commended Tim Irwin, President and Chief Executive Officer of Pleasant Holidays, on being named Travel Agent Magazine's 2002 Person of the Year in the Tours and Packages Category.

Senator Inouye introduced David Carey, Outrigger Enterprises' CEO/President, and commended him on being named Travel Agent Magazine's Person of the Year for 2002.

Senator English then introduced and commended Marsha Wienert, Executive Director of the Maui Visitors Bureau, on receiving Travel Agent Magazine's "Person of the Year – U.S." award for 2002.

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

The Senate reconvened at 12:09 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 251 to 256) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 251, dated March 24, 2003, transmitting a report, "Hawaii State Policy and the Nonprofit Sector, Optimizing the Relationship Between Nonprofits and Government," prepared by The Hawaii Community Services Council and The Hawaii Institute for Public Affairs and

submitted to the Office of Planning, Department of Business, Economic Development and Tourism, was placed on file.

Gov. Msg. No. 252, dated March 28, 2003, transmitting the Report of Decentralized Decision-Making, prepared by the University of Hawaii pursuant to Act 115, Section 27, SLH 1998, was placed on file.

Gov. Msg. No. 253, dated March 3, 2003, transmitting a report, "Progress on the Study – Planning for Sustainable Tourism in Hawaii: A Study on the Carrying Capacity for Tourism," prepared by the Department of Business, Economic Development and Tourism pursuant to Act 259, SLH 2001, was placed on file.

Gov. Msg. No. 254, dated March 13, 2003, transmitting the Report on a Request to Establish a Task Force to Study the Feasibility of Establishing a Freshwater Fishery at the Wahiawa Reservoir, Oahu, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No. 200 (2002), was placed on file.

Gov. Msg. No. 255, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of CARLITO P. CALIBOSO, term to expire June 30, 2004, which replaces Gov. Msg. No. 240, dated March 6, 2003, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 256, informing the Senate that on March 28, 2003, she signed into law House Bill No. 1077 as Act 2, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR," was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 304 to 306) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 304, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 324, H.D. 1 (S.D. 1);
H.B. No. 401, H.D. 1 (S.D. 1);
H.B. No. 562 (S.D. 1);
H.B. No. 980, H.D. 1 (S.D. 1);
H.B. No. 1076, H.D. 1 (S.D. 1); and
H.B. No. 1607, H.D. 2 (S.D. 1),

was placed on file.

Hse. Com. No. 305, transmitting H.C.R. No. 43, which was adopted by the House of Representatives on March 28, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPLORATION OF OPTIONS FOR REDESIGNING THE BENEFIT LEVELS OF 'A' STATUS PLANS DEFINED UNDER HAWAII'S PREPAID HEALTH CARE ACT," was deferred until Tuesday, April 1, 2003.

Hse. Com. No. 306, transmitting H.C.R. No. 58, which was adopted by the House of Representatives on March 28, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was deferred until Tuesday, April 1, 2003.

JUDICIARY COMMUNICATION

Jud. Com. No. 4, submitting for consideration and consent, the nomination of FAYE KOYANAGI to the Office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was read by the Clerk and was referred to the Committee on Judiciary and Hawaiian Affairs.

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. 1219) recommending that the Senate advise and consent to the nomination of TED LIU as Director of the Department of Business, Economic Development and Tourism, in accordance with Gov. Msg. No. 14.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1219 and Gov. Msg. No. 14 was deferred until Tuesday, April 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1220) recommending that S.C.R. No. 62 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1220 and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was deferred until Tuesday, April 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1221) recommending that S.C.R. No. 106 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1221 and S.C.R. No. 106, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOGNIZE ON-LINE COURSES FROM ACCREDITED INSTITUTIONS," was deferred until Tuesday, April 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1222) recommending that S.R. No. 74 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1222 and S.R. No. 74, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOGNIZE ON-LINE COURSES FROM ACCREDITED INSTITUTIONS," was deferred until Tuesday, April 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1223) recommending that S.C.R. No. 96 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1223 and S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII

HOMEOWNERSHIP CENTER," was deferred until Tuesday, April 1, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1224) recommending that H.B. No. 192, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1224 and H.B. No. 192, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1225) recommending that H.B. No. 285, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1225 and H.B. No. 285, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1226) recommending that H.B. No. 373, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1226 and H.B. No. 373, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SPEECH," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1227) recommending that H.B. No. 385, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1227 and H.B. No. 385, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1228) recommending that H.B. No. 651, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1228 and H.B. No. 651, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1229) recommending that H.B. No. 914, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1229 and H.B. No. 914, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1230) recommending that H.B. No. 1198, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1230 and H.B. No. 1198, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO CHILD LABOR," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1231) recommending that H.B. No. 1214, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1231 and H.B. No. 1214, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," was deferred until Wednesday, April 2, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1232) recommending that H.B. No. 1217, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1232 and H.B. No. 1217, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Wednesday, April 2, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1233) recommending that H.B. No. 1161, 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. 1161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 2, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1234) recommending that H.B. No. 1172 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. 1172, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 2, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1235) recommending that S.C.R. No. 95 be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW CONCERNING THE REGULATION AND LICENSURE REQUIREMENTS OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1236) recommending that S.C.R. No. 81 be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 81, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS," was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1237) recommending that S.R. No. 57 be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 57, entitled: "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS," was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1238) recommending that S.C.R. No. 61 be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE FOR HEARING AID DEVICES AND SERVICES," was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1239) recommending that S.C.R. No. 84, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE STUDY ON HEALTH INSURANCE MARKET CONDITIONS," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

HOUSE COMMUNICATION

MATTER DEFERRED FROM FRIDAY, MARCH 28, 2003

H.C.R. No. 62, H.D. 1 (Hse. Com. No. 303):

By unanimous consent, action on H.C.R. No. 62, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DETERMINE THE IMPACT OF THE COMPACT OF FREE ASSOCIATION ON THE STATE OF HAWAII, AND REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED AID FOR THE EDUCATIONAL AND SOCIAL IMPACT OF THE COMPACT, AND ANY NEWLY RENEGOTIATED COMPACT, ON THE STATE OF HAWAII," was deferred until Tuesday, April 1, 2003.

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

THIRD READING

H.B. No. 1307, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, H.B. No. 1307, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, MARCH 28, 2003

Stand. Com. Rep. No. 1216 (S.C.R. No. 33, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 1216 and S.C.R. No. 33, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Menor rose to speak in support of the measures and said:

"Mr. President, I rise to offer some brief remarks in support of Stand. Com. Rep. Nos. 1216 and 1217.

"Mr. President, I believe that the testimony received by your Committee on Commerce, Consumer Protection and Housing with respect to these resolutions has made it abundantly clear that legal action against Chevron/Texaco is necessary if the State of Hawaii is to stand any chance of recovering millions of dollars in back taxes that the oil company has apparently failed to pay. During the hearings that the CPH Committee conducted on this issue, the Committee heard from a nationally recognized accounting and tax expert, Professor James E. Wheeler of the University of Michigan and the University of Hawaii, who explained in detail the complex and elaborate tax evasion scheme that Chevron and Texaco may have entered into with their joint venture, Caltex, and the government of Indonesia.

"Mr. President, the specifics of this tax evasion scheme are summarized in the resolutions that are before all of you. So in the interest of time, I will not revisit them at this time. However, I would like to point out that according to Professor Wheeler, the State of Hawaii may be owed over \$470 million in back taxes. Moreover, I would like to emphasize that it is especially important for Hawaii to proceed with litigation since it appears that the oil company not only avoided paying the State of Hawaii millions of dollars in taxes at prior years, but that the company continues to pursue this practice of tax evasion, according to Professor Wheeler.

"Mr. President, there are several compelling reasons why I believe the State should proceed with legal action immediately. First of all, our State faces difficult economic times and we need the millions of dollars that the oil company may owe Hawaii, to fund important programs and services. We also need to stop any tax fraud that may be occurring and start receiving the unpaid taxes that the oil company owes the people of Hawaii. There also exists a likelihood that Hawaii's consumers overpaid and continue to overpay for gasoline, since the State imports a significant percentage of its crude oil from Indonesia where the oil company is accused of conspiring to purchase crude oil at deliberately inflated prices as part of a tax evasion scheme.

"The State also cannot look the other way if laws are being broken, and there is substantial evidence pointing to the oil company's potential involvement in unlawful activities, including accepting kickbacks, filing false income tax returns, and falsely reporting business transactions. The government also has a basic obligation to enforce the law, not only as a matter of principle, but also in fairness to the honest taxpayers of our State who have to pay more than their share to cover the shortfall of those who do not.

"The State must enforce the laws that we have on the books if it wants to maintain the public's faith in our government institutions. At this time when many Hawaii families are struggling to make ends meet, we cannot let one of the wealthiest companies in Hawaii, and in the world, break our laws with impunity and leave the taxpayers of Hawaii holding the bag.

"Finally, I believe that there is much to gain if legal action is successful, and little to lose, since the Chicago-based Winston & Strawn, one of the largest and most highly respected law firms in the nation on tax issues, is willing to take on this case at no cost to the State.

"For these reasons, Mr. President, I ask my colleagues in the Senate to vote in favor of these resolutions so that they may serve as a catalyst to initiate a legal process which I think ultimately will benefit the people of Hawaii.

"Thank you."

Senator Hemmings rose to speak against the resolutions as follows:

"Mr. President, I rise to speak against S.C.R. No. 33, S.D. 1, and its companion, S.R. No. 21, S.D. 1.

"I would suspect a law firm willing to take this issue on is not doing it pro bono. I would suspect they're more than likely doing it on a contingency, which is often the case in situations like this.

"There are many things that could be said about this issue because they have been discussed for well over 10 years. I can remember as far back as the Waihee administration – a great man, a knight of the people riding into this issue on his steed, fighting the big bad oil companies on behalf of the consumers of Hawaii.

"Well, after years of litigation, as we know for a matter of record, that litigation amounted to a settlement that probably barely covered lawyer's costs on the issue, especially the cost to the taxpayers' in pursuing the litigation.

"Mr. President and colleagues, this year we have tried, as we said in the early days of the Session and the opening day, that we have tried to be bipartisan, and oftentimes, nonpartisan in addressing many of the issues that face us. And I think we've been very successful in the Senate. We've done many wonderful things that in the past would not have been done simply for partisan reasons . . . which leads me to have to wonder not what we're doing here, but why we're doing it.

"Last year we saw, in the waning days of the Session, another issue concerning the price of gasoline in the State of Hawaii – hence, the infamous gas cap bill. That ties right in to this movement here, in my estimation. This is nothing more than an ongoing effort on a witch-hunt against big ugly oil companies that are gauging the consumers. Well, the facts speak otherwise. Gas prices in Hawaii, for instance, are

currently less than they are in the states and areas on the mainland that were indexing our alleged gas cap legislation too.

“This resolution completely ignores the fact that there has been federal review of this issue, and the local pursuit of it judicially resulted in little or nothing. If there is indeed a reason to pursue this, it certainly should not be a partisan effort on the part of political entities that hope to make election assets out of it, as was done this last election.

“I’m hoping that we would defer these resolutions and do what’s prudent and allow the IRS and the State Attorney General’s Office to make a fair determination on what’s best to protect the taxpayers’ interest.

“Maybe if we’re really interested in the taxpayers here, we can look into ways to reduce the cost of gas in the State of Hawaii. I think the previous speaker knows, as we all do, the single biggest cost in a gallon of gas in the State of Hawaii is taxes – the highest tax in the nation for gas here in Hawaii.

“In speaking against this, I not only challenge what it is doing, but I want you to ask yourselves what is the real intent here. Quite frankly, I was ashamed at the gas cap legislation last year and the result of political deception that came about as a result, where voters that were supposed to make informed decisions on who would represent them were sent lies about their voting record.

“So I’m hoping the motives of this are not such, but unfortunately, prior experience dictates otherwise. The prudent thing to do is send this back to Committee.

“Thank you, Mr. President.”

Senator Baker rose to speak in support of the measure as follows:

“Mr. President, I rise in support of these resolutions.

“When corporations shirk their responsibilities as part of our society, they must be taken to task, and that’s what these resolutions address. During the Consumer Protection Committee hearing of March 10, significant testimony was presented that pointed to an ongoing complex and fraudulent transfer pricing scheme perpetrated for more than three decades by Chevron and Texaco. This scheme involved the purchase of Indonesian crude oil at inflated prices and kickbacks in the form of price rebates and free oil from the Indonesian state-owned oil company. The net result is a loss of millions of dollars in taxes that should have been paid to the State of Hawaii and others.

“Preliminary public documents from a federal IRS case have indicated that such a scheme did in fact exist and resulted in significant tax loss to the US as well. Tax fraud, most probably, was also committed. Subsequently to this investigation, Chevron and Texaco have merged, which means that over time it will become even more difficult to track this fraudulent practice if it is not brought to light and stopped now. As long as Chevron Texaco continues this transfer pricing scheme, Hawaii will continue to lose tax revenue and suffer inflated prices at the pump. Hawaii consumers already pay among the highest gas prices in the country, even if you take out the amount of tax that we pay.

“Through these transactions, the oil companies could be still evading the payment of billions of dollars in federal taxes, in addition to the millions in State taxes, by overstating their costs of doing business and taking a credit on foreign taxes paid on overstated revenue. Oil was sold to Chevron’s and Texaco’s domestic subsidiaries at inflated prices, and gasoline made from

that oil was likely sold at inflated prices as well. Because more than one-third of our imported oil came from Indonesia during the period in question from 1990 to 1997, it is highly likely that Hawaii consumers paid, and are still paying, these inflated prices at the pump.

“This Administration has an opportunity and I believe an obligation to Hawaii’s consumers to continue to pursue this litigation, not just because it will help our budget shortfall, which a recovery would, but because it is the right thing to do. We have an obligation to our constituents who expect us to protect them from fraud and dishonest practices. We also have an obligation to ensure that questionable business practices of this company are thoroughly investigated and any illegal activities stopped. I would also point out that there is no financial risk to our State. The law firm contracted by the previous administration to pursue this matter has undertaken this case at no cost to the State of Hawaii. It’s a win-win situation for our taxpayers. The State stands to gain millions of lost tax revenue and there is no negative impact on our budget!

“We know all too well about the so-called creative accounting that was done for companies like Enron and Tyco. It is of no comfort to me that Chevron Texaco’s auditor was Arthur Andersen, and I’m sure that our constituents probably feel the same way. If the business practices of Chevron Texaco were not questionable, why then did the Internal Revenue Service have to ask the federal court to make Chevron produce documents important to its investigation of the foreign tax credits received as a result of its ‘creative’ accounting practice? And why did Chevron insist that the court seal these documents? Wasn’t it just to prevent State’s like Hawaii from pursuing additional litigation and additional recovery? The documents in the public domain are quite damaging; it is likely that additional documents produced in the course of the litigation will be even more so.

“I believe, Mr. President and colleagues, that this litigation against Chevron Texaco must go forward. To do less would be to knuckle under to the special interests and large corporations. We have a duty to protect our citizens from possible fraudulent practices and to recover lost tax revenue on their behalf. Taxpayers of this State should not be subsidizing huge profits of big oil. I urge my colleagues to join me to support this important measure.

“Thank you.”

Senator Slom rose to speak in opposition to the resolutions and said:

“Mr. President, I rise in opposition to the Senate concurrent resolution and resolution.

“I’ve never been known as one to knuckle under to anybody or anything, and I see these resolutions as just another attempt at wealth envy by some in our State. The period of time of three decades was mentioned and I can recall, during those three decades, going to many hearings, sitting in on hearings, hearing charges and allegations. And that was during a period of time when the Majority Party, actually four decades, controlled this State lock, stock, and barrel – the executive branch, the judicial branch, the legislative branch.

“I can remember two former attorney generals who were very active in the courts, and they came up empty. I can remember tax directors never saying a word about any kind tax problem. And when we read the resolution, we’re struck by the terms – may have, apparently, if, allegedly, potentially, probably, could have – and yet we’re urging further litigation.

“Well, isn’t it wonderful that the law firm from Chicago has stepped forward as a pro bono effort to help the State. I haven’t seen too many of these law firms that have ever come forward to help this State or certainly to help the people. And when the statement is made ‘there’s no financial risk; there’s no expenditure,’ that’s just not true. We may cover up our expenditure in terms of the time and the personnel that are involved. And we’ve seen this over the last couple of years when the past attorneys general were involved in these and other exploits. Those of us in the Senate saw hearing after hearing where people came from departments, and they’re still coming, saying we couldn’t get any relief or any help or any assistance from the attorney general’s office, so give us the power and more expenditure to hire our own attorneys.

“If the resolution sought to provide new information or to urge that the new administration pursue any evidence which has been forthcoming, then I don’t think there’d be any problem because we can all support this. And you know what? The good news is the administration is doing just that. The attorney general is doing just that. But that’s a far cry from saying, ‘let’s have litigation based on suppositions and allegations. Let’s go after the company because it is large, because it is successful, because it is a primary energy producer in this State. Let’s go after them.’

“And to make the analogy in the huge leap between Chevron Texaco and Enron is disingenuous at best, dishonest, and knowingly so, at worst.

“The fact that we have a study – the Gramlich and Wheeler study – well that’s reassuring. We’re the study capital of the free world! This body authorizes more studies than any other place on the face of the earth. We have a study which will show just about anything you want. But show hard evidence! Show evidence that will stand up in court, because that’s the bottom line if you want successful litigation. And that’s what our attorneys are doing right now, seeing if in fact there are any additional evidence or charges that will hold up in a court of law. We had all kinds of promises before of fraud, of wrongdoing, and none of them were substantiated in court.

“And now we have crocodile tears for the taxpayers and consumers of this State. Isn’t it nice that individuals in this body are worried about being overtaxed and yet they continue to advocate and introduce higher taxes, newer taxes, increased fees. You want to help the consumers and the taxpayers, cut the taxes, reduce the taxes, eliminate the taxes. We have the power to do that.

“And by the way, just in case anything is found by the oil companies or anyone else, that they in fact added to the cost of consumers, there’s nothing in the resolution, there’s nothing in past actions that gives anything back to the consumers. It would go back to the State.

“So Mr. President and colleagues, all I see here is a chumming expedition, which is all the more interesting since we had the Majority Attorneys, the Majority Party, the Majority tax directors, everyone else looking into this situation for 10 years. It’s not a question that the merger between the two companies at this point, several years ago, is going to hide anything. It’s just that when you talk about the may’s, and the if’s, and the would be’s, and the could be’s, there’s nothing there.

“We should prioritize our efforts. We should be concerned about consumers. We should also be concerned about those people within our midst in our community that are well documented and well known that do owe taxes to the State, but

for some reason have been given a pass up to this point and not been taken to task for the taxes that they owe.

“It’s fun to talk about the billions of dollars and millions of dollars that may be out there, but our job is to deal with the realities that we have, including balancing our budget and making sure that we don’t add to the discomfort and burdens of individual family and small business consumers in this State. And so far, we haven’t done that and these resolutions would not help in any way.

“Thank you, Mr. President.”

Senator Trimble rose in opposition and said:

“Thank you, Mr. President. Ain’t witch-hunts grand. A lot of words have been spread on this . . . what do I call it . . . it’s not really a feel-good resolution, but it gives us a sense that we’re really doing something.

“We had the opportunity, as a body, several weeks ago when this Session started, to look at a couple pieces of legislation that really would have reduced the cost of gasoline in this State. We chose not to hear them. We could have reexamined the divorce law. We chose not to do that. We could have reduced the price of gasoline taxes in Hawaii. We chose not to do that. But in the last month or the last six weeks of the Legislature, we needed something to feel good about, so let’s have a witch-hunt and blame the oil companies for the high price of gasoline.

“I think this is the wrong approach at the wrong time. I will be voting ‘no’ on these resolutions. Thank you, Mr. President.”

Senator Menor rose in response and said:

“Mr. President, I just want to offer some brief responses to some of the comments made by the previous speakers.

“I think that the comments about witch-hunt really mischaracterize the intent and important purpose of these resolutions and ignore the fact that there is, again, substantial evidence to indicate that a tax evasion scheme was being perpetrated by the oil company, resulting in millions of dollars being deprived and lost to the State of Hawaii.

“I’ll note some of those items of evidence or documents for this body’s consideration. As already mentioned, Professor Wheeler together with Professor Jeffrey Gramlich put together a very comprehensive and impressive report. And I would suggest that those who criticize these resolutions take a close look at this report because it’s impressive coming from two nationally recognized accounting and tax professors. But in addition, it’s very detailed, not only in terms of the statements and conclusions and findings that they reached, but also in citing specific documentation already in the public domain, which I believe offers enough evidence for the State to proceed against this oil company for bilking taxpayers and the residents of this State out of millions of dollars.

“In addition to this report, I would also note, and my Vice-Chair has discussed this previously, that there was ongoing litigation initiated by the Internal Revenue Service against Chevron Texaco for tax evasion. This was in connection with an IRS audit that was conducted of Chevron and Texaco back in the 1980s and 1990s. And the litigation needed to proceed because of the fact that Chevron and Texaco were stonewalling the IRS requests for the production of important documents and information to verify one way or the other whether a tax evasion scheme was being entered into. In connection with that litigation to force Chevron and Texaco to produce documents,

some important pieces of information and documentation were generated and produced which support the State moving ahead with its case.

“For example, I note for my colleagues’ reference, an affidavit that was submitted by a Brian Halm, who at the time of the IRS audit was the branch chief in the examination division of the Internal Revenue Service in San Francisco, California. This affidavit indicates that there appears to have been some tax evasion by the oil companies at the time of the audit in preceding years. In addition to Brian Halm’s affidavit, I also would direct my colleagues’ attention to a technical advice memorandum issued by the IRS in connection with that litigation. There is also a report entitled, ‘The Economics of Lifting Sumatran Crude,’ which is a confidential Chevron and Texaco document of about 30 pages in length that is in the public domain, and which again I think offers some additional compelling evidence for the State to proceed with its litigation.

“But the most damning, Mr. President and my fellow colleagues, the most damning comments and evidence came from the federal magistrate who conducted hearings on the IRS’s request for production of documents. The name of the magistrate is Judge Langford. And in a hearing on the issue of IRS access to these documents, Judge Langford states, and I quote verbatim, ‘This Court has thoroughly and carefully reviewed both the Governor’s proffer in support of probable cause and the documents themselves submitted for in-camera review. The Court concludes that the proffer, along with the documents themselves, adequately supports a finding to believe that (a) one or more crimes or frauds have been committed or attempted; and (b) that the attorney client communications at issue were created in furtherance of those crimes or frauds, including a showing of the clients (in this case, Chevron’s) intent.’

“Based on this kind of strong comment coming from a federal judge, Mr. President, it’s not surprising that instead of proceeding with the case and litigating it in court, that in 1994, Chevron agreed to enter into a settlement with the IRS in which they paid close to \$700 million to settle the IRS’s claims with respect to the nonpayment of taxes. I don’t think that if the parties in this case were not involved in some kind of activity which was highly questionable, that such a settlement would have occurred.

“So again, I think all of the previous comments saying that this is a witch-hunt, that we don’t have enough evidence, that’s not true. And for those who say that we ought to let the Attorney General’s Office continue to review and study the issue, I think we’ve got enough studies and reviews. It’s time to take decisive action for the consumers of Hawaii. Let’s proceed with this litigation against the oil company in the future.

“Thank you.”

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 33, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE STATE TO PURSUE LITIGATION AGAINST CHEVRONTEXACO FOR NONPAYMENT OF TAXES,” was adopted with Senators Hemmings, Hogue, Slom and Trimble voting “No.”

Stand. Com. Rep. No. 1217 (S.R. No. 21, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 21, S.D. 1, entitled: “SENATE RESOLUTION URGING THE STATE TO PURSUE LITIGATION AGAINST CHEVRONTEXACO FOR NONPAYMENT OF TAXES,”

was adopted with Senators Hemmings, Hogue, Slom and Trimble voting “No.”

Stand. Com. Rep. No. 1218 (S.C.R. No. 42, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 42, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO DESIGN, IMPLEMENT, AND EVALUATE A CULTURAL TELEVISION AND FILM PILOT PROJECT,” was adopted.

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

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

Senate Concurrent Resolution	Referred to:
No. 153	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, then to the Committee on Ways and Means

ADJOURNMENT

At 12:53 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., Tuesday, April 1, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-FOURTH DAY

Tuesday, April 1, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father Allen DeLong, President, St. Louis School, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Third Day.

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

Senator Hooser introduced Paul Booth, founder and executive director of the Hawaii Student Film Festival, and commended him for his continued good work with young filmmakers.

Senator Aduja introduced and recognized Dr. Maureen Fitch for her invaluable contributions to science, biotechnology, and Hawaii's agriculture industry. Accompanying Dr. Fitch were Dr. Paul Moore and Ken Kamiya.

Senator Sakamoto recognized the following representatives from various branches of the military who have participated in the Joint Venture Education Forum, a corporate venture between the military community in the Pacific and the Department of Education: Kristina Noriega-Artis, Col. Bruce Grathwohl, Lt. Col. Frederick Fogel, COL. Thomas Gibbons, Lt. Col. Robert Boyles, Rogers Patrick, and LCDR Gary Jones.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 257 to 259) were read by the Clerk and were placed on file:

Gov. Msg. No. 257, letter dated March 28, 2003, transmitting proposed changes to the General Appropriations Act, H.B. No. 200.

Gov. Msg. No. 258, letter dated March 28, 2003, transmitting proposed changes to the General Appropriations Act, H.B. No. 200.

Gov. Msg. No. 259, letter dated March 28, 2003, requesting the Senate to restore budget adjustments to H.B. No. 200 made by the House of Representatives.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 29, from the State Auditor dated March 28, 2003, transmitting its 2002 Annual Report, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1240) recommending that S.C.R. No. 5 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1240 and S.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY AFFAIRS COUNCIL OF THE CHAMBER OF COMMERCE OF HAWAII IN ITS EFFORTS TO IMPROVE THE QUALITY OF LIFE FOR MILITARY PERSONNEL STATIONED IN HAWAII," was deferred until Wednesday, April 2, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1241) recommending that S.C.R. No. 27, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1241 and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE UNITED STATES DEPARTMENT OF JUSTICE TO CONSIDER AND REPORT WHETHER HAWAIIAN AND ALOHA AIRLINES CAN DISCUSS FLIGHT SCHEDULING TO BETTER ACCOMMODATE TRAVELERS," was deferred until Wednesday, April 2, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1242) recommending that S.R. No. 16, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1242 and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE UNITED STATES DEPARTMENT OF JUSTICE TO CONSIDER AND REPORT WHETHER HAWAIIAN AND ALOHA AIRLINES CAN DISCUSS FLIGHT SCHEDULING TO BETTER ACCOMMODATE TRAVELERS," was deferred until Wednesday, April 2, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1243) recommending that S.C.R. No. 29 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1243 and S.C.R. No. 29, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE, COUNTIES, AND PARTICIPATING PRIVATE ENTITIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was deferred until Wednesday, April 2, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1244) recommending that S.R. No. 17 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1244 and S.R. No. 17, entitled: "SENATE RESOLUTION URGING THE STATE, COUNTIES, AND PARTICIPATING PRIVATE ENTITIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was deferred until Wednesday, April 2, 2003.

Senators Chun Oakland and Kanno, for the Committee on Human Services and the Committee on Labor, presented a joint

report (Stand. Com. Rep. No. 1245) recommending that S.C.R. No. 130, as amended in S.D. 1, be referred to the Committee on Ways and Means.

The President then announced:

"Members, Stand. Com. Rep. No. 1245 will be recommitted because the recommendation from the Committee on the referral was incorrectly listed."

By unanimous consent, Stand. Com. Rep. No. 1245 and S.C.R. No. 130, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING AN AWARDS PROGRAM TO RECOGNIZE BUSINESSES WITH PARENT-FRIENDLY POLICIES," were recommitted jointly to the Committee on Human Services and the Committee on Labor.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1246) recommending that S.C.R. No. 94, as amended in S.D. 1, be adopted.

By unanimous consent, Stand. Com. Rep. No. 1246 and S.C.R. No. 94, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DECLARING APRIL 9 AS 'SAFE RETURN DAY' FOR INDIVIDUALS WITH ALZHEIMER'S DISEASE IN THE STATE OF HAWAII," was deferred until Wednesday, April 2, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1247) recommending that S.C.R. No. 31 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1247 and S.C.R. No. 31, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INVESTIGATE AND QUANTIFY ECONOMIC DIFFERENCES BETWEEN THE WORKING POOR AND FAMILIES ON PUBLIC ASSISTANCE IN FEDERAL LOW INCOME HOUSING," was deferred until Wednesday, April 2, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1248) recommending that S.R. No. 19 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1248 and S.R. No. 19, entitled: "SENATE RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INVESTIGATE AND QUANTIFY ECONOMIC DIFFERENCES BETWEEN THE WORKING POOR AND FAMILIES ON PUBLIC ASSISTANCE IN FEDERAL LOW INCOME HOUSING," was deferred until Wednesday, April 2, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1249) recommending that S.C.R. No. 154, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1249 and S.C.R. No. 154, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REVISION OF PUBLIC ASSISTANCE FORMULAS," was deferred until Wednesday, April 2, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1250)

recommending that S.R. No. 102, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1250 and S.R. No. 102, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE REVISION OF PUBLIC ASSISTANCE FORMULAS," was deferred until Wednesday, April 2, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1251) recommending that H.B. No. 731, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1251 and H.B. No. 731, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Thursday, April 3, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1252) recommending that S.C.R. No. 114, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RESEARCH OPTIONS FOR ESTABLISHING A DEDICATED FUNDING MECHANISM TO IMPLEMENT THE PUBLIC PURPOSE AND RESPONSIBILITIES AS SPECIFIED IN ACT 77, SESSION LAWS OF HAWAII 1997, RELATING TO EARLY CHILDHOOD EDUCATION AND CARE," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

REFERRAL OF HOUSE CONCURRENT RESOLUTION

MATTER DEFERRED FROM MONDAY, MARCH 31, 2003

The President made the following committee assignment of a House concurrent resolution that was received on Friday, March 28, 2003:

House Concurrent Resolution	Referred to:
No. 62, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM MONDAY, MARCH 31, 2003

H.C.R. No. 43 (Hse. Com. No. 305):

By unanimous consent, action on H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPLORATION OF OPTIONS FOR REDESIGNING THE BENEFIT LEVELS OF 'A' STATUS PLANS DEFINED UNDER HAWAII'S PREPAID HEALTH CARE ACT," was deferred until Wednesday, April 2, 2003.

H.C.R. No. 58 (Hse. Com. No. 306):

By unanimous consent, action on H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was deferred until Wednesday, April 2, 2003.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1219 (Gov. Msg. No. 14):

Senator Fukunaga moved that Stand. Com. Rep. No. 1219 be received and placed on file, seconded by Senator Kim and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of TED LIU as Director of the Department of Business, Economic Development, and Tourism, term to expire December 4, 2006, seconded by Senator Kim.

Senator Fukunaga rose to speak in support of the nominee as follows:

"Mr. President, I rise to speak in support of Gov. Msg. No. 14.

"Your Committees on Economic Development and Tourism, to which was referred Gov. Msg. No. 14, held two joint hearings and questioned Mr. Liu on his qualifications for this position. Ted Liu brings a great deal of international business experience to the position of Director of the Department of Business and Economic Development. He is the co-founder of Pacific Gap Group, a Hawaii-based private equity firm focused on venture capital investment. He was formerly managing director of Morgan Stanley & Company, Inc.; a Senior Associate and head of the China Practice Group for a Wall Street law firm; Chief Executive Officer of Public International Investments Ltd./First Shanghai Investments Ltd.; advisor to the New York Stock Exchange on financial markets in China; and part of the founding staff of China Daily, the first English language newspaper in China.

"Mr. Liu talked about his formative sales experiences as a newspaper boy, hawking newspapers on a street corner and waiting tables in a Chinese restaurant. In these early jobs, he quickly determined that exceptional customer service was the key component to success in sales and marketing.

"His goals and objections for DBEDT similarly emphasize a customer service orientation, such as returning phone calls and e-mails with dispatch, efficiency and accountability, coupled with relevant data and analysis. He has proposed to restructure the department to engage DBEDT's constituencies, build the department's internal capacity, facilitate solutions, and provide leadership.

"Ted is also pursuing ideas on how to make Hawaii truly competitive and to produce products or services that can be effectively marketed to the widest possible audience. Thinking outside the box to generate ideas for Hawaii's future business development, he plans to utilize his contacts in China, Taiwan and Japan to promote deals and markets for Hawaii.

"As he has pointed out, economic growth becomes the primary measure for success and we should all collaborate to ensure that our marketing and promotional programs attract visitors that contribute to the economic well being of the industry and the State. DBEDT will work with the business community on tourism infrastructure to remain competitive as well.

"For all of the foregoing reasons, I support Mr. Liu's devoting his considerable talent, energies, and enthusiasm to business creation and development here in the State of Hawaii. I therefore urge your support for Ted Liu's nomination as Director of the Department of Business and Economic Development.

"Thank you."

Senator Hemmings rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 14, the nomination and confirmation of Ted Liu to head the Department of Business, Economic Development and Tourism.

"Oftentimes, there are different ways to measure leadership, and certainly, measuring one's leadership abilities in times of duress or stress are a good indicator of the character of the person. In recent past, we have seen on numerous occasions, scathing audits by Marion Higa of various departments. And quite frankly, the reaction by the departments have uniformly been, she's wrong and other ways to deflect the criticism.

"What is really refreshing is the attitude of Mr. Liu. In a recent audit, the DBEDT was . . . not attacked, but criticized for the way it had done things in the past. And unlike others who have tried to deny the audit, the reaction of Ted Liu reflects the character of this man, and I'd like to quote the Advertiser, 'DBEDT director Ted Liu said he plans to work with the Auditor's Office to address the concerns raised. 'It's got the type of information that will be very useful to us,' he said of the audit.' And this is the kind of attitude that is really refreshing and it's going to bring the dramatic changes that this State so desperately needs in the executive branch of government to have the people's needs served better.

"Therefore, I think it's incumbent upon us to all join in unanimously supporting this nomination in its vote today. Thank you, Mr. President."

Senator Slom rose to support the nominee and said:

"Mr. President, I rise, also, in support of Gov. Msg. No. 14, Ted Liu.

"On behalf of the Minority Caucus, I want to add a few remarks because truly if there's any individual that has been appointed in recent years that is overqualified, it certainly is Mr. Liu. When everybody is talking about 'you only get what you pay for,' and they call for raising salaries, we are getting a real bargain. We're getting much more than we paid for in Mr. Liu's appointment.

"There was only one negative thing, however, that the Caucus had to go over. In his resume he stressed that he speaks fluent Mandarin but his Portuguese was only passable. But we were able to huddle on that, and with the concurrence of the Minority Leader, we were able to overlook that at this time, if he works on that. (Laughter.)

"As one who has been critical and skeptical of the Department of Business in the past because of its seemingly blind and deaf ear, oftentimes, to small business needs and issues in this community, I'm very heartened and very encouraged by the approach that Mr. Liu has taken. He's already on the job. He has been doing a good job. He's been trying to be more inclusive and get people in the community involved. I have not seen of any of the candidates in recent years, a more complete vision statement of what he intends to

do with that department. I think he's got the energy, he's got the focus, he's got the leadership abilities to make these things happen.

"So we certainly listen as he listens and we will be watching to see and help him in any way to make this department a very positive department in our State's economic future. So we're very happy to support the nomination of Mr. Liu and encourage all of our colleagues to do likewise. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At this time, Senator Fukunaga introduced Mr. Liu and his family to the members of the Senate. (Mr. Liu, who was seated in the gallery, rose to be recognized.)

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

ADOPTION OF RESOLUTIONS

**MATTERS DEFERRED FROM
MONDAY, MARCH 31, 2003**

Stand. Com. Rep. No. 1220 (S.C.R. No. 62):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was adopted.

Stand. Com. Rep. No. 1221 (S.C.R. No. 106):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 106, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOGNIZE ON-LINE COURSES FROM ACCREDITED INSTITUTIONS," was adopted.

Stand. Com. Rep. No. 1222 (S.R. No. 74):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 74, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RECOGNIZE ON-LINE COURSES FROM ACCREDITED INSTITUTIONS," was adopted.

Stand. Com. Rep. No. 1223 (S.C.R. No. 96):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII HOMEOWNERSHIP CENTER," was adopted.

Senator English, Chair of the Committee on Energy and Environment, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1294.

Senator English noted:

"Mr. President, this bill makes clarifying amendments to the environmental impact statement law, and we've received a late request for a hearing on the bill."

The Chair then granted the waiver.

ADJOURNMENT

At 12:32 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., Wednesday, April 2, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-FIFTH DAY

Wednesday, April 2, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:52 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Honpa Hongwanji, after which the Roll was called showing all Senators present with the exception of Senator Hogue who was excused.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

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

Senator Slom, with the assistance of Senators Trimble and Hemmings, recognized and commended the following Junior Achievement of Hawaii 2003 inductees to the Business Hall of Fame: Chatt Wright, Eddie Flores, and the late Henry Walker Jr., who was represented by his wife, Nancy Walker, and daughter, Susan Kowen. Accompanying the honorees was Carol Ann Biederman, President of Junior Achievement of Hawaii.

Senator Fukunaga, with the assistance of Senators Hooser, Whalen, Trimble, Kawamoto, Ihara, Slom, Ige, Sakamoto, Tsutsui and Baker, recognized and congratulated the following recipients of the US Small Business Administration 2003 Small Business Awards: Jeanette Otsuka Chang, Small Business Person of the Year; Eli Brainerd, Young Entrepreneur of the Year; Thomas Greenwell, Small Business Exporter of the Year; John Chock, Financial Services Advocate of the Year; Violeta Arnobit, Home-Based Business Advocate of the Year; Thanh-Lo Sananikone, Minority Small Business Advocate of the Year; John Fink, Small Business Journalist of the Year; Dr. Tung Bui, Small Business Research Advocate of the Year; William Daves and Fred Ballard, Veteran Small Business Advocates of the Year; and Lynne Woods, Women in Business Advocate of the Year. Accompanying the honorees was Andy Poepoe, District Director of the US Small Business Administration.

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 260 to 263) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 260, letter dated March 31, 2003, transmitting proposed changes to the General Appropriations Act, H.B. No. 200, was placed on file.

Gov. Msg. No. 261, letter dated March 7, 2003, transmitting a request to amend H.B. No. 1152, H.D. 1, Relating to State Funds, to retain, rather than repeal, the state disaster loan revolving fund, and to transfer \$400,000 from the state disaster loan revolving fund to the general fund for fiscal year 2003-2004, was placed on file.

Gov. Msg. No. 262, informing the Senate that on April 1, 2003, she signed into law House Bill No. 652 as Act 3, entitled: "RELATING TO STATUTORY REVISION: AMENDING,

REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," was placed on file.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nomination of GILBERT COLOMA-AGARAN, term to expire June 30, 2007, was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 307 to 339) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 307, returning S.B. No. 616, which passed Third Reading in the House of Representatives on March 31, 2003, was placed on file.

Hse. Com. No. 308, returning S.B. No. 685, which passed Third Reading in the House of Representatives on March 31, 2003, was placed on file.

Hse. Com. No. 309, returning S.B. No. 1270, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2003, was placed on file.

Hse. Com. No. 310, returning S.B. No. 295, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 295, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 311, returning S.B. No. 394, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 394, and requested a conference on the subject matter thereof.

Hse. Com. No. 312, returning S.B. No. 678, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 678, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 313, returning S.B. No. 687, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 687, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 314, returning S.B. No. 1200, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1200, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 315, returning S.B. No. 1361, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1361, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 316, returning S.B. No. 1589, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1589, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 317, returning S.B. No. 1630, which passed Third Reading in the House of Representatives on March 31, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1630, and requested a conference on the subject matter thereof.

Hse. Com. No. 318, transmitting H.C.R. No. 78, which was adopted by the House of Representatives on March 31, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONVENING OF THE 2003 ANNUAL MEETING OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL'S PERMANENT FORUM ON INDIGENOUS ISSUES TO BE HELD IN HAWAII," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 319, transmitting H.C.R. No. 79, which was adopted by the House of Representatives on March 31, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 320, transmitting H.C.R. No. 89, which was adopted by the House of Representatives on March 31, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 321, transmitting H.C.R. No. 163, which was adopted by the House of Representatives on March 31, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF THE HAWAII HOMEOWNERSHIP CENTER," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 322, transmitting H.C.R. No. 81, H.D. 1, which was adopted by the House of Representatives on April 1, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND PROTECT THE RECREATION RESIDENCE TRACTS WITHIN THE KOKE'E AND WAIMEA CANYON STATE PARKS," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 323, transmitting H.C.R. No. 96, which was adopted by the House of Representatives on April 1, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 324, transmitting H.C.R. No. 119, H.D. 1, which was adopted by the House of Representatives on April 1, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW THE SALE OF LEASES AND SUBMIT RECOMMENDATIONS TO THE LEGISLATURE FOR THE ADOPTION OF POLICIES THAT ARE FAIR TO AWARDEES, LEASE PURCHASERS, AND TO THE STATE," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 325, transmitting H.C.R. No. 198, H.D. 1, which was adopted by the House of Representatives on April 1, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 326, transmitting H.C.R. No. 203, which was adopted by the House of Representatives on April 1, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, WITH THE ASSISTANCE OF THE HAWAII CONGRESSIONAL DELEGATION, TO RESTORE THE DISPROPORTIONATE SHARE OF HOSPITAL PAYMENTS FOR COMPENSATION FOR CARE PROVIDED TO THE UNINSURED," was deferred until Thursday, April 3, 2003.

Hse. Com. No. 327, returning S.B. No. 550, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2003, was placed on file.

Hse. Com. No. 328, returning S.B. No. 1256, which passed Third Reading in the House of Representatives on April 1, 2003, was placed on file.

Hse. Com. No. 329, returning S.B. No. 1415, which passed Third Reading in the House of Representatives on April 1, 2003, was placed on file.

Hse. Com. No. 330, returning S.B. No. 38, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 38, and requested a conference on the subject matter thereof.

Hse. Com. No. 331, returning S.B. No. 41, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 41, and requested a conference on the subject matter thereof.

Hse. Com. No. 332, returning S.B. No. 319, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 319, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 333, returning S.B. No. 337, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 337, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 334, returning S.B. No. 363, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 363, and requested a conference on the subject matter thereof.

Hse. Com. No. 335, returning S.B. No. 534, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 534, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 336, returning S.B. No. 1139, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1139, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 337, returning S.B. No. 1154, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1154, and requested a conference on the subject matter thereof.

Hse. Com. No. 338, returning S.B. No. 1255, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1255, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 339, returning S.B. No. 1306, which passed Third Reading in the House of Representatives on April 1, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1306, and requested a conference on the subject matter thereof.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1253) recommending that S.C.R. No. 93, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1253 and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO STUDY THE CONTINUATION OF SERVICES AFTER THE PLANNED CLOSING OF THE CASEY FAMILY PROGRAMS' HAWAII OFFICES," was deferred until Thursday, April 3, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1254) recommending that S.C.R. No. 115, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1254 and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE CONTINUED AVAILABILITY OF A STATEWIDE NETWORK OF MULTI-PURPOSE SENIOR CENTERS," was deferred until Thursday, April 3, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1255) recommending that S.C.R. No. 193 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1255 and S.C.R. No. 193, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH

AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1256) recommending that S.C.R. No. 18 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1256 and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1257) recommending that S.R. No. 8 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1257 and S.R. No. 8, entitled: "SENATE RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1258) recommending that S.C.R. No. 23, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1258 and S.C.R. No. 23, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO ALLOCATE ADEQUATE FUNDING TO THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO ENABLE IT TO CARRY OUT ITS MISSION AND DUTIES AS MANDATED BY LAW," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1259) recommending that S.R. No. 13, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1259 and S.R. No. 13, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ALLOCATE ADEQUATE FUNDING TO THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO ENABLE IT TO CARRY OUT ITS MISSION AND DUTIES AS MANDATED BY LAW," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1260) recommending that S.C.R. No. 86, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1260 and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1261) recommending that S.R. No. 60, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1261 and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A TASK FORCE TO DETERMINE

WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1262) recommending that S.C.R. No. 119 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1262 and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1263) recommending that S.R. No. 78 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1263 and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS," was deferred until Thursday, April 3, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1264) recommending that H.B. No. 133, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1264 and H.B. No. 133, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1265) recommending that H.B. No. 135, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1265 and H.B. No. 135, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1266) recommending that H.B. No. 287, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1266 and H.B. No. 287, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1267) recommending that H.B. No. 736, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1267 and H.B. No. 736, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES," was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1268) recommending that H.B. No. 807, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1268 and H.B. No. 807, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291E," was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1269) recommending that H.B. No. 1010, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1269 and H.B. No. 1010, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1270) recommending that H.B. No. 1572, H.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1270 and H.B. No. 1572, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred until Friday, April 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1271) recommending that H.B. No. 58 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1271 and H.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Friday, April 4, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1272) recommending that H.B. No. 1453, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1272 and H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," was deferred until Friday, April 4, 2003.

At 12:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:38 o'clock p.m.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1273) recommending that H.B. No. 1594, 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 Whalen and carried, the report of the Committee was adopted and H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1274) recommending that S.C.R. No. 103, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND

FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1275) recommending that S.R. No. 71, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 71, entitled: "SENATE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM TUESDAY, APRIL 1, 2003

H.C.R. No. 43 (Hse. Com. No. 305):

By unanimous consent, action on H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPLORATION OF OPTIONS FOR REDESIGNING THE BENEFIT LEVELS OF 'A' STATUS PLANS DEFINED UNDER HAWAII'S PREPAID HEALTH CARE ACT," was deferred until Thursday, April 3, 2003.

H.C.R. No. 58 (Hse. Com. No. 306):

By unanimous consent, action on H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was deferred until Thursday, April 3, 2003.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, APRIL 1, 2003

Stand. Com. Rep. No. 1240 (S.C.R. No. 5):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY AFFAIRS COUNCIL OF THE CHAMBER OF COMMERCE OF HAWAII IN ITS EFFORTS TO IMPROVE THE QUALITY OF LIFE FOR MILITARY PERSONNEL STATIONED IN HAWAII," was adopted.

Stand. Com. Rep. No. 1241 (S.C.R. No. 27, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE UNITED STATES DEPARTMENT OF JUSTICE TO CONSIDER AND REPORT WHETHER HAWAIIAN AND ALOHA AIRLINES CAN DISCUSS FLIGHT SCHEDULING TO BETTER ACCOMMODATE TRAVELERS," was adopted.

Stand. Com. Rep. No. 1242 (S.R. No. 16, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE UNITED STATES DEPARTMENT OF JUSTICE TO CONSIDER AND REPORT WHETHER HAWAIIAN AND ALOHA AIRLINES CAN DISCUSS FLIGHT SCHEDULING TO BETTER ACCOMMODATE TRAVELERS," was adopted.

Stand. Com. Rep. No. 1243 (S.C.R. No. 29):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 29, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE, COUNTIES, AND PARTICIPATING PRIVATE ENTITIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was adopted.

Stand. Com. Rep. No. 1244 (S.R. No. 17):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 17, entitled: "SENATE RESOLUTION URGING THE STATE, COUNTIES, AND PARTICIPATING PRIVATE ENTITIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was adopted.

Stand. Com. Rep. No. 1246 (S.C.R. No. 94, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 94, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DECLARING APRIL 9 AS 'SAFE RETURN DAY' FOR INDIVIDUALS WITH ALZHEIMER'S DISEASE IN THE STATE OF HAWAII," was adopted.

Stand. Com. Rep. No. 1247 (S.C.R. No. 31):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 31, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INVESTIGATE AND QUANTIFY ECONOMIC DIFFERENCES BETWEEN THE WORKING POOR AND FAMILIES ON PUBLIC ASSISTANCE IN FEDERAL LOW INCOME HOUSING," was adopted.

Stand. Com. Rep. No. 1248 (S.R. No. 19):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 19, entitled: "SENATE RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INVESTIGATE AND QUANTIFY ECONOMIC DIFFERENCES BETWEEN THE WORKING POOR AND FAMILIES ON PUBLIC ASSISTANCE IN FEDERAL LOW INCOME HOUSING," was adopted.

Stand. Com. Rep. No. 1249 (S.C.R. No. 154, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 154, S.D. 1, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE REVISION OF PUBLIC ASSISTANCE FORMULAS," was adopted.

Stand. Com. Rep. No. 1250 (S.R. No. 102, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 102, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE REVISION OF PUBLIC ASSISTANCE FORMULAS," was adopted.

THIRD READING

Stand. Com. Rep. No. 1224 (H.B. No. 192, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1224 and H.B. No. 192, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1225 (H.B. No. 285, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1225 and H.B. No. 285, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1226 (H.B. No. 373, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1226 and H.B. No. 373, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SPEECH," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1227 (H.B. No. 385, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1227 and H.B. No. 385, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1228 (H.B. No. 651, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1228 and H.B. No. 651, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1229 (H.B. No. 914, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1229 and H.B. No. 914, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1230 (H.B. No. 1198, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1230 and H.B. No. 1198, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD LABOR," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1231 (H.B. No. 1214, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1231 and H.B. No. 1214, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," was deferred until Thursday, April 3, 2003.

Stand. Com. Rep. No. 1232 (H.B. No. 1217, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1232 and H.B. No. 1217, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Thursday, April 3, 2003.

H.B. No. 1161, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," was deferred until Thursday, April 3, 2003.

H.B. No. 1172:

By unanimous consent, action on H.B. No. 1172, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," was deferred until Thursday, April 3, 2003.

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

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| House Bill | Referred to: |
| No. 73, S.D. 1 | Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs |
| No. 519, H.D. 1 | Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs |
| No. 1253, H.D. 1 | Committee on Transportation, Military Affairs, and Government Operations |

RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

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| House Concurrent Resolution | Referred to: |
| No. 62, H.D. 1 | Jointly to the Committee on Human Services, the Committee on Health and the Committee on Education, then to the Committee on Transportation, Military Affairs, and Government Operations |

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.C.R. No. 153.

Senator Inouye noted:

"Mr. President, the purpose of this resolution is to request an investigation on the state and counties' land use policies related to solid waste management programs. The hearing notice was filed yesterday and we were several hours short of the 72-hour notice requirement."

The Chair then granted the waiver.

Senator Sakamoto, Chair of the Committee on Education, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.C.R. No. 146 and S.R. No. 98.

Senator Sakamoto noted:

"Mr. President, the purpose of these resolutions is to request the formation of a long-range plan to address the future of public and school libraries. The hearing notice was filed yesterday and we were a few hours short of the 72-hour notice requirement."

The Chair granted the waiver.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1253.

Senator Kawamoto noted:

"Mr. President, this bill clarifies the procurement requirements for small purchases and is similar to S.B. No. 686, which was already heard by your Committee."

The Chair granted the waiver.

Senator Ihara rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I would like to state for the record my objection to the 2003 Conference Committee Procedures delivered to my office yesterday, namely chair veto rule number 8-b. These procedures were delivered to my office without a transmittal memo, so I'm going to presume that they are in effect.

"Rule 8-b of these Conference rules require a majority of Conference Committee Chairs of each house to vote in favor of a bill in order to report a bill out of that Conference Committee. As you recall, two years ago we had a rule, a simple chair veto rule. And last Session that rule was amended to allow a method of overriding a chair veto. Under the current rule, only in situations where there are three chairs can two chairs override an objection of one chair. So if there are three chairs and one chair says 'I don't want to move the bill out,' the only way for the bill to move out would be for the two other chairs to override that chair veto. That's why I still call it a chair veto rule.

"My problem is, of course, that well over half of the bills in Conference have two chairs or less. And so the veto power still lives, is alive and well in our Conference rules. I believe that the chair veto rule violates a fundamental principle of democracy – that is equality among members of an organization, and particularly the equality of votes among Senators.

"This rule makes my vote of lesser value than a Committee chair and I believe that is simply unfair. Here's an example: let's say there are five chairs – five House and five Senate Conference Committee chairs – and each Conference Committee in the House and Senate have two chairs each. So there is a total of ten members on the Conference Committee – five House, five Senate. When a vote on a bill is made on a conference draft, let's say all House members vote 'aye' and all Senate Conference Committee members vote 'aye' except one chair, where you have two chairs. In that situation, you have the single chair who objects. That Senator's vote is worth four votes because that one Senator can override four other votes. So the vote in Conference is four to one – three members vote 'aye,' one of the chairs vote 'aye,' so that one Senate chair can trump, can veto and override the other four Senate Conference

Committee members. So that one chair's 'no' vote is equal to four votes. I believe that in most people's eyes, that is unfair.

"Mr. President, I don't know how many other Senators oppose this chair veto rule, but if there were enough, and there hasn't been in the last two years, if there were enough, I would submit a resolution to prohibit this rule, which I believe is a violation of my voting rights as a Senator.

"Thank you."

The Chair responded:

"Your remarks are so noted."

ADJOURNMENT

At 12:48 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 3, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-SIXTH DAY

Thursday, April 3, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Grace Ripple, United Methodist Church, Hawaii District, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

At this time, Senator Sakamoto honored and recognized the late Chiune Sugihara, who saved the lives of thousands during his tenure as Vice-Consul at the Japanese Consulate in Kaunas in Lithuania from 1939 to 1940, and who, under the extremely difficult situation where many Jews were persecuted by Nazis, acted humanely in issuing transit visas to Japan to a great number of Jewish refugees. Representing the late Mr. Sugihara was his wife, Yukiko, and his son, Chiaki Sugihara.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 340 to 356) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 340, transmitting H.C.R. No. 141, H.D. 1, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO RECONSIDER THE EXISTING KALAELOA REDEVELOPMENT PLAN AND MAKE REVISIONS AS NECESSARY TO MAXIMIZE THE SOCIAL AND ECONOMIC DEVELOPMENT POTENTIAL OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was deferred until Friday, April 4, 2003.

Hse. Com. No. 341, transmitting H.C.R. No. 146, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO OBTAIN ADDITIONAL FUNDS NECESSARY TO MEET THE MANDATES OF THE FEDERAL 'NO CHILD LEFT BEHIND ACT OF 2001,'" was deferred until Friday, April 4, 2003.

Hse. Com. No. 342, transmitting H.C.R. No. 160, H.D. 1, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING APRIL AS 'FINANCIAL LITERACY FOR YOUTH IN HAWAII MONTH,'" was deferred until Friday, April 4, 2003.

Hse. Com. No. 343, transmitting H.C.R. No. 208, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was deferred until Friday, April 4, 2003.

Hse. Com. No. 344, transmitting H.C.R. No. 216, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was deferred until Friday, April 4, 2003.

Hse. Com. No. 345, returning S.B. No. 345, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 345, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 346, returning S.B. No. 585, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 585, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 347, returning S.B. No. 870, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 870, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 348, returning S.B. No. 1049, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1049, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 349, returning S.B. No. 1353, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1353, and requested a conference on the subject matter thereof.

Hse. Com. No. 350, returning S.B. No. 51, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 351, returning S.B. No. 368, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 352, returning S.B. No. 562, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 353, returning S.B. No. 787, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 354, returning S.B. No. 1260, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 355, returning S.B. No. 1406, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 356, returning S.B. No. 1469, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1276) recommending that the Senate consent to the nomination of BERT I. AYABE to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1276 and Jud. Com. No. 2 was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1277) recommending that the Senate consent to the nomination of MICHAEL F. BRODERICK to the office of Judge, District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 3.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1277 and Jud. Com. No. 3 was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1278) recommending that S.C.R. No. 25 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1278 and S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONS TELEVISION TO TEACH READING TO STUDENTS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1279) recommending that S.R. No. 14 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1279 and S.R. No. 14, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONS TELEVISION TO TEACH READING TO STUDENTS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1280) recommending that S.C.R. No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1280 and S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1281) recommending that S.R. No. 31, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1281 and S.R. No. 31, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1282) recommending that S.C.R. No. 58 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1282 and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1283) recommending that S.R. No. 38 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1283 and S.R. No. 38, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1284) recommending that S.C.R. No. 60 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1284 and S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1285) recommending that S.R. No. 40 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1285 and S.R. No. 40, entitled: "SENATE RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1286) recommending that S.C.R. No. 150 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1286 and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ASIA-PACIFIC EDUCATION TO ENSURE THAT HAWAII'S STUDENTS MEET HIGH PERFORMANCE STANDARDS IN EDUCATION ABOUT ASIA AND THE PACIFIC AND UNDERSTAND THE IMPACT OF THE STATE'S RELATIONSHIP WITH THE REGION," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1287) recommending that S.C.R. No. 181 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1287 and S.C.R. No. 181, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1288) recommending that S.R. No. 129 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1288 and S.R. No. 129, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was deferred until Friday, April 4, 2003.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1289) recommending that S.C.R. No. 120, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1289 and S.C.R. No. 120, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' PLANS AND POLICIES AFFECTING PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS TELEVISION," was deferred until Friday, April 4, 2003.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1290) recommending that S.R. No. 79, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1290 and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' PLANS AND POLICIES AFFECTING PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS TELEVISION," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1291) recommending that S.C.R. No. 32, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1291 and S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO USE RESEARCH-BASED CURRICULUM AND STANDARDS-BASED CLASSROOM ASSESSMENTS, IN ADDITION TO LARGE-SCALE ACHIEVEMENT TESTS, TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1292) recommending that S.R. No. 20, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1292 and S.R. No. 20, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO USE RESEARCH-BASED CURRICULUM AND STANDARDS-BASED CLASSROOM ASSESSMENTS, IN ADDITION TO LARGE-SCALE ACHIEVEMENT TESTS, TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1293) recommending that S.C.R. No. 59, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1293 and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF CURRICULUM GUIDELINES FOR INSTRUCTION ON THE HISTORICAL FACTS AND IMPACT UPON OUR NATION OF THE INTERNMENT OF JAPANESE AMERICANS DURING WORLD WAR II," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1294) recommending that S.R. No. 39, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1294 and S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF CURRICULUM GUIDELINES FOR INSTRUCTION ON THE HISTORICAL FACTS AND IMPACT UPON OUR NATION OF THE INTERNMENT OF JAPANESE AMERICANS DURING WORLD WAR II," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1295) recommending that S.C.R. No. 147, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1295 and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY

OF HAWAII TO COLLABORATIVELY DEVELOP AN IMPLEMENTATION PLAN TO ESTABLISH CERTIFICATED PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1296) recommending that S.R. No. 99, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1296 and S.R. No. 99, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO COLLABORATIVELY DEVELOP AN IMPLEMENTATION PLAN TO ESTABLISH CERTIFICATED PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1297) recommending that S.C.R. No. 151, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1297 and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII'S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1298) recommending that S.R. No. 104, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1298 and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII'S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION," was deferred until Friday, April 4, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1299) recommending that S.C.R. No. 36, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 36, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION OF PERMANENT FAIR GROUNDS ON THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1300) recommending that S.R. No. 23, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION OF PERMANENT FAIR GROUNDS ON THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1301) recommending that S.C.R. No. 149, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 149, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1302) recommending that S.R. No. 101, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 101, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS," was referred to the Committee on Ways and Means.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1303) recommending that S.C.R. No. 9, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR EXAMINATION FOR SEXUALLY TRANSMITTED DISEASES," was referred to the Committee on Ways and Means.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1304) recommending that S.C.R. No. 131, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE IMPACT OF MANDATED GROUP HEALTH INSURANCE COVERAGE FOR INFERTILITY," was referred to the Committee on Ways and Means.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1305) recommending that H.B. No. 123, 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 joint report of the Committees was adopted and H.B. No. 123, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senators Menor and English, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1306) recommending that H.B. No. 1328, 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 joint report of the Committees was adopted and H.B. No. 1328, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

ORDER OF THE DAY

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

The President made the following committee assignments of House concurrent resolutions that were received on Monday, March 31, 2003, and Wednesday, April 2, 2003:

House Concurrent Resolution	Referred to:
No. 43	Committee on Labor
No. 58	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 78	Jointly to the Committee on Economic Development and the Committee on Tourism
No. 79	Committee on Transportation, Military Affairs, and Government Operations
No. 89	Committee on Science, Arts, and Technology
No. 163	Committee on Commerce, Consumer Protection and Housing

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

H.C.R. No. 81, H.D. 1 (Hse. Com. No. 322):

By unanimous consent, action on H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND PROTECT THE RECREATION RESIDENCE TRACTS WITHIN THE KOKE'E AND WAIMEA CANYON STATE PARKS," was deferred until Friday, April 4, 2003.

H.C.R. No. 96 (Hse. Com. No. 323):

By unanimous consent, action on H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Friday, April 4, 2003.

H.C.R. No. 119, H.D. 1 (Hse. Com. No. 324):

By unanimous consent, action on H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW THE SALE OF LEASES AND SUBMIT RECOMMENDATIONS TO THE LEGISLATURE FOR THE ADOPTION OF POLICIES THAT ARE FAIR TO AWARDEES, LEASE PURCHASERS, AND TO THE STATE," was deferred until Friday, April 4, 2003.

H.C.R. No. 198, H.D. 1 (Hse. Com. No. 325):

By unanimous consent, action on H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was deferred until Friday, April 4, 2003.

H.C.R. No. 203 (Hse. Com. No. 326):

By unanimous consent, action on H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, WITH THE ASSISTANCE OF THE HAWAII CONGRESSIONAL DELEGATION, TO RESTORE THE DISPROPORTIONATE SHARE OF HOSPITAL PAYMENTS FOR COMPENSATION FOR CARE PROVIDED TO THE UNINSURED," was deferred until Friday, April 4, 2003.

THIRD READING

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

Stand. Com. Rep. No. 1224 (H.B. No. 192, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1224 was adopted and H.B. No. 192, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1225 (H.B. No. 285, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1225 was adopted and H.B. No. 285, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1226 (H.B. No. 373, H.D. 2, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1226 be adopted and H.B. No. 373, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose in opposition to the measure as follows:

“Mr. President, I rise to speak in opposition to this bill.

“Mr. President, I do believe in the freedom of speech. I’m sure all of us do. However, there are certain limitations that we already currently have – for example, our staffers cannot come down here to this building and work at the State Capitol with ‘vote for Hanabusa’ or ‘vote for Shan Tsutsui,’ even if that’s what they would like to do, but they cannot do it. You cannot go into the voting booth and have ‘vote for Ron Menor’ all over your T-shirt while you’re voting in Mililani, even if you do love the UCLA Bruins where Ron Menor went to school, but you cannot do that. So there are certain restrictions in freedom of speech.

“This particular bill, on page 4, takes away the fundamental property right by stating ‘a landlord shall not prohibit a tenant from displaying an otherwise legal sign,’ and it goes on to talk about election purposes, etc., etc. I’m sure that all of you have run into this along the way on the campaign trail, and you’ve gone over and you’ve seen a particular corner that you really want to put your sign up, and you go up and you talk to the people who say ‘well, we’re renters here and our landlord doesn’t want us to have political signs put up there.’ Well, that’s for good reason, because the landlord does not want to change the culture, if you will, of that particular corner. They want to stay free from controversy. They believe that they have that right, and inherently they do.

“Landlords should be able to maintain their property as they see fit. For example, as a tenant, you wouldn’t be able to knock down a wall, you wouldn’t be able to change other things on the property, and landlords should be given that right.

“So for these reasons, even though I believe in the freedom of speech, I will be voting ‘no’ on this particular measure because, essentially, it does take away a landlord’s fundamental property rights.

“Thank you very much, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1226 was adopted and H.B. No. 373, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POLITICAL SPEECH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Slom).

Stand. Com. Rep. No. 1227 (H.B. No. 385, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1227 was adopted and H.B. No. 385, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1228 (H.B. No. 651, H.D. 2, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1228 was adopted and H.B. No. 651, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INFORMED CONSENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1229 (H.B. No. 914, H.D. 2, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1229 be adopted and H.B. No. 914, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in opposition to the measure and said:

“Mr. President, I rise to speak in opposition to this particular measure.

“Essentially, what has happened here, members, is that there has been a big change as the wording from H.D. 2 to H.D. 2, S.D. 1 has been changed. Originally, in the original draft it said the Department of Health may conduct unannounced annual inspections, and I believe the Department of Health was in favor of that and we can certainly see that this would probably be good practice, allowing them, through administrative rules, to go through with unannounced visits to these particular adult residential care homes.

“However, now the wording says shall conduct unannounced visits to every licensed adult residential care home. And that’s where we run into major, major problems. Because we have mandated that they must conduct unannounced visits, we are putting major restrictions upon the administration of the Department of Health for a well-intended idea.

“I can certainly say that all of us want to have our elderly safe. None of us here is for elder abuse in any way. However, by putting the caveat in there – shall conduct unannounced visits – really puts a major damper on the administration of the Department of Health, and for those reasons, I’ll be voting ‘no.’

“Thank you, Mr. President.”

Senator Baker rose to speak in support of the measure and said:

“Mr. President, I rise to speak in support of this measure.

“With all due respect to the previous remarks of the speaker from the Kaneohe side of the Island of Oahu, in discussions that we’ve had with the Department of Health, they have every intention of doing unannounced inspections. This bill is very clear that these are the more random types of unannounced inspections. It still provides that the annual inspection may be conducted unannounced or done in the fashion that the Department of Health currently uses, which is, they select a month, a day of the week within that month, and they tell the care home operator that’s when they’re going to come to do their licensing exam. Right now, the Department of Health does not have the authority to go in, except on a complaint, to take a look at the conditions in the home – to take a look at the residents, to take a look at any activity that may be happening there.

“This bill has come from lots of concern in the community about how we treat our elders. We have unannounced inspections for liquor establishments. We have unannounced inspections for all other kinds of long-term care facilities. We have unannounced inspections for child care facilities. Our adult, frail elderly deserve no less than the ability of the agency that is charged with protecting and preserving their care, to allow that agency to go in on an unannounced basis to take a look and to make sure that everything is proceeding appropriately.

"I am convinced, based on the conversations that I've had with the Department of Health and with testimony that they presented to the Committee on Health, that they support the unannounced nature of this bill. There may be some concerns about some of the items in statutory language that might easily be put into rules, but we're working that through with them.

"This is a very good bill. It's a bill that helps to protect our elderly, and it's one that I encourage all of my colleagues to vote in favor of.

"Thank you."

Senator Espero rose in support with reservations and said:

"Mr. President, I'd like to rise in support of this measure with reservations.

"My only concern has to do with the unannounced inspections regarding the annual license renewal and I'd like to insert some comments into the Journal."

The Chair having so ordered, Senator Espero's remarks read as follows:

"Unannounced inspections 365 days of the year is fine. I have spoken with individuals in the care home industry, and the need to protect our elderly and frail is not in question. However, unannounced inspections which deal with the annual license renewal is a problem. Care homes should be able to schedule the annual license renewal because of the importance of the subject matter. Knowledge of the annual license renewal date does not impact unannounced inspections, which can happen any day of the year. But like other institutions (banks, pharmacies, colleges, schools, hospitals), announced inspections or examinations for the purpose of license renewal or accreditation is not unusual and should be allowed. If money is an issue, the Legislature should provide the necessary funds to allow unannounced inspections and announced annual license renewal inspections. Unannounced inspections with announced license renewals is workable."

Senator Menor rose in favor with reservations and said:

"Mr. President, I just want the Clerk to note my vote in favor with reservations."

The Chair so ordered.

Senator Kawamoto requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Aduja rose and said:

"Mr. President, I'd like to also lodge my reservations on this measure. Thank you."

The Chair so ordered.

Senators Kim and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the measure.

"I think what we've just seen, in terms of everyone jumping up with reservations, shows that the proposed legislation is not as clear as the proponents would like us to believe that it is.

And in fact, changing the word from 'may' to 'shall' always has an undesired impact.

"But let me state very clearly for those of us that are going to be voting 'no' on this measure – we are absolutely opposed to elder abuse or any kind of abuse whatsoever. And that's not what this bill is about, and that's not what the inspections are about. And anybody that's ever gone through one of these inspections, or a HIOSH inspection, or other Department of Labor inspection, or all the others, know that in many cases, what this does is go far beyond what the issue is supposed to be and what the protection is supposed to be. And that's the case here as well.

"If there in fact is a complaint, if there is an allegation, if there is any evidence whatsoever to have one believe that there is any kind of abuse or wrongdoing going on, then absolutely not only should there be inspections, but there should be indictments and prosecutions. That goes without saying.

"However, what these inspections do is go far beyond any issue of personal safety or personal care. And what they do is disrupt the businesses, cause additional time concerns and constraints, and additional costs as well. And that, when we say and here that we're going to be working these things out, these should all be worked out beforehand so that we know exactly what we're working for and what we're voting for.

"As it is right now, we're voting for something that goes far beyond what the proponents say. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1229 was adopted and H.B. No. 914, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Hemmings).

Stand. Com. Rep. No. 1230 (H.B. No. 1198, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1230 was adopted and H.B. No. 1198, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD LABOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1231 (H.B. No. 1214, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1231 and H.B. No. 1214, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1232 (H.B. No. 1217, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1232 was adopted and H.B. No. 1217, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1161, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1172:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1172, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

THIRD READING

Stand. Com. Rep. No. 1251 (H.B. No. 731, H.D. 1, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1251 was adopted and H.B. No. 731, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

Stand. Com. Rep. No. 1253 (S.C.R. No. 93, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO STUDY THE CONTINUATION OF SERVICES AFTER THE PLANNED CLOSING OF THE CASEY FAMILY PROGRAMS' HAWAII OFFICES," was adopted.

Stand. Com. Rep. No. 1254 (S.C.R. No. 115, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE CONTINUED AVAILABILITY OF A STATEWIDE NETWORK OF MULTI-PURPOSE SENIOR CENTERS," was adopted.

Stand. Com. Rep. No. 1255 (S.C.R. No. 193):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 193, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was adopted.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

Stand. Com. Rep. No. 1256 (S.C.R. No. 18):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS," was adopted with Senators Hogue, Slom and Whalen voting "No."

Stand. Com. Rep. No. 1257 (S.R. No. 8):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 8, entitled: "SENATE RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS," was adopted with Senators Hogue, Slom and Whalen voting "No."

Stand. Com. Rep. No. 1258 (S.C.R. No. 23, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 23, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO ALLOCATE ADEQUATE FUNDING TO THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO ENABLE IT TO CARRY OUT ITS MISSION AND DUTIES AS MANDATED BY LAW," was adopted with Senators Hogue, Slom, Trimble and Whalen voting "No."

Stand. Com. Rep. No. 1259 (S.R. No. 13, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 13, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ALLOCATE ADEQUATE FUNDING TO THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO ENABLE IT TO CARRY OUT ITS MISSION AND DUTIES AS MANDATED BY LAW," was adopted with Senators Hogue, Slom, Trimble and Whalen voting "No."

Stand. Com. Rep. No. 1260 (S.C.R. No. 86, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW," was adopted.

Stand. Com. Rep. No. 1261 (S.R. No. 60, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW," was adopted.

Stand. Com. Rep. No. 1262 (S.C.R. No. 119):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS," was adopted.

Stand. Com. Rep. No. 1263 (S.R. No. 78):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS," was adopted.

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 86 and S.C.R. No. 133.

Senator Inouye noted:

"Mr. President, H.B. No. 86, H.D. 1, relates to the membership and appointment of the Hawaii Community Development Authority, and S.C.R. No. 133 expresses support for the acquisition of Wao Kele 'O Puna."

The Chair granted the waiver.

Senator Fukunaga, Chair of the Committee on Economic Development, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

S.C.R. No. 76;
S.C.R. No. 98;
S.R. No. 51; and
S.R. No. 67.

Senator Fukunaga noted:

"Mr. President, S.C.R. No. 76 and S.R. No. 51 relate to creating a more business-friendly environment for small businesses, and S.C.R. No. 98 and S.R. No. 67 propose the convening of an economic summit. All of these measures were previously heard on Tuesday, April 1."

The Chair granted the waiver.

Senator Chun Oakland, Chair of the Committee on Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.C.R. No. 75 and S.R. No. 50.

Senator Chun Oakland noted:

"Mr. President, these resolutions urge the Governor to convene a task force to address issues related to transitional housing on Oahu and were previously heard jointly with your Committee on Commerce, Consumer Protection and Housing on Tuesday, April 1."

The Chair granted the waiver.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Several days ago we had a very lively discussion on a resolution here about litigation, and a number of my colleagues raised the issue about the consumers and taxpayers being overcharged in our State and I saw a lot of crocodile tears. Today in Ways and Means, we passed through several bills that

will add more than \$300 million in new taxes to those consumers who are already overburdened. That, with another bill, the long-term care tax bill, is another \$100 million. That's \$400 million in new taxes.

"In addition to that, we have additional bills that would raise taxes, such as the conveyance tax, a lot of new fees, a lot of additional public employees, so that the consumers – the overcharged consumers – will pay even more.

"So I think we should get it straight, Mr. President, and I think we should learn that if we really want to help the consumers, we should be cutting their taxes, reducing regulations and fees and doing everything that we can instead of trying to add to their burden, which we did today and apparently we're going to do next Tuesday.

"Thank you, Mr. President."

ADJOURNMENT

At 12:34 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, April 4, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-SEVENTH DAY

Friday, April 4, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor David Monroy, Hope Chapel, Manoa, after which the Roll was called showing all Senators present with Senators Baker, Hogue, Kawamoto and Menor who were excused.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 264 to 266) were read by the Clerk and were placed on file:

Gov. Msg. No. 264, dated March 3, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of October 2002, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 265, dated March 3, 2003, transmitting the Report on the Deposits and Disbursements from the Special Fund and Report on the Effectiveness of Its Use Towards Increasing Organ Donations, prepared by the Department of Health, Organ Donor Center of Hawaii, pursuant to Act 88, SLH 1999.

Gov. Msg. No. 266, dated March 28, 2003, transmitting the 2002 Annual Report of the Environmental Council.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 357 to 377) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 357, transmitting H.C.R. No. 31, which was adopted by the House of Representatives on April 3, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STRONG SUPPORT BY CONGRESS FOR TITLE IX, THE PATSY TAKEMOTO MINK EQUAL OPPORTUNITY IN EDUCATION ACT," was deferred until Tuesday, April 8, 2003.

Hse. Com. No. 358, transmitting H.C.R. No. 60, which was adopted by the House of Representatives on April 3, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY OF THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 2003.

Hse. Com. No. 359, transmitting H.C.R. No. 90, which was adopted by the House of Representatives on April 3, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THE U.S. SMALL BUSINESS ADMINISTRATION TO RE-EXAMINE THE CRITERIA FOR DESIGNATING HUBZONES UNDER THE HUBZONE EMPOWERMENT CONTRACTING PROGRAM AS IT APPLIES TO THE STATE OF HAWAII," was deferred until Tuesday, April 8, 2003.

Hse. Com. No. 360, transmitting H.C.R. No. 184, which was adopted by the House of Representatives on April 3, 2003, was placed on file.

By unanimous consent, H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY," was placed on file.

Hse. Com. No. 361, transmitting H.C.R. No. 211, H.D. 1, which was adopted by the House of Representatives on April 3, 2003, was placed on file.

By unanimous consent, H.C.R. No. 211, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REAFFIRMING THE VALUE AND MEANING OF ALOHA IN THE FACE OF MILITARY ACTION AGAINST IRAQ," was placed on file.

Hse. Com. No. 362, returning S.B. No. 69, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 69, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 363, returning S.B. No. 205, S.D. 3, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 205, S.D. 3, and requested a conference on the subject matter thereof.

Hse. Com. No. 364, returning S.B. No. 540, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 540, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 365, returning S.B. No. 579, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 579, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 366, returning S.B. No. 611, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 611, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 367, returning S.B. No. 768, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 768, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 368, returning S.B. No. 789, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 789, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 369, returning S.B. No. 843, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 843, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 370, returning S.B. No. 1258, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1258, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 371, returning S.B. No. 1279, S.D. 2, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1279, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 372, returning S.B. No. 1334, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1334, and requested a conference on the subject matter thereof.

Hse. Com. No. 373, returning S.B. No. 1381, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1381, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 374, returning S.B. No. 1413, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1413, and requested a conference on the subject matter thereof.

Hse. Com. No. 375, returning S.B. No. 1425, S.D. 2, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1425, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 376, returning S.B. No. 1495, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 2003, in an amended form, was placed on file.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1495, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 377, returning S.B. No. 1396, which passed Third Reading in the House of Representatives on April 3, 2003, was placed on file.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1307) recommending that H.B. No. 1165, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1165, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1308) recommending that S.C.R. No. 69, be referred to the Committee on Ways and Means.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUE," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1309) recommending that S.R. No. 46, be referred to the Committee on Ways and Means.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 46, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUE," was referred to the Committee on Ways and Means.

Senators Sakamoto and Baker, for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1310) recommending that S.C.R.

No. 152, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.C.R. No. 152, entitled: "SENATE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Sakamoto and Kawamoto, for the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1311) recommending that S.C.R. No. 182, be referred to the Committee on Ways and Means.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.C.R. No. 182, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ADVANTAGES AND COST-EFFECTIVENESS OF OUTSOURCING THE PROPERTY MANAGEMENT OF PUBLIC SCHOOL BUILDINGS, FACILITIES, AND GROUNDS," was referred to the Committee on Ways and Means.

Senators Kawamoto and Fukunaga, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1312) recommending that S.C.R. No. 176, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1312 and S.C.R. No. 176, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO DISCONTINUE MILITARY BASE CLOSURES IN THE STATE OF HAWAII AND ESTABLISHING A BASE REALIGNMENT AND CLOSING COMMITTEE TO PRESERVE LOCAL BASES," was deferred until Tuesday, April 8, 2003.

Senators Kawamoto and Fukunaga, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1313) recommending that S.R. No. 124, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1313 and S.R. No. 124, S.D. 1, entitled: "SENATE RESOLUTION URGING THE U.S. CONGRESS TO DISCONTINUE MILITARY BASE CLOSURES IN THE STATE OF HAWAII AND ESTABLISHING A BASE REALIGNMENT AND CLOSING COMMITTEE TO PRESERVE LOCAL BASES," was deferred until Tuesday, April 8, 2003.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 3, 2003

H.C.R. No. 81, H.D. 1 (Hse. Com. No. 322):

By unanimous consent, action on H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND PROTECT THE RECREATION RESIDENCE TRACTS WITHIN THE

KOKE'E AND WAIMEA CANYON STATE PARKS," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 96 (Hse. Com. No. 323):

By unanimous consent, action on H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 119, H.D. 1 (Hse. Com. No. 324):

By unanimous consent, action on H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW THE SALE OF LEASES AND SUBMIT RECOMMENDATIONS TO THE LEGISLATURE FOR THE ADOPTION OF POLICIES THAT ARE FAIR TO AWARDEES, LEASE PURCHASERS, AND TO THE STATE," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 198, H.D. 1 (Hse. Com. No. 325):

By unanimous consent, action on H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 203 (Hse. Com. No. 326):

By unanimous consent, action on H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, WITH THE ASSISTANCE OF THE HAWAII CONGRESSIONAL DELEGATION, TO RESTORE THE DISPROPORTIONATE SHARE OF HOSPITAL PAYMENTS FOR COMPENSATION FOR CARE PROVIDED TO THE UNINSURED," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 141, H.D. 1 (Hse. Com. No. 340):

By unanimous consent, action on H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO RECONSIDER THE EXISTING KALAELOA REDEVELOPMENT PLAN AND MAKE REVISIONS AS NECESSARY TO MAXIMIZE THE SOCIAL AND ECONOMIC DEVELOPMENT POTENTIAL OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 146 (Hse. Com. No. 341):

By unanimous consent, action on H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO OBTAIN ADDITIONAL FUNDS NECESSARY TO MEET THE MANDATES OF THE FEDERAL 'NO CHILD LEFT BEHIND ACT OF 2001'," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 160, H.D. 1 (Hse. Com. No. 342):

By unanimous consent, action on H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING APRIL AS 'FINANCIAL LITERACY FOR YOUTH IN HAWAII MONTH'," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 208 (Hse. Com. No. 343):

By unanimous consent, action on H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was deferred until Tuesday, April 8, 2003.

H.C.R. No. 216 (Hse. Com. No. 344):

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was deferred until Tuesday, April 8, 2003.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1276 (Jud. Com. No. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1276 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of BERT I. AYABE as Judge of the District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Hanabusa rose in support of the nominee and said:

"Mr. President, I stand to speak in favor of Jud. Com. No. 2, submitting for study and consideration the nomination of Bert I. Ayabe to the District Court of the First Circuit.

"Mr. President, let me first begin by saying that we had two of these judiciary communications – Bert Ayabe and Michael Broderick – on April Fools' Day. And I don't know whether it was the day, but it was one of the most enjoyable hearings we've had.

"Let me first begin by saying that the Hawaii State Bar Association came forward and testified for the first time and I would just like to explain to yourself, Mr. President, and the members of this body as to how they now process the nominees. They said that in the past, they haven't had the sufficient amount of time to really look at the nominees. But now they're asking us for 10 to 14 days. During that time, they review the resume questionnaire, they e-mail solicitation from all Bar members, and they have the candidates appear before the board. They believe that they are now following the same criteria the American Bar Association does, and they are actually ranking the various nominees on the following points: integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, financial responsibility, public service, collegiality, and writing ability. Based upon their very detailed analysis, they have found Jud. Com. No. 2, Bert Ayabe, to be highly qualified.

"Mr. President, what we learned in the testimony that we received in the Judiciary Committee is as follows: Mr. Ayabe is the ultimate local boy – a Kaimuki High School graduate only because he turned down a Punahou scholarship to stay with his friends and to play football at Kaimuki; he went to the University of Hawaii and he graduated from the Hastings

College of Law. His legal career has primarily been in the private sector, being primarily in insurance defense but has moved over to actually doing things like mediations and arbitrations.

"The testimony we received said unanimously that they believe he is the perfect candidate for judgeship and primarily basing it upon his characteristics and his temperament, a very important necessary element when one serves on the district court level.

"There's one testimony which I believe warrants sharing, and that was by his mentor, his teacher, his football coach, and who later was, I guess, the athletic director at Kaimuki High School, and his name is Charlie Miyashiro. Mr. Miyashiro said, 'I liken him (meaning Bert Ayabe) to be like Jack Armstrong, the all-American boy.' Mr. President, I didn't want to sound totally ignorant to Mr. Ayabe's mentor, but I had no idea who Jack Armstrong was. So, of course being the resourceful person that I am, I asked one of the members from across the way there, who is a lot wiser – if wisdom is associated with age – who told me about Jack Armstrong. So, thanks to the good Senator from Hawaii Kai, I know that this is a high complement. He was so excited, Mr. Miyashiro was, to speak in favor of Bert Ayabe that he ended it by saying, 'I know he will make an excellent coach,' then he stood up and then sat down again and said, 'I mean, judge.' But when you think about it, members, that is the ultimate respect that someone can give you – to say that you are like him and you can be his successor. That is the tenor of the types of testimony we received.

"One funny vignette came from his friend, a Hastings lawyer from Gardena, who moved to Hawaii because of Mr. Ayabe. He explained Mr. Ayabe's very special skill of taking A-type personalities, physically challenged only because they were local boys and boys from Gardena who were going to play football against the mainland guys at Hastings and managed to bring them in as the winning team. Of course we didn't ask how many games they played or anything like that. But he did say that Mr. Ayabe always comes to the point and keeps telling him, 'you must always remember, you are going to be a Katonk no matter how long you think you're in Hawaii.' This is Bert Ayabe.

"All of these stories aside, Mr. President, let's not forget that he is to be confirmed for the district court, and the reason why you need someone with his characteristics is because the district court is the first court that most people see. And for many, it is the only court that you have and that's their whole image of the judiciary system.

"So, Bert Ayabe will bring that kind of very reserved sense of humor, leadership, and a perfect temperament for that position. That is why, Mr. President, I ask that you and all the other members of this body to join me in consenting to Mr. Ayabe, Jud. Com. No. 2.

"Thank you."

Senator Hemmings also rose to speak in support as follows:

"Mr. President, I rise to speak in favor of the nominee, Bert Ayabe.

"We're very concerned in your Minority Caucus about judicial temperament. We believe that any judge in any court should have a balanced outlook, politically, on the laws they will be asked to judge. In talking with Bert, I'm convinced that his temperament is extremely balanced. He has no agenda. He has no blind ideology. I am convinced by his credentials, which were stated by the previous speaker, that he's eminently

qualified, but more importantly, he has the character to be an evenhanded, balanced judge of the laws of the State of Hawaii. He also is not going to be, from what we have observed from talking with him, a judicial activist. I think he recognizes that the role of making law comes from the Legislature.

“There is one thing I have to do, though, now in endorsing this nomination – I have to apologize to the nominee because I am a local boy who played football at Punahou and we kicked Kaimuki’s butt. (Laughter.) I’m sorry, I couldn’t let it slide.

“Anyway, we’re very, very happy to lend our support to this nominee and I urge unanimous support of his nomination. Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Baker, Hogue, Kawamoto, Menor).

At this time, Senator Hanabusa introduced and congratulated Judge Ayabe, who was seated in the gallery with family and friends.

Stand. Com. Rep. No. 1277 (Jud. Com. No. 3):

Senator Hanabusa moved that Stand. Com. Rep. No. 1277 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of MICHAEL F. BRODERICK as Judge of the District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in favor of the nominee and said:

“Mr. President, I rise to speak in favor of Jud. Com. No. 3, submitting for study and consideration the nomination of Michael F. Broderick, to the District Family Court of the First Circuit.

“Mr. President, I will not repeat the criteria of the Hawaii Bar Association and how it’s process has been explained to us now, but of course Mr. Broderick comes with highly qualified recommendations. And of course Mr. Broderick is no stranger to any of us and I won’t go into all of his experiences with the judiciary, because we’re all very well aware of that.

“However, let me go over his credentials. Mr. Broderick is a Stanford University graduate with a Bachelor of Arts, Phi Beta Kappa. He went to UCLA Law School and he graduated Order of the Coif, which is the top 10 percent of that law school. When you read his resume, he has a whole list of scholarships and honors that he received – unquestionably a very competent and a very well schooled individual.

“His career is just as diverse. He has, of course, been in private practice. He was the legal counsel for Mayor Bradley in Los Angeles. He did the policy and research analysis for the DOE. He was the Administrative Director of the Courts, the executive director of the Hawaii Justice Foundation, and he’s served on many boards, with me, for example, in gender equity in athletics, among others. He is, and I think this is one of his first and probably his major love, he is a mediator and an arbitrator and that’s very clear in all that he has done.

“He was complemented throughout the hearing. One interesting description of him came from Debbie Hartman who called him or said that he had a Hegelian dialectic approach to matters. I thought that was really interesting. Luckily, I didn’t have to research that. He was also called, by Tom Crowley, Atticus Finch. Now, that person I knew; I didn’t have to ask the good Senator from Hawaii Kai. But of course the good Senator from Hawaii Kai would probably say that’s an oxymoron because you cannot find a moral, ethical lawyer, because in his mind, that just can’t be in one person. But I believe truly, with Mr. Broderick, he is an Atticus Finch.

“He stands before us, members, for confirmation for the family court, where you need to be, I believe, a very special kind of person. My classmate from law school, and she, since 1993, has been considered one of Hawaii’s best lawyers in the family court area, said that he is well tempered, well prepared, disciplined, respected, and again the word mediator comes to be. Now, Stephanie Rezens is her name and she met Michael Broderick over the very controversial issue of the movement of the family court to Kapolei. As you can imagine, Stephanie did not want to do that and Michael had to meet her under those circumstances, and he probably had a handful.

“Tom Crowley, who is somebody who has concentrated on the mediation and arbitration area, says that Michael Broderick is the best. And the reason why, as you hear the testimony received, is that Mr. Broderick is a good listener. That is probably the necessary trait that you need for a family court judge. It’s probably at the most critical stage in anyone’s life – the divorce, for example. And all that many people want to have is the opportunity to be heard and feeling that they are getting justice, some form of justice.

“Mr. President, there is no doubt in my mind that Michael Broderick will do exactly that. He will serve very well as a family court judge. And for that reason, I ask that you and the others join me in consenting to Mr. Michael Broderick.

“Thank you.”

Senator Slom rose to support the nomination and said:

“Mr. President, I rise on behalf of the Senate Minority in strong support of the candidate.

“First, Mr. President, let me make sure that the earlier remarks from the good Senator Chairman of the Judiciary Committee about the wisdom of this Republican be published widely and distributed in every street corner and every telephone pole.

“Secondly, her later remarks, however, as she sunk down into the lower depths, that I would not find a lawyer that had good ethics and good integrity, that being an oxymoron – there are good attorneys. However, they start out, first and foremost, as good men or good women, and that is the case with Michael Broderick.

“He is an outstanding individual. And while he confesses to being neither artistic, spontaneous, creative, nor a visionary, he is a good listener and he’s a problem solver. Many of us have known Michael over the years in different capacities. I remember a business situation that we were involved with that had to do with the Kaikoo Mall over in Hilo on the Big Island and he very graciously met with the people that were involved there, tried to reach resolution, and talk to people. I think his willingness to sit down with every individual and to try to find solutions is his strongest point. That, in my mind, goes far beyond being artistic or anything else.

"I do think he's a visionary because he sees what the needs are for the judiciary in the future. It is men and women such as Michael Broderick, particularly in the highly charged and emotional area of family court, where not only do you need a good listener, but you need a fair arbitrator and mediator, and all people, all people, have agreed that that is Michael Broderick.

"I always, as you know, Mr. President, always sneak into the Judiciary Chairman's hearings when I can to see how good hearings are run, and I did hear all of that testimony that day. And even though I was a little scared, with all of those suited lawyers in one room at one time, it was amazing how people came forth with stories of how this man has given of himself, has never turned anyone down, goes the extra mile, stays the extra hour, and that's what we can expect from him on the bench.

"So, we look forward to doing that and your Minority very strongly supports him. Thank you."

Senator Kim rose to support the nominee as follows:

"Mr. President, I rise to speak in favor of this nominee.

"Mr. President, I did not meet with Mr. Broderick for his nomination interview and that's because I know Mr. Broderick on a personal level and I would be remiss not to stand up and speak.

"I met Michael and Maile and Emma and Drew when we moved into our house at Ala Amoamo Street and I got to know him and I found him to be fair, compassionate, and thoughtful, and I think that he's going to make an excellent judge in this court. So I ask my colleagues to join us all in supporting Mr. Broderick.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Baker, Hogue, Kawamoto, Menor).

Senator Hanabusa then introduced Judge Broderick to the members of the Senate. (Judge Broderick, who was seated in the gallery with his family, rose to be recognized.)

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

THIRD READING

Stand. Com. Rep. No. 1264 (H.B. No. 133, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1264 be adopted and H.B. No. 133, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1265 (H.B. No. 135, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1265 be adopted and H.B. No. 135, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1266 (H.B. No. 287, H.D. 3, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1266 be adopted and H.B. No. 287, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1267 (H.B. No. 736, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1267 be adopted and H.B. No. 736, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1268 (H.B. No. 807, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1268 be adopted and H.B. No. 807, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291E," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1269 (H.B. No. 1010, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1269 be adopted and H.B. No. 1010, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1270 (H.B. No. 1572, H.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 1270 be adopted and H.B. No. 1572, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1271 (H.B. No. 58):

By unanimous consent, action on Stand. Com. Rep. No. 1271 be adopted and H.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1272 (H.B. No. 1453, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1272 be adopted and H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," was deferred until Tuesday, April 8, 2003.

H.B. No. 1594, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," was deferred until Tuesday, April 8, 2003.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 3, 2003

Stand. Com. Rep. No. 1278 (S.C.R. No. 25):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONING TELEVISION TO TEACH READING TO STUDENTS," was adopted.

Stand. Com. Rep. No. 1279 (S.R. No. 14):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 14, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONING TELEVISION TO TEACH READING TO STUDENTS," was adopted.

Stand. Com. Rep. No. 1280 (S.C.R. No. 51, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS," was adopted.

Stand. Com. Rep. No. 1281 (S.R. No. 31, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 31, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS," was adopted.

Stand. Com. Rep. No. 1282 (S.C.R. No. 58):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS," was adopted.

Stand. Com. Rep. No. 1283 (S.R. No. 38):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 38, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS," was adopted.

Stand. Com. Rep. No. 1284 (S.C.R. No. 60):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM," was adopted.

Stand. Com. Rep. No. 1285 (S.R. No. 40):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 40, entitled: "SENATE RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM

TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM," was adopted.

Stand. Com. Rep. No. 1286 (S.C.R. No. 150):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ASIA-PACIFIC EDUCATION TO ENSURE THAT HAWAII'S STUDENTS MEET HIGH PERFORMANCE STANDARDS IN EDUCATION ABOUT ASIA AND THE PACIFIC AND UNDERSTAND THE IMPACT OF THE STATE'S RELATIONSHIP WITH THE REGION," was adopted.

Stand. Com. Rep. No. 1287 (S.C.R. No. 181):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 181, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was adopted.

Stand. Com. Rep. No. 1288 (S.R. No. 129):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 129, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was adopted.

Stand. Com. Rep. No. 1289 (S.C.R. No. 120, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.C.R. No. 120, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' PLANS AND POLICIES AFFECTING PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS TELEVISION," was adopted.

Stand. Com. Rep. No. 1290 (S.R. No. 79, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' PLANS AND POLICIES AFFECTING PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS TELEVISION," was adopted.

Stand. Com. Rep. No. 1291 (S.C.R. No. 32, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO USE RESEARCH-BASED CURRICULUM AND STANDARDS-BASED CLASSROOM ASSESSMENTS, IN ADDITION TO LARGE-SCALE ACHIEVEMENT TESTS, TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was adopted.

Stand. Com. Rep. No. 1292 (S.R. No. 20, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 20, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO USE RESEARCH-BASED CURRICULUM AND STANDARDS-BASED CLASSROOM ASSESSMENTS, IN ADDITION TO LARGE-SCALE ACHIEVEMENT TESTS, TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was adopted.

Stand. Com. Rep. No. 1293 (S.C.R. No. 59, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF CURRICULUM GUIDELINES FOR INSTRUCTION ON THE HISTORICAL FACTS AND IMPACT UPON OUR NATION OF THE INTERNMENT OF JAPANESE AMERICANS DURING WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1294 (S.R. No. 39, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF CURRICULUM GUIDELINES FOR INSTRUCTION ON THE HISTORICAL FACTS AND IMPACT UPON OUR NATION OF THE INTERNMENT OF JAPANESE AMERICANS DURING WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1295 (S.C.R. No. 147, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO COLLABORATIVELY DEVELOP AN IMPLEMENTATION PLAN TO ESTABLISH CERTIFICATED PUBLIC SCHOOLS," was adopted.

Stand. Com. Rep. No. 1296 (S.R. No. 99, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 99, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO COLLABORATIVELY DEVELOP AN IMPLEMENTATION PLAN TO ESTABLISH CERTIFICATED PUBLIC SCHOOLS," was adopted.

Stand. Com. Rep. No. 1297 (S.C.R. No. 151, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII'S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION," was adopted.

Stand. Com. Rep. No. 1298 (S.R. No. 104, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION

SUPPORTING THE UNIVERSITY OF HAWAII'S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION," was adopted.

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

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

Senate
Concurrent
Resolution Referred to:

No. 158 Jointly to the Committee on Energy and Environment and the Committee on Transportation, Military Affairs, and Government Operations

Senator Taniguchi, Chair of the Committee on Ways and Means, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. Nos. 297 and 298.

Senator Taniguchi noted:

"Mr. President, H.B. No. 297 relates to drugs and H.B. No. 298 relates to the siting of a new prison facility."

The Chair then granted the waiver.

STANDING COMMITTEE REPORTS

Senator Tsutsui made the following motion:

"Mr. President, I move that the Senate stands in recess, leaving the journal open until 10:00 p.m. this evening for receipt of standing committee reports for House bills, and may the journal reflect the proper motions made and the appropriate actions taken by this body, consistent with the reports of the standing committees. I further move that the senate reconvene at 10:00 a.m. on Tuesday, April 8."

Senator Whalen then seconded the motion.

Senator Tsutsui moved that the Senate authorize the adoption of standing committee reports recommending that Senate bills pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Whalen.

Senator Ihara rose on point of information and said:

"Mr. President, I rise on a point of information. I'd like to ask the movant, the Senator who made the motion, a question, and that is, is the identity and contents of the bills that are to receive Second Reading known at this time?"

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:28 o'clock p.m.

Senator Tsutsui rose in response and said:

"Mr. President, in response to the previous speaker's question, I would suppose that some members may know, some members may not. However, the bills will be available in the Clerk's Office by 10:00 p.m. this evening."

Senator Ihara rose and said:

“Mr. President, so I take it that the answer to the question – is the identity and contents of bills that are to receive Second Readings by this motion known at this time? – the answer is no.”

The Chair replied:

“For some bills.”

Senator Ihara continued:

“Therefore, I rise on a point of order. I’m saying that the motion is out of order because the bills’ identities and contents are not known, and the constitution does not allow the Senate to delegate Second Reading bills to the Clerk.”

At 12:29 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

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

The President then stated:

“Senator Ihara, the motion before us is in order.”

Senator Ihara then said:

“Mr. President, I appeal the ruling of the Chair.”

At 12:32 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o’clock p.m.

The President made the following observation:

“The motion is to uphold the ruling of the Chair. I just ruled that the motion is in order.”

Senator Ihara rose in opposition to the motion:

“Mr. President, I rise to speak in opposition to sustaining the ruling of the Chair.

“Mr. President, I would like to cite an attorney general opinion dated March 28. While the opinion is not definitive as to whether the motion that I’m challenging is in order or not, I do want to say that I do agree with two of its conclusions. One is, Can the Senate adopt a bill without knowledge of its identity or content? The answer is no. Question No. 5, Can the Senate pass a bill in abstentia? The answer is no. And this is for good reason, because without knowing the contents . . . well, I don’t have to get into fundamental parliamentary procedure.

“I want to mention one other thing and that is, without knowledge of the identity or contents of the bills that this motion applies to, it cannot be valid. Therefore, because we will go in recess and then bills are decked in the Clerk’s Office up until 10:00 p.m., the identity and contents of these bills will be known only then. Then you’d have to argue that, well, who cast the votes? I am saying that the constitution does not allow the Senate to delegate, to delegate its Second Reading votes to anyone, including the Clerk who’s receiving these bills, which I believe must be the case because the Senate cannot adopt a bill in abstentia.

“Therefore, I ask my colleagues to vote ‘no’ on this motion and I ask for a Roll Call vote.”

Senator Kim then rose and said:

“Mr. President, to add to the discussion and perhaps ask the Senator from Kaimuki whether or not this objection is also one that he raised during the First Reading of bills?”

Senator Ihara replied:

“No, I did not.”

Senator Kim then inquired:

“Mr. President, a follow-up question then – are these arguments that you’re making not pertinent to First Reading bills and only pertinent to Second and Third Reading?”

Senator Ihara responded:

“I haven’t studied the issue on First Reading bills. I believe that they are considered purely ministerial, and I am arguing that Second Reading bills are not a purely ministerial act. And even if they were, I would argue that the Senate must know the identity and contents of the bills, and if I thought of this earlier, I might have objected to the First Reading bills.”

Senator Kim then rose and said:

“Mr. President, I guess I’m not aware of anything in the constitution that distinguishes First Reading, Second Reading, or Third Reading bills. Thank you.”

At 12:38 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o’clock p.m.

The motion was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 9. Noes, 6 (Chun Oakland, Hemmings, Hooser, Ihara, Slom, Trimble). Excused, 10 (Aduja, Baker, English, Fukunaga, Hogue, Ige, Inouye, Kawamoto, Menor, Whalen).

Senator Ihara rose and said:

“Mr. President, having disposed of that motion, I move to postpone this motion until 10:00 p.m. this evening.”

Senator Trimble said:

“I second that motion.”

Senator Ihara moved that the motion to authorize the adoption of standing committee reports recommending that Senate bills pass Second Reading and be placed on the calendar for Third Reading be postponed until 10:00 o’clock p.m., seconded by Senator Trimble.

Senator Ihara rose in support of the motion and said:

“Mr. President, I’d like to just note in support of postponing this motion, the motion to adopt in abstentia, because that is what the original motion does. It’s a motion that allows the Senate to adopt bills on Second Reading while we are not present, which the attorney general’s opinion also says is not permissible.

“By postponing it until 10:00 p.m., at that time this evening, we will know the identity and contents of the bills for which the Second Reading action of this body will be taken.

“I also request a Roll Call vote on this motion as well.”

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

The President then said:

"Senator Ihara, could you restate your motion."

Senator Ihara replied:

"Well, there is a main motion on the Floor which is what was stated. It's a long motion. But in effect, the main motion is to adopt the committee reports that will be filed until 10:00 p.m. this evening and to have the actions recommended in those committee reports be effectuated by the Senate. And my motion that applies to this main motion is a motion to postpone definitely . . . in Mason's terms. It's a motion to postpone till 10:00 p.m. tonight, which is the time when the bills will be known."

The President then stated:

"It's been moved. Is there a second?"

Senator Trimble replied:

"I second the motion."

President Bunda announced:

"It's been moved and seconded, any discussion?"

Senator Hemmings rose and said:

"Mr. President, I rise to speak to the motion, not necessarily in favor of it either.

"Mr. President, there's a lot to consider in what's going on here today but there's some points that in think are worthy of consideration from our perspective. I read the attorney general's opinion and probably the word that occurs most in it is probably."

Senator Hanabusa interjected:

"Mr. President, point of order. I don't believe the speaker is speaking to the motion. The motion is to postpone, not the attorney general's opinion."

The President then stated:

"Senator Hemmings, could you keep your remarks germane."

Senator Hemmings replied:

"Yes, I will certainly rephrase my remarks so that the good Senator from Waianae will accommodate them.

"In speaking to the motion to postpone, I think it's extremely germane to take in consideration the issue at hand – and that is, where this effort to delay these precedings is applicable under the state constitution. And in speaking to the motion, I would like the good Senator from Kaimuki, I'd like to ask him to yield to a question. And the question is, This issue is a long standing practice that has never been adjudicated and I'm wondering why in his years of leadership, in many years of being a member of the Legislature and the State Senate, why this is coming up now?"

President Bunda posed the question and Senator Ihara answered as follows:

"I certainly would. I guess the answer to your question is we take one fight for democracy at a time. The constitution required open committee voting in 1978. It took 15 years before the House of Representatives started to vote in public to follow the constitution. It took another five years for the Senate to vote in public, and just three years ago, the Senate . . . well, the Legislature finally started to comply and vote in public for the first time in Conference Committees, which the constitution required since 1978. And as I recall, that was not an easy battle to win, although, I believe any person who reads the constitution would have concluded that Conference Committees, even Conference Committees have to vote in public.

"Then as to this issue, there's a long list and there's many others. And as we get the basic constitutional requirements settled and finally be in compliance, then my plan is then to begin to take on other issues.

"I was talking to the media and they and I recall that the Senate used to, in the past, vote on Second Reading knowing the contents and identity of the bills. When I was in the House as Majority Floor Leader, we did have a big debate and began to have voting on Second Reading while the House was in Session.

"And so, the answer to the question is this is what's up at bat now and I'm trying to have us be in compliance on this issue and there are other issues, once this is settled, that I will certainly get to as well.

"Thank you."

At 12:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:57 o'clock p.m.

Senator Chun Oakland rose to support the motion and said:

"Mr. President, sorry to belabor the issue, but I appreciate you taking the time, and the rest of my colleagues taking the time to discuss this.

"I do support the motion and just in terms of historical background, when I served as staff with a Senator quite a number of years ago, there were a number of things that I observed and I've shared with you previously that really needed to change to allow more public input and consideration. I know that all of you have been a part of the change towards that. I feel that the actual decision making or Second Reading activity to occur when we do have the bills before us would be appropriate. I know this issue was taken up in the House several years ago, and as a result of that, the House does meet on Second Reading upon the receipt of the bills.

"So I hope that our body will be able to practice similarly. Thank you."

Senator Hemmings rose to speak to the motion and said:

"Mr. President, I rise, too, to speak to the motion. I observed, with great interest, that the prior speaker did not speak to the motion, just a matter of record.

"Number two, Mr. President, in addressing this issue, I'm hoping that the Majority Caucus can get this resolved. This has

been, quite frankly, a good exercise for us and I really appreciate, as the previous speaker has enunciated, your ability to judiciously handle this situation. With that in mind, we'll vote accordingly.

"Thank you, Mr. President."

Senator Hooser rose to speak in support of the motion and said:

"Mr. President, I'd like to rise and speak in support of the motion.

"I also would like the body to resolve the issue, and I would say it's the entire body's purpose or job to resolve it, not just one segment. I think the motion, many would acknowledge, is a pain in the okole to implement. It may be seen as a hassle and as a way to slow things down, the process, and the process getting in the way of expedient decision making, but I'm supporting the motion because I think, fundamentally, the good Senator from Kaimuki is right and correct that the constitution calls for three readings and not one reading.

"In my experience in the process, things go far too fast. We have far too many bills. So, for the fundamental reason that I think that the interpretation of the constitution is right and correct, I'll be supporting the motion.

"Thank you."

Senator Ihara rose again in favor of the motion and said:

"Mr. President, I rise to speak, again, in favor of the motion to postpone till 10 p.m.

"There's another, I think, fundamental reason to take Second Reading votes with the bills in front of us, and that is, what I believe is a constitutional requirement, that all votes of the Senate be done in public. And the method of voting on Second Reading that has been used over the last few years, I believe, is a breach and a violation of that requirement. Because right now, if we do not postpone the motion, but we recess for the day, and after we are gone and not in this Chamber, somehow, mysteriously, all of those bills get voted on Second Reading. And at the point and time at which those Second Reading bills' votes are cast, no one and the public is around – it does not occur in public.

"So, for that reason, I urge my colleagues to vote for the motion to postpone this motion till 10 p.m."

Senator Kim rose and said:

"Mr. President, I'd like to move to amend the motion further to say that all bills not on the Clerk's desk as of the adjournment of today do not pass Second Reading. Thank you."

Senator Ihara rose and said:

"I don't believe you can amend . . . can we have a recess?"

At 1:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:05 o'clock p.m.

Senator Kim then stated:

"Mr. President, I'll withdraw my motion, but I think the point is that if Committee Chairmen have not had their bills

passed by now, then I think that those bills shouldn't pass if this is the point that we're trying to make.

"Thank you."

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 6. Noes, 9 (Bunda, Espero, Hanabusa, Kanno, Kim, Kokubun, Sakamoto, Taniguchi, Tsutsui). Excused, 10 (Aduja, Baker, English, Fukunaga, Hogue, Ige, Inouye, Kawamoto, Menor, Whalen).

The President made the following observation:

"The motion does not carry.

"If there are no objections from the members, the Senate will stand in recess . . ."

Senator Ihara interjected:

"Mr. President, we have to vote on the main motion. We are left with the main motion, I believe."

The President having recognized Senator Hanabusa, she then stated:

"Mr. President, I call for the question on the main motion."

Senator Ihara stated:

"Mr. President, I had the Floor.

"I just want to say that I believe that this motion is improper because we do not know the identity or contents of the bills for which we are about to vote on Second Reading. In effect, what we'll be doing is cast votes in absentia while we're in recess, and these votes, Second Reading votes, would be also cast not in the public eye.

"I have a point of parliamentary inquiry. Mr. President, because these are Second Reading votes, does it require 13 votes to adopt this motion?"

The President answered:

"No, it requires a majority of the quorum."

Senator Ihara inquired further:

"Even on Second Reading?"

The President replied:

"We have been advised."

Senator Ihara replied: "Thank you."

Senator Sakamoto rose and said:

"I speak in favor of the motion.

"Regarding the issue of not voting in public, I think, if indeed we vote now, that is in public. And I think as far as the contents of the measure are concerned, certainly many measures, for the most part, have been voted on in public in Committee, so at least for the vast majority of issues under consideration, those are known because they are voted on in public, Mr. President."

Senator Ihara rose and said:

“Mr. President, I must stand to rebut the previous speaker.

“I think the problem goes deeper than just that. I believe that we should vote in public on a particular bill. I can’t think of one now, but let’s pick a bill – a House bill that will be filed in the Clerk’s Office after we recess today, in a few minutes. Not only am I concerned that that Second Reading vote will be cast without anyone here, my greater concern has to do with when is that vote cast? See, I will bring an objection to the Journal because the Journal states that . . . it will state in the future that Senator Tsutsui made the motion and seconded by, I’m not sure who . . .”

President Bunda answered: “Senator Whalen.”

Senator Ihara continued:

“Senator Whalen, and I will challenge that because that, in fact, did not happen, because they did not have knowledge of the bill and the Journal will reflect that they had knowledge. So I think that is a deeper question which I will be raising later on.

“So not only is it a concern about voting in public, but it is . . . bottom line to me, to me our actions need to be in consonance with the constitution and with what the public expects.

“Thank you.”

The motion was put by the Chair and carried, the Senate authorized the adoption of standing committee reports recommending that Senate bills pass Second Reading and be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that House bills be placed on the calendar for Third Reading. In consequence thereof, and subsequent to its recessing at 1:10 o’clock p.m., the Senate took the following actions on the following House bills and standing committee reports:

Senators Hanabusa and Taniguchi, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1314) recommending that H.B. No. 714, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1314 and H.B. No. 714, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” was deferred until Tuesday, April 8, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1315) recommending that H.B. No. 1285, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1315 and H.B. No. 1285, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HISTORIC SITES,” was deferred until Tuesday, April 8, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1316) recommending that H.B. No. 993, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1316 and H.B. No. 993, S.D. 1, entitled: “A BILL FOR AN ACT

RELATING TO RECONSTRUCTED VEHICLES,” was deferred until Tuesday, April 8, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1317) recommending that H.B. No. 1253, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1253, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROCUREMENT,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1318) recommending that H.B. No. 75, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1318 and H.B. No. 75, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUMS,” was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1319) recommending that H.B. No. 473, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1319 and H.B. No. 473, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION,” was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1320) recommending that H.B. No. 640, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1320 and H.B. No. 640, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM,” was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1321) recommending that H.B. No. 1163, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1321 and H.B. No. 1163, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DENTAL INSURANCE,” was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1322) recommending that H.B. No. 1361, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1322 and H.B. No. 1361, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM,” was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1323) recommending that H.B. No. 1412, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1323 and H.B. No. 1412, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1324) recommending that H.B. No. 1465, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1324 and H.B. No. 1465, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1325) recommending that H.B. No. 1652, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1325 and H.B. No. 1652, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1326) recommending that H.B. No. 21, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1326 and H.B. No. 21, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORPORATE DISCLOSURE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1327) recommending that H.B. No. 1579, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1327 and H.B. No. 1579, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1328) recommending that H.B. No. 1628, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1328 and H.B. No. 1628, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL LOANS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1329) recommending that H.B. No. 32, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1329 and H.B. No. 32, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1330) recommending that H.B. No. 289, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1330 and H.B. No. 289, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1331) recommending that H.B. No. 292, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1331 and H.B. No. 292, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1332) recommending that H.B. No. 314, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1332 and H.B. No. 314, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1333) recommending that H.B. No. 320, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1333 and H.B. No. 320, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1334) recommending that H.B. No. 418, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1334 and H.B. No. 418, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1335) recommending that H.B. No. 620, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1335 and H.B. No. 620, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1336) recommending that H.B. No. 1176, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1336 and H.B. No. 1176, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No.

1337) recommending that H.B. No. 1362, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1337 and H.B. No. 1362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1338) recommending that H.B. No. 1506, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1338 and H.B. No. 1506, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS," was deferred until Tuesday, April 8, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1339) recommending that H.B. No. 73, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1339 and H.B. No. 73, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was deferred until Tuesday, April 8, 2003.

Senators Kanno and Sakamoto, for the Committee on Labor and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1340) recommending that H.B. No. 248, 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 Tsutsui, seconded by Senator Whalen and carried, the joint report of the Committees was adopted and H.B. No. 248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC SCHOOLS BY PUBLIC EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1341) recommending that H.B. No. 1212, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1212, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1342) recommending that H.B. No. 281, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1342 and H.B. No. 281, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1343) recommending that H.B. No. 638, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1343 and H.B. No. 638, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1344) recommending that H.B. No. 1021, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1344 and H.B. No. 1021, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1345) recommending that H.B. No. 808, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1345 and H.B. No. 808, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1346) recommending that H.B. No. 1300, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1346 and H.B. No. 1300, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1347) recommending that H.B. No. 140, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 140, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1348) recommending that H.B. No. 1164, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1349) recommending that H.B. No. 1294, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1350) recommending that H.B. No. 1405, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1350 and H.B. No. 1405, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOFUEL," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1351) recommending that H.B. No. 1456, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1351 and H.B. No. 1456, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1352) recommending that H.B. No. 377, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1352 and H.B. No. 377, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1353) recommending that H.B. No. 384, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1353 and H.B. No. 384, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1354) recommending that H.B. No. 422, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1354 and H.B. No. 422, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1355) recommending that H.B. No. 548, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1355 and H.B. No. 548, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1356) recommending that H.B. No. 735, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1356 and H.B. No. 735, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1357) recommending that H.B. No. 1181, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1357 and H.B. No. 1181, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1358) recommending that H.B. No. 1430, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1358 and H.B. No. 1430, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY ORAL HEALTH," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1359) recommending that H.B. No. 1616, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1359 and H.B. No. 1616, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1360) recommending that H.B. No. 122, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1360 and H.B. No. 122, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1361) recommending that H.B. No. 127, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1361 and H.B. No. 127, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1362) recommending that H.B. No. 129, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1362 and H.B. No. 129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO BRIDGE TO HOPE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1363) recommending that H.B. No. 1342, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1363 and H.B. No. 1342, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YOUTH SERVICES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1364) recommending that H.B. No. 668, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1364 and H.B. No. 668, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1365) recommending that H.B. No. 500, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1365 and H.B. No. 500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1366) recommending that H.B. No. 851, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1366 and H.B. No. 851, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1367) recommending that H.B. No. 1155, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1367 and H.B. No. 1155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1368) recommending that H.B. No. 176, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1368 and H.B. No. 176, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1369) recommending that H.B. No. 295, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1369 and H.B. No. 295, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1370) recommending that H.B. No. 756, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1370 and H.B. No. 756, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1371) recommending that H.B. No. 857, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1371 and H.B. No. 857, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1372) recommending that H.B. No. 1003, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1372 and H.B. No. 1003, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1373) recommending that H.B. No. 1111, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1373 and H.B. No. 1111, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1374) recommending that H.B. No. 1116, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1374 and H.B. No. 1116, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURTS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1375) recommending that H.B. No. 1154, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1375 and H.B. No. 1154, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1376) recommending that H.B. No. 1255, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1376 and H.B. No. 1255, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1377) recommending that H.B. No. 1303, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1377 and H.B. No. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1378) recommending that H.B. No. 29, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1378 and H.B. No. 29, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1379) recommending that H.B. No. 50, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1379 and H.B. No. 50, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1380) recommending that H.B. No. 130, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1380 and H.B. No. 130, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1381) recommending that H.B. No. 290, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1381 and H.B. No. 290, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1382) recommending that H.B. No. 294, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1382 and H.B. No. 294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1383) recommending that H.B. No. 317, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1383 and H.B. No. 317, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1384) recommending that H.B. No. 507, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1384 and H.B. No. 507, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL TECHNICIANS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1385) recommending that H.B. No. 531, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1385 and H.B. No. 531, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1386) recommending that H.B. No. 968, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1386 and H.B. No. 968, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1387) recommending that H.B. No. 986, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1387 and H.B. No. 986, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS OF SURVIVING CHILDREN OF PUBLIC EMPLOYEES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1388) recommending that H.B. No. 1013, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1388 and H.B. No. 1013, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1389) recommending that H.B. No. 1041, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1389 and H.B. No. 1041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1390) recommending that H.B. No. 1042, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1390 and H.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE

BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1391) recommending that H.B. No. 1043, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1391 and H.B. No. 1043, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1392) recommending that H.B. No. 1044, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1392 and H.B. No. 1044, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1393) recommending that H.B. No. 1045, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1393 and H.B. No. 1045, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1394) recommending that H.B. No. 1046, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1394 and H.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1395) recommending that H.B. No. 1047, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1395 and H.B. No. 1047, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1396) recommending that H.B. No. 1157, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1396 and H.B. No. 1157, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1397) recommending that H.B. No. 10, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1397 and H.B. No. 10, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred until Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1398) recommending that H.B. No. 96, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 96, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1399) recommending that H.B. No. 139, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 139, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1400) recommending that H.B. No. 595, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 595, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1401) recommending that H.B. No. 730, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1402) recommending that H.B. No. 1160, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 1160, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1403) recommending that H.B. No. 1532, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1403 and H.B. No. 1532, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CELEBRATION OF MARTIN LUTHER KING, JR. DAY," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1404) recommending that H.B. No. 662, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1404 and H.B. No. 662, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SPORTS HALL OF FAME," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1405) recommending that H.B. No. 1400, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1405 and H.B. No. 1400, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1406) recommending that H.B. No. 704, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1406 and H.B. No. 704, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CODE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1407) recommending that H.B. No. 1230, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1407 and H.B. No. 1230, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1408) recommending that H.B. No. 1247, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1408 and H.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CONTRAFLOW LANE ON FARRINGTON HIGHWAY ALONG THE WAIANAE COAST FROM MOHIHI STREET TO PILIOKAHI AVENUE," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1409) recommending that H.B. No. 1363, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1409 and H.B. No. 1363, H.D. 1, S.D. 2, entitled: "A BILL FOR AN

ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1410) recommending that H.B. No. 1554, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1410 and H.B. No. 1554, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TAXES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1411) recommending that H.B. No. 83, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1411 and H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1412) recommending that H.B. No. 155, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1412 and H.B. No. 155, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1413) recommending that H.B. No. 293, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1413 and H.B. No. 293, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FARMERS' MARKET," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1414) recommending that H.B. No. 426, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1414 and H.B. No. 426, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1415) recommending that H.B. No. 1509, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1415 and H.B. No. 1509, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1416) recommending that H.B. No. 1613, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1416 and H.B. No. 1613, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1417) recommending that H.B. No. 1175, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1417 and H.B. No. 1175, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1418) recommending that H.B. No. 512, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1418 and H.B. No. 512, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1419) recommending that H.B. No. 282, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 282, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1420) recommending that H.B. No. 433, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 433, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1421) recommending that H.B. No. 1152, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and H.B. No. 1152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1422) recommending that H.B. No. 1225, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Tsutsui, seconded by Senator Whalen and carried, the report of the majority of the Committee was adopted and H.B. No. 1225, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF

TAXES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1423) recommending that H.B. No. 297, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1423 and H.B. No. 297, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1424) recommending that H.B. No. 298, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1424 and H.B. No. 298, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1425) recommending that H.B. No. 391, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1425 and H.B. No. 391, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1426) recommending that H.B. No. 510, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1426 and H.B. No. 510, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1427) recommending that H.B. No. 659 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1427 and H.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1428) recommending that H.B. No. 1182, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1428 and H.B. No. 1182, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Tuesday, April 8, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1429) recommending that H.B. No. 200, 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 Tsutsui, seconded by Senator Whalen and carried, the report of the Committee was adopted and H.B. No. 200, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second

Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

ADJOURNMENT

At 10:00 o'clock p.m., the Senate adjourned until 10:00 o'clock a.m., Tuesday, April 8, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-EIGHTH DAY

Tuesday, April 8, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 10:22 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father Jose Nacu, Our Lady of the Mount Parish, after which the Roll was called showing all Senators present.

The President deferred the approval of the Journal of the Forty-Seventh Day until Thursday, April 10, 2003.

At this time, Senator Ihara rose and said:

"Mr. President, on the approval of the Journal, I would like to request, in future Sessions, a copy of the Journal on our desk before we approve it. I understand that we've been approving Journals without seeing it. You don't have to do it for everyone, but at least I would like to have a Journal before I vote on whether to approve the Journal. Thank you."

The President so noted.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 267 to 272) were read by the Clerk and were placed on file:

Gov. Msg. No. 267, dated April 4, 2003, transmitting her statement of objections to Senate Bill No. 460 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 4, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 460

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, Senate Bill No. 460, entitled 'A Bill for an Act Relating to Dune Buggies.'

The purpose of Senate Bill No. 460 is to include dune buggy replica vehicles within the special interest vehicle registration requirements of section 286-26.5, Hawaii Revised Statutes, thereby removing such vehicles from the reconstructed vehicle registration law and eliminating the perceived disparity under the law between dune buggies and other vehicles currently classified as special interest vehicles.

This bill would allow one more category of vehicles to be used on Hawaii roads without compliance with Federal Motor Vehicle Safety Standards or the State's reconstructed vehicle law. These vehicles, for example, would not be required to be equipped with important safety equipment such as seat belts. This bill provides that '[s]eatbelts, bumpers, hoods, door handles, and fenders shall be optional equipment on dune buggy replica vehicles manufactured before 1969, and on dune buggy replica vehicles manufactured after 1968 to resemble a [sic] dune buggy replica vehicles manufactured before 1969.'

Furthermore, unlike other special interest vehicles in the current statute, the definition of 'dune buggy replica vehicle' in the bill does not require that a dune buggy be modified 'in a manner that does not adversely affect its safe performance as a motor vehicle or render the vehicle unlawful for use on the public highways.' The public's safety should not be sacrificed simply for the sake of eliminating a perceived disparity between these different types of vehicles.

Dune buggies generally are less expensive than most special interest vehicles and are more likely to be driven by young people. For the safety of these young people and the public generally, another category of unsafe vehicles on the public roads should not be permitted.

For the foregoing reasons, I am returning Senate Bill No. 460 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 268, informing the Senate that on April 3, 2003, she signed into law House Bill No. 814 as Act 4, entitled: "RELATING TO TRAFFIC INFRACTIONS."

Gov. Msg. No. 269, informing the Senate that on April 3, 2003, she signed into law House Bill No. 815 as Act 5, entitled: "RELATING TO THE COURTS."

Gov. Msg. No. 270, informing the Senate that on April 3, 2003, she signed into law House Bill No. 1022 as Act 6, entitled: "RELATING TO EXPUNGEMENT."

Gov. Msg. No. 271, informing the Senate that on April 3, 2003, she signed into law House Bill No. 1220 as Act 7, entitled: "RELATING TO THE HAWAII PAROLING AUTHORITY."

Gov. Msg. No. 272, informing the Senate that on April 3, 2003, she signed into law House Bill No. 1276 as Act 8, entitled: "RELATING TO ELECTIONS."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 378 to 405) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 378, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 192, H.D. 1 (S.D. 1);
H.B. No. 285, H.D. 1 (S.D. 2);
H.B. No. 373, H.D. 2 (S.D. 1);
H.B. No. 385, H.D. 2 (S.D. 2);
H.B. No. 651, H.D. 2 (S.D. 1);
H.B. No. 731, H.D. 1 (S.D. 1);
H.B. No. 914, H.D. 2 (S.D. 1);
H.B. No. 1161, H.D. 1 (S.D. 1);
H.B. No. 1198, H.D. 2 (S.D. 2); and
H.B. No. 1217, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 379, transmitting H.C.R. No. 29, which was adopted by the House of Representatives on April 4, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO END THE 'GLOBAL GAG RULE' IMPOSED ON INTERNATIONAL FAMILY PLANNING ORGANIZATIONS," was deferred until Thursday, April 10, 2003.

Hse. Com. No. 380, transmitting H.C.R. No. 32, which was adopted by the House of Representatives on April 4, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF THE FEASIBILITY OF AUTHORIZING TOLL ROADS FOR MOTOR VEHICLE TRAFFIC IN THE STATE," was referred until Thursday, April 10, 2003.

Hse. Com. No. 381, transmitting H.C.R. No. 63, H.D. 1, which was adopted by the House of Representatives on April 4, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO CONSIDER THE WAIANAE SECOND ACCESS ROAD PROJECT IN ITS REGIONAL TRANSPORTATION PLAN OF 2004 AND TO IDENTIFY IMMEDIATE SOURCES OF FUNDING FOR THE PROJECT," was referred until Thursday, April 10, 2003.

Hse. Com. No. 382, transmitting H.C.R. No. 192, H.D. 1, which was adopted by the House of Representatives on April 4, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 192, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE HAWAII TOURISM AUTHORITY TO COLLABORATE IN PRESERVING AND PROTECTING HAWAII'S BEACHES FOR RESIDENTS AND VISITORS," was referred until Thursday, April 10, 2003.

Hse. Com. No. 383, returning S.B. No. 42, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 42, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 384, returning S.B. No. 255, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 255, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 385, returning S.B. No. 402, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 402, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 386, returning S.B. No. 474, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 474, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 387, returning S.B. No. 506, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 506, and requested a conference on the subject matter thereof.

Hse. Com. No. 388, returning S.B. No. 773, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 773, and requested a conference on the subject matter thereof.

Hse. Com. No. 389, returning S.B. No. 880, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 880, and requested a conference on the subject matter thereof.

Hse. Com. No. 390, returning S.B. No. 933, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 933, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 391, returning S.B. No. 1107, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1107, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 392, returning S.B. No. 1135, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1135, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 393, returning S.B. No. 1201, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1201, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 394, returning S.B. No. 1312, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1312, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 395, returning S.B. No. 1324, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1324, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 396, returning S.B. No. 1405, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1405, and requested a conference on the subject matter thereof.

Hse. Com. No. 397, returning S.B. No. 1438, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1438, and requested a conference on the subject matter thereof.

Hse. Com. No. 398, returning S.B. No. 1439, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1439, and requested a conference on the subject matter thereof.

Hse. Com. No. 399, returning S.B. No. 1440, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1440, and requested a conference on the subject matter thereof.

Hse. Com. No. 400, returning S.B. No. 1441, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1441, and requested a conference on the subject matter thereof.

Hse. Com. No. 401, returning S.B. No. 1442, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1442, and requested a conference on the subject matter thereof.

Hse. Com. No. 402, returning S.B. No. 1443, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1443, and requested a conference on the subject matter thereof.

Hse. Com. No. 403, returning S.B. No. 1444, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1444, and requested a conference on the subject matter thereof.

Hse. Com. No. 404, returning S.B. No. 1445, which passed Third Reading in the House of Representatives on April 4, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1445, and requested a conference on the subject matter thereof.

Hse. Com. No. 405, returning S.B. No. 1407, which passed Third Reading in the House of Representatives on April 4, 2003, was placed on file.

SENATE COMMUNICATION

Sen. Com. No. 2, notice to the Governor dated April 8, 2003, transmitting H.B. No. 714, H.D. 1, S.D. 2, which propose amendments to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

“April 8, 2003

The Honorable Linda Lingle
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

H.B. NO. 714, H.D. 1, S.D. 2
‘RELATING TO EDUCATION.’

Respectfully,

/s/ Paul T. Kawaguchi
PAUL T. KAWAGUCHI
Clerk of the Senate"

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1430) recommending that S.C.R. No. 49, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 49, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING THE ESTABLISHMENT OF AN OFFICE OF INTERNATIONAL AFFAIRS IN STATE GOVERNMENT," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1431) recommending that S.R. No. 28, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING THE ESTABLISHMENT OF AN OFFICE OF INTERNATIONAL AFFAIRS IN STATE GOVERNMENT," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1432) recommending that S.C.R. No. 144, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 144, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A WIRELESS ENHANCED 911 INTERIM WORKING GROUP," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1433) recommending that S.R. No. 96, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 96, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF A WIRELESS ENHANCED 911 INTERIM WORKING GROUP," was referred to the Committee on Ways and Means.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1434) recommending that S.C.R.

No. 198, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 198, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING AN ELECTRONIC VISA SYSTEM," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Fukunaga and Kawamoto, for the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1435) recommending that S.R. No. 138, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 138, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING AN ELECTRONIC VISA SYSTEM," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1436) recommending that S.C.R. No. 116, as amended in S.D. 1, be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ACTUARIAL STUDY ON HEALTH INSURANCE PARITY FOR THE TREATMENT OF ALCOHOL DEPENDENCY AND DRUG DEPENDENCY," was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1437) recommending that S.R. No. 63, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 63, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON REAL PROPERTY LEASES," was referred to the Committee on Ways and Means.

Senators Chun Oakland, Baker and Sakamoto, for the Committee on Human Services, the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1438) recommending that S.C.R. No. 56, as amended in S.D. 1, be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED

COMPACT," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senators Chun Oakland, Baker and Sakamoto, for the Committee on Human Services, the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1439) recommending that S.R. No. 36, as amended in S.D. 1, be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1440) recommending that S.C.R. No. 35 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1440 and S.C.R. No. 35, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE COUNTY OF HAWAII, TO REVIEW THE CAUSES OF MOTOR VEHICLE COLLISIONS AT THE INTERSECTION OF HIGHWAY 11 AND THE ENTRY ROAD TO THE TOWN OF PAHALA AND MAKE ANY NECESSARY IMPROVEMENTS TO LESSEN THE RISK OF ACCIDENTS," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1441) recommending that S.R. No. 22 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1441 and S.R. No. 22, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE COUNTY OF HAWAII, TO REVIEW THE CAUSES OF MOTOR VEHICLE COLLISIONS AT THE INTERSECTION OF HIGHWAY 11 AND THE ENTRY ROAD TO THE TOWN OF PAHALA AND MAKE ANY NECESSARY IMPROVEMENTS TO LESSEN THE RISK OF ACCIDENTS," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1442) recommending that S.C.R. No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1442 and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1443) recommending that S.C.R. No. 99 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1443 and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TRAFFIC ADVISORY TASK FORCE TO STUDY OAHU TRAFFIC CONGESTION ISSUES AND RECOMMEND SOLUTIONS," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1444) recommending that S.R. No. 68 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1444 and S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TRAFFIC ADVISORY TASK FORCE TO STUDY OAHU TRAFFIC CONGESTION ISSUES AND RECOMMEND SOLUTIONS," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1445) recommending that S.C.R. No. 110, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1445 and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLANDS OF HAWAII AND OAHU," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1446) recommending that S.R. No. 77, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1446 and S.R. No. 77, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLANDS OF HAWAII AND OAHU," was deferred until Thursday, April 10, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1447) recommending that S.C.R. No. 132, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1447 and S.C.R. No. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO LAUNCH A RENEWED PUBLIC EDUCATIONAL CAMPAIGN ON THE DANGERS OF CRYSTAL METHAMPHETAMINE," was deferred until Thursday, April 10, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1448) recommending that S.R. No. 86, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1448 and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO LAUNCH A RENEWED PUBLIC EDUCATIONAL

CAMPAIGN ON THE DANGERS OF CRYSTAL METHAMPHETAMINE," was deferred until Thursday, April 10, 2003.

Senators Baker and Kawamoto, for the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1449) recommending that S.C.R. No. 143, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1449 and S.C.R. No. 143, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE PACIFIC HEALTH CENTER MASTER PLAN," was deferred until Thursday, April 10, 2003.

Senators Baker and Kawamoto, for the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1450) recommending that S.R. No. 95, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1450 and S.R. No. 95, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE PACIFIC HEALTH CENTER MASTER PLAN," was deferred until Thursday, April 10, 2003.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1451) recommending that S.C.R. No. 172 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1451 and S.C.R. No. 172, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF A SELF-DETERMINATION DEMONSTRATION PROJECT USING CONSUMER-DIRECTED APPROACHES," was deferred until Thursday, April 10, 2003.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1452) recommending that S.R. No. 120 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1452 and S.R. No. 120, entitled: "SENATE RESOLUTION SUPPORTING THE DEVELOPMENT OF A SELF-DETERMINATION DEMONSTRATION PROJECT USING CONSUMER-DIRECTED APPROACHES," was deferred until Thursday, April 10, 2003.

Senators Baker and Menor, for the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1453) recommending that S.C.R. No. 175 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1453 and S.C.R. No. 175, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT BY THE PATIENT SAFETY TASK FORCE OF THE HEALTHCARE ASSOCIATION OF HAWAII," was deferred until Thursday, April 10, 2003.

Senators Baker and Menor, for the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1454) recommending that S.R. No. 123 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1454 and S.R. No. 123, entitled: "SENATE RESOLUTION

REQUESTING A REPORT BY THE PATIENT SAFETY TASK FORCE OF THE HEALTHCARE ASSOCIATION OF HAWAII," was deferred until Thursday, April 10, 2003.

Senators Sakamoto, Fukunaga and Kanno, for the Committee on Education, the Committee on Economic Development and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1455) recommending that S.C.R. No. 90 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1455 and S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF AND RECOMMENDATIONS ON POLICIES TO ALIGN WORKFORCE DEVELOPMENT EDUCATION TO RESPOND TO ECONOMIC AND WORKFORCE NEEDS," was deferred until Thursday, April 10, 2003.

Senators Sakamoto and Chun Oakland, for the Committee on Education and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1456) recommending that S.C.R. No. 78 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEMWIDE SENIOR CITIZEN VISITOR PROGRAM," was deferred until Thursday, April 10, 2003.

Senators Sakamoto and Chun Oakland, for the Committee on Education and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1457) recommending that S.R. No. 53 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1457 and S.R. No. 53, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEMWIDE SENIOR CITIZEN VISITOR PROGRAM," was deferred until Thursday, April 10, 2003.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1458) recommending that S.C.R. No. 45, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1458 and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENDORSING THE GOOD BEGINNINGS INTERDEPARTMENTAL COUNCIL'S SCHOOL READINESS TASK FORCE'S HAWAII STATE PRESCHOOL CONTENT STANDARDS," was deferred until Thursday, April 10, 2003.

Senators Chun Oakland and Kawamoto, for the Committee on Human Services and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1459) recommending that S.C.R. No. 113 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1459 and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ALLOCATION OF RESOURCES TO ENSURE MEANINGFUL LANGUAGE ACCESS FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY TO FEDERALLY-ASSISTED PROGRAMS AND SERVICES, AS REQUIRED BY FEDERAL LAW," was deferred until Thursday, April 10, 2003.

Senators Fukunaga and Inouye, for the Committee on Economic Development and the Committee on Water, Land,

and Agriculture, presented a joint report (Stand. Com. Rep. No. 1460) recommending that S.C.R. No. 199 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1460 and S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONSIDERATION OF STRATEGIC PARTNERSHIPS WITH NON-PROFIT ENTITIES TO ENHANCE SELECTED PARK PROPERTIES WHILE APPLYING A COMMUNITY-BASED CULTURAL TOURISM MODEL," was deferred until Thursday, April 10, 2003.

Senators Fukunaga and Inouye, for the Committee on Economic Development and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1461) recommending that S.R. No. 139 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1461 and S.R. No. 139, entitled: "SENATE RESOLUTION REQUESTING THE CONSIDERATION OF STRATEGIC PARTNERSHIPS WITH NON-PROFIT ENTITIES TO ENHANCE SELECTED PARK PROPERTIES WHILE APPLYING A COMMUNITY-BASED CULTURAL TOURISM MODEL," was deferred until Thursday, April 10, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1462) recommending that S.C.R. No. 46, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1462 and S.C.R. No. 46, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT AN EDUCATIONAL BRIEFING ON HAWAII'S MARKETS FOR WOOD WASTE," was deferred until Thursday, April 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1463) recommending that S.C.R. No. 54 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1463 and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION CREATING A WORKING GROUP OF REPRESENTATIVES FROM HAWAIIAN ORGANIZATIONS, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE DEPARTMENT OF HEALTH TO FORM A COALITION TO PROVIDE BETTER ACCESS TO STATE VITAL STATISTICS RECORDS," was deferred until Thursday, April 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1464) recommending that S.R. No. 34 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1464 and S.R. No. 34, entitled: "SENATE RESOLUTION CREATING A WORKING GROUP OF REPRESENTATIVES FROM HAWAIIAN ORGANIZATIONS, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE DEPARTMENT OF HEALTH TO FORM A COALITION TO PROVIDE BETTER ACCESS TO STATE VITAL STATISTICS RECORDS," was deferred until Thursday, April 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1465) recommending that S.C.R. No. 85 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1465 and S.C.R. No. 85, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE ANAHOLA HOMESTEADERS COUNCIL IN DEVELOPING THE PROJECT FAITH MULTI-PURPOSE COMMUNITY CENTER IN ANAHOLA, KAUA'I," was deferred until Thursday, April 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1466) recommending that S.R. No. 59 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1466 and S.R. No. 59, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE ANAHOLA HOMESTEADERS COUNCIL IN DEVELOPING THE PROJECT FAITH MULTI-PURPOSE COMMUNITY CENTER IN ANAHOLA, KAUA'I," was deferred until Thursday, April 10, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1467) recommending that S.C.R. No. 89, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1467 and S.C.R. No. 89, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON REAL PROPERTY LEASES," was deferred until Thursday, April 10, 2003.

ORDER OF THE DAY

HOUSE COMMUNICATION

MATTER DEFERRED FROM FRIDAY, APRIL 4, 2003

H.C.R. No. 216 (Hse. Com. No. 344):

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was deferred until later on the calendar.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, APRIL 4, 2003

The President made the following committee assignments of House concurrent resolutions that were received on Wednesday, April 2, 2003; Thursday, April 3, 2003; and Friday, April 4, 2003:

House Concurrent Resolution	Referred to:
No. 31	Committee on Education
No. 60	Committee on Education
No. 81, H.D. 1	Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology
No. 90	Committee on Economic Development

No. 96 Committee on Judiciary and Hawaiian Affairs

No. 119, H.D. 1 Committee on Judiciary and Hawaiian Affairs

No. 141, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations

No. 146 Committee on Education

No. 160, H.D. 1 Committee on Education

No. 198, H.D. 1 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education

No. 203 Jointly to the Committee on Human Services and the Committee on Health

No. 208 Committee on Human Services

No. 211, H.D. 1 Committee on Transportation, Military Affairs, and Government Operations

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1272 (H.B. No. 1453, H.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1272 was adopted and H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1594, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

H.B. No. 1328, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator English and carried, H.B. No. 1328, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1253, H.D. 1, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, H.B. No. 1253, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1318 (H.B. No. 75, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1318 was adopted and H.B. No. 75, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1319 (H.B. No. 473, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1319 was adopted and H.B. No. 473, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1321 (H.B. No. 1163, S.D. 1):

THIRD READING

MATTERS DEFERRED FROM FRIDAY, APRIL 4, 2003

Stand. Com. Rep. No. 1266 (H.B. No. 287, H.D. 3, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1266 was adopted and H.B. No. 287, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1268 (H.B. No. 807, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1268 was adopted and H.B. No. 807, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291E," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1270 (H.B. No. 1572, H.D. 3):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1270 was adopted and H.B. No. 1572, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1271 (H.B. No. 58):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1271 was adopted and H.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1321 was adopted and H.B. No. 1163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1322 (H.B. No. 1361, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1322 was adopted and H.B. No. 1361, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1324 (H.B. No. 1465, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1324 was adopted and H.B. No. 1465, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1325 (H.B. No. 1652, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1325 was adopted and H.B. No. 1652, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1331 (H.B. No. 292, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1331 be adopted and H.B. No. 292, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose and said:

"I'd like to insert remarks on Stand. Com. Rep. No. 1331."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Mr. President, I stand in support of H.B. No. 292, H.D. 2, S.D. 1.

"This measure will give the schools and complexes the much needed flexibility to obtain educational supplies, such as textbooks and instructional equipment based on priority of needs rather than on availability of funds. Mr. President, I have heard on numerous occasions while visiting the schools and I am sure many of my colleagues have heard the same thing that public school teachers have been using their own money to buy school supplies because funds were not available. The providing of discretionary funding to the schools and the

complexes is not only fair to the teachers, but will also facilitate quality education.

"The effective date of the measure has been defected to facilitate further discussions."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1331 was adopted and H.B. No. 292, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1336 (H.B. No. 1176, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1336 was adopted and H.B. No. 1176, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1212, H.D. 1, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, H.B. No. 1212, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1342 (H.B. No. 281, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1342 be adopted and H.B. No. 281, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Sakamoto rose and said:

"I'd like to insert remarks on Stand. Com. Rep. No. 1342."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Mr. President, I rise in support of this measure.

"In pursuit of greater efficiency and accountability, H.B. No. 281 purposes to streamline the manner in which the sizable repair and maintenance backlog of our schools is managed. Currently, the DOE and DAGS are responsible for school facilities management under a memorandum agreement. However, it is clear that communications between the departments is in great need of improvement. No one seems to know exactly what the repair and maintenance backlog is. The original estimate provided to the legislature was \$240 million. That grew to over \$640 million in less than one year. After investing millions in repairs, we expected to be told that the backlog had been significantly reduced. We have asked for an accounting of expenditures, savings created by promised efficiencies, savings created by the 3 Rs program, and of course the specific projects on the backlog that have been completed, what they cost, and how many projects remain to be worked on and what they will cost. It has caused great concern that the answers we receive are not consistent and change frequently. We were told that the backlog had been reduced to about \$400 million but have been unable to substantiate that number. In

order for us to effectively eliminate the backlog and maintain schools properly the DOE and DAGS must communicate clearly and effectively.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1342 was adopted and H.B. No. 281, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1345 (H.B. No. 808, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1345 was adopted and H.B. No. 808, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE JUDICIARY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1346 (H.B. No. 1300, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1346 was adopted and H.B. No. 1300, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1164, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1164, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1356 (H.B. No. 735, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1356 was adopted and H.B. No. 735, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1357 (H.B. No. 1181, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1357 was adopted and H.B. No. 1181, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1358 (H.B. No. 1430, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1358 was adopted and H.B. No. 1430, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY ORAL HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1361 (H.B. No. 127, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1361 was adopted and H.B. No. 127, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1362 (H.B. No. 129, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1362 was adopted and H.B. No. 129, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1363 (H.B. No. 1342, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1363 was adopted and H.B. No. 1342, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YOUTH SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1366 (H.B. No. 851, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1366 was adopted and H.B. No. 851, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAXATION APPEALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1369 (H.B. No. 295, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1369 was adopted and H.B. No. 295, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1371 (H.B. No. 857, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1371 was adopted and H.B. No. 857, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,” having

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1372 (H.B. No. 1003, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1372 was adopted and H.B. No. 1003, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1376 (H.B. No. 1255, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1376 was adopted and H.B. No. 1255, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1377 (H.B. No. 1303, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1377 was adopted and H.B. No. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1383 (H.B. No. 317, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1383 was adopted and H.B. No. 317, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1384 (H.B. No. 507, H.D. 3, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1384 was adopted and H.B. No. 507, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL TECHNICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1395 (H.B. No. 1047, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1395 was adopted and H.B. No. 1047, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1396 (H.B. No. 1157, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1396 was adopted and H.B. No. 1157, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1397 (H.B. No. 10, H.D. 2, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1397 was adopted and H.B. No. 10, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1160, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1160, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1404 (H.B. No. 662, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1404 was adopted and H.B. No. 662, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SPORTS HALL OF FAME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1411 (H.B. No. 83, H.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1411 was adopted and H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1412 (H.B. No. 155, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1412 was adopted and H.B. No. 155, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1415 (H.B. No. 1509, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1415 was adopted and H.B. No. 1509, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 433, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, H.B. No. 433, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1423 (H.B. No. 297, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1423 was adopted and H.B. No. 297, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

**MATTERS DEFERRED FROM
FRIDAY, APRIL 4, 2003**

Stand. Com. Rep. No. 1264 (H.B. No. 133, H.D. 1, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1264 be adopted and H.B. No. 133, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Chun Oakland then offered the following amendment (Floor Amendment No. 7) to H.B. No. 133, H.D. 1, S.D. 2:

SECTION 1. H.B. No. 133, H.D. 1, S.D. 2, is amended by designating Sections 1, 2, and 3 of the measure as Part I.

SECTION 2. H.B. No. 133, H.D. 1, S.D. 2, is amended by amending Section 1 to read as follows:

"PART I

SECTION 1. Current law allows for the prosecution of parents who abandon their newborn infants. These parents are often young mothers who are unable to deal with the harsh reality of parenthood. Their solution is leaving the newborn in a populated area with the hope that someone will find and care for the child. Although the possibility of prosecution was intended to deter mothers from taking such a careless approach, newborn infants have suffered and died as the result of abandonment in life-threatening situations.

"Baby drop-off" laws take a different approach by placing the immediate concern on the child's needs rather than focusing on the mother's liability. The goal is to create a system where parents can safely leave their newborns without fear of being prosecuted for child abandonment. Anonymity, confidentiality, and freedom from prosecution for parents may encourage them to leave a newborn infant safely, and thus save the newborn infant's life.

The purpose of this [Aet] part is to:

- (1) Provide immunity from prosecution for leaving an unharmed newborn at a hospital; and
- (2) Provide immunity from liability for hospitals and their personnel for receiving a newborn."

SECTION 3. H.B. No. 133, H.D. 1, S.D. 2, is amended by adding a Part II, to read as follows:

"PART II

SECTION 4. The legislature finds that public safety officers, sheriffs, and deputy sheriffs have occasion to witness child abuse on a daily basis in the course of their work in serving arrest warrants or providing security at the State's airports. Under current law, public safety officers, sheriffs, and deputy sheriffs are not mandated to report child abuse to the department of human services or the police, and lack authority to assume protective custody of the child. The legislature further finds that the safety and welfare of the child would be protected if public safety officers, sheriffs, and deputy sheriffs were conferred with the same statutory authority as exists for law enforcement agencies and police officers in child abuse cases.

The purpose of this part is to clarify that public safety officers, sheriffs, and deputy sheriffs shall report child abuse cases and be conferred with the authority to take the child victim into protective custody."

SECTION 5. Section 350-1.1, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) Notwithstanding any other state law concerning confidentiality to the contrary, the following persons who, in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future, shall immediately report the matter orally to the department or to the police department:

- (1) Any licensed or registered professional of the healing arts and any health-related occupation who examines, attends, treats, or provides other professional or specialized services, including but not limited to physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals;
- (2) Employees or officers of any public or private school;
- (3) Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance;
- (4) Employees or officers of any law enforcement agency, including but not limited to the courts, police departments, public safety officers appointed under section 353C-4, including sheriffs and deputy sheriffs, correctional institutions, and parole or probation offices;
- (5) Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institution;
- (6) Medical examiners or coroners; and
- (7) Employees of any public or private agency providing recreational or sports activities.

2. By amending subsection (c) to read:

"(c) The initial oral report shall be followed as soon as possible by a report in writing to the department. If a police department or the department of public safety is the initiating

agency, a written report shall be filed with the department for cases that the police or the department of public safety take further action on or for active cases in the department under this chapter. All written reports shall contain the name and address of the child and the child's parents or other persons responsible for the child's care, if known, the child's age, the nature and extent of the child's injuries, and any other information that the reporter believes might be helpful or relevant to the investigation of the child abuse or neglect. This subsection shall not be construed to serve as a cause of action against the department [or], the police[-], or department of public safety."

SECTION 6. Section 587-2, Hawaii Revised Statutes, is amended by amending the definition of "police officer" to read as follows:

"“Police officer” means a person employed by any county in this State, or public safety officer appointed under section 353C-4, including sheriffs and deputy sheriffs, to enforce the laws and ordinances for preserving the peace, safety, and good order of the community.”

SECTION 7. Section 587-22, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A police officer who witnesses child abuse or neglect while in the course of duty, shall assume protective custody of the child without a court order and without the consent of the child's family regardless of whether the child's family is absent, if in the discretion of the police officer, the child is in such circumstance or condition that the child's continuing in the custody or care of the child's family presents a situation of imminent harm to the child.

A police officer may assume protective custody of the child without a court order and without the consent of the child's family regardless of whether the child's family is absent, if in the discretion of the police officer:

- (1) The child has no legal custodian who is willing and able to provide a safe family home for the child; or
- (2) There is evidence that the parent or legal guardian of the child has subjected the child to harm or threatened harm and that the parent or legal guardian is likely to flee the jurisdiction of the court with the child.”

SECTION 3. H.B. No. 133, H.D. 1, S.D. 2, is amended by renumbering Sections 4 and 5 of the measure to Sections 8 and 9, and designating those sections as part III.

Senator Chun Oakland moved that Floor Amendment No. 7 be adopted, seconded by Senator Hanabusa.

Senator Chun Oakland noted:

“Mr. President, the floor amendment before you adds the content of S.B. No. 881, S.D. 1, which makes clear that state law enforcement officers are authorized to take protective custody of a child abuse victim, and to report incidents of suspected child abuse. The Senate bill was previously unanimously supported by this Senate.”

The motion to adopt Floor Amendment No. 7 was put by the Chair and carried.

Senator Chun Oakland moved that Stand. Com. Rep. No. 1264 be received and placed on file, seconded by Senator Hanabusa and carried.

By unanimous consent, H.B. No. 133, H.D. 1, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO CHILD

PROTECTION,” was placed on the calendar for Third Reading on Thursday, April 10, 2003.

At 10:34 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:57 o'clock a.m.

Stand. Com. Rep. No. 1267 (H.B. No. 736, H.D. 1, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1267 be adopted and H.B. No. 736, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Trimble then offered the following amendment (Floor Amendment No. 8) to H.B. No. 736, H.D. 1, S.D. 2:

SECTION 1. House Bill No. 736, HD 1, SD2, is amended by amending Section 1 to read as follows:

“SECTION 1. During the regular session of 2002, the legislature passed H.B. No. 2752, H.D. 1, S.D. 1, C.D. 1, and subsequently signed into law by the governor as Act 226, Session Laws of Hawaii 2002 (Act 226), effectively providing for the denial, suspension, or revocation of a state professional or vocational license upon default by the borrower. This law puts the state in the position of being an collection enforcement agency for loans extended by private lending institutions and should be repealed.”

SECTION 2. House Bill No. 736, HD 1, SD2, is amended by amending Section 2 to read as follows:

“SECTION 2. Chapter 436C, Hawaii Revised Statutes, is repealed.”

SECTION 3. House Bill No. 736, HD 1, SD2, is amended by amending Section 3 to read as follows:

“SECTION 3. Section 436B-19.6, Hawaii Revised Statutes, is repealed.

“~~“§436B-19.6 Denial, suspension, or revocation of license for default of student loan or scholarship contract. In addition to any other acts or conditions provided by law, the licensing authority shall not renew or reinstate, or shall deny, suspend, or revoke, any license or application, if the department has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the licensing authority shall renew, reinstate, or grant the license only upon receipt of an authorization from the administering entity. Chapter 91 and sections 92-17, 436B-18, 436B-20, 436B-21, 436B-24, and 436B-25 shall not apply to a license suspension or denial under this section.”~~”

SECTION 4. House Bill No. 736, HD 1, SD2, is amended by amending Section 4 to read as follows:

“SECTION 4. Section 302A-807, Hawaii Revised Statutes, is amended to read as follows:

“**§302A-807 Refusal, suspension, revocation, and reinstatement of licenses.** (a) The board shall serve as the final adjudicator for appeals relating to licensing, including the issuance or nonissuance of licenses, and the suspension, nonrenewal, and revocation of licenses.

(b) The board shall establish procedures for the conduct of proceedings for the consideration of requests filed with the board. In every case to revoke or suspend a license, the board shall give the person concerned written notice that a request has been filed with the board. The board shall conduct a hearing in conformity with chapter 91, and shall provide for confidentiality of the proceedings to protect the parties. In all proceedings before it, the board may administer oaths, compel the attendance of witnesses and production of documentary evidence, and examine witnesses. In case of disobedience by any person to any order of the board or to any subpoena issued by the board, or the refusal of any witness to testify to any matter that the person may be questioned lawfully, any circuit judge, on application of the board or a member thereof, shall compel obedience in the case of disobedience of the requirements of a subpoena issued by a circuit court or a refusal to testify.

(c) Any applicant who has been refused a license, or any licensee whose license has been suspended or revoked, shall have the right to appeal the board's decision to the circuit court of the circuit in which the applicant or licensee resides in the manner provided in chapter 91; provided that out-of-state resident applicants shall file their appeals in the first circuit court.

(d) Upon revocation of a license, the board may disclose the name, birthdate, social security number, and any other pertinent information about the former holder of the license:

- (1) To the department; and
- (2) For the purpose of exchanging information under chapter 315 with other national or state teacher certification agencies about school personnel who have had licenses revoked.

~~[(e) The board shall not renew or reinstate, or shall deny, suspend, or revoke, any license, credential, or application, if the board has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the board shall renew, reinstate, or grant the license or credential only upon receipt of an authorization from the administering entity.]”~~

SECTION 5. House Bill No. 736, HD 1, SD2, is amended by amending Section 5 to read as follows:

“SECTION 5. Section 321-15, Hawaii Revised Statutes, is amended to read as follows:

“§321-15 Biennial registration; fees, failure to register[; denial, suspension, or revocation of a license]. (a) Every person holding a license to practice any occupation specified in section 321-13(a)(1) shall reregister with the department of health every other year in accordance with the rules of the department, before February 1 except where superseded by federal law, and shall pay a reregistration fee. The failure, neglect, or refusal of any person holding such a license to reregister or pay the reregistration fee, after thirty days of delinquency, shall constitute a forfeiture of the person's license; provided that the license shall be restored upon written application therefor together with a payment of all delinquent fees and an additional late reregistration fee that may be established by the director of health. All fees collected pursuant to this section shall be deposited into the environmental health education fund established under section 321-27.

(b) The department shall suspend, refuse to renew, reinstate, or restore, or deny any license or application if the department has received certification from the child support enforcement agency pursuant to the terms of section 576D-13 that the licensee or applicant is not in compliance with an order of support as defined in section 576D-1 or has failed to comply with a subpoena or warrant relating to a paternity or child

support proceeding. Unless otherwise provided by law, the department shall grant, renew, restore, or reinstate a license only upon receipt of an authorization from the child support enforcement agency, office of child support hearings, or family court.

~~[(c) The department shall not renew or reinstate, or shall deny, suspend, or revoke, any license or application, if the department has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the department shall grant, renew, or reinstate a license only upon receipt of an authorization from the administering entity.]”~~

SECTION 6. House Bill No. 736, HD 1, SD2, is amended by amending Section 6 to read as follows:

“SECTION 6. Section 431:9-235, Hawaii Revised Statutes, is amended to read as follows:

“§431:9-235 Denial, suspension, revocation of licenses.

(a) The commissioner may suspend, revoke, or refuse to extend any license issued under this article for any cause specified in any other provision of this article, or for any of the following causes:

- (1) For any cause for which issuance of the license could have been refused had it then existed and been known to the commissioner;
- (2) If the licensee wilfully violates or knowingly participates in the violation of any provision of this code;
- (3) If the licensee has obtained or attempted to obtain any such license through wilful misrepresentation or fraud, or has failed to pass any examination required by section 431:9-206;
- (4) If the licensee has misappropriated, or converted to the licensee's own use, or has illegally withheld moneys required to be held in a fiduciary capacity;
- (5) If the licensee has, with intent to deceive, materially misrepresented the terms or effect of any insurance contract; or has engaged or is about to engage in any fraudulent transaction;
- (6) If the licensee has been guilty of any unfair practice or fraud as defined in article 13;
- (7) If in the conduct of the licensee's affairs under the license, the licensee has shown oneself to be a source of injury and loss to the public;
- (8) If the licensee issues or purports to issue any binder as to any insurer named therein as to which the licensee is not then authorized so to bind; or
- (9) If the licensee has dealt with, or attempted to deal with, insurance or to exercise powers relative to insurance outside the scope of the licensee's licenses.

(b) The license of any partnership or corporation may be so suspended, revoked, or refused for any of such causes as relate to any individual designated in the license to exercise its powers.

(c) The holder of any license which has been revoked or suspended shall surrender the license certificate to the commissioner at the commissioner's request.

~~[(d) The commissioner shall not renew or reinstate, or shall deny, suspend, or revoke, any license or application, if the commissioner has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the commissioner shall renew, reinstate, or grant a license only upon receipt of an authorization from the administering entity.]”~~

SECTION 7. House Bill No. 736, HD 1, SD2, is amended by amending Section 7 to read as follows:

"SECTION 7. Section 457-9, Hawaii Revised Statutes, is amended to read as follows:

~~"§457-9 Renewal of license; denial, suspension, or revocation of license for default of student loan or scholarship contract].~~ (a) The license of every person licensed under this chapter shall expire on June 30 of every odd-numbered year and shall be renewed biennially, except as provided in this section. Biennially in each odd-numbered year, the board shall make available an application for renewal of license before the deadline set forth by the board to every person to whom a license was issued or renewed during the biennium. The applicant shall complete the application and submit it to the board with a renewal fee and any required documents on or before the deadline set forth by the board. The applicant shall provide documents from proper agencies or parties relating to any disciplinary action taken or pending in this State or any other state in the United States or any territory or possession under the jurisdiction of the United States within the two years prior to application for renewal of license. Upon receipt of the application and fee the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the biennium expiring two years hence on the deadline set forth by the board. The renewal shall render the holder thereof a legal practitioner of nursing for the period stated on the renewal form.

(b) Any licensee who fails to renew a license as provided in subsection (a) but continues to practice shall be considered an illegal practitioner and shall be subject to the penalties provided for violations of this chapter; provided that the person's license may be restored by the board on satisfactory explanation of the failure to renew and on payment of the renewal fee and a penalty fee.

A nurse who fails to renew a license as provided in subsection (a) and does not engage in nursing in the State for one year after the license has been forfeited shall not be required to pay the renewal or penalty fee; provided that the nurse remains inactive during that year. Should the nurse wish to resume nursing at some future time, the nurse shall notify the board and remit the renewal fee and application form as provided in subsection (a).

~~[(c) Notwithstanding any provision in this chapter to the contrary, the board shall not renew or reinstate, or shall deny, suspend, or revoke, any license or application, if the board has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the board shall renew, reinstate, or grant the license only upon receipt of an authorization from the administering entity.]"~~

SECTION 8. House Bill No. 736, HD 1, SD2, is amended by amending Section 8 to read as follows:

"SECTION 8. Section 466J-8, Hawaii Revised Statutes, is amended to read as follows:

"§466J-8 Denial, revocation, or suspension of license. (a) The board shall have the power to deny, revoke, or suspend any license issued or applied for in accordance with this chapter, upon proof that the person:

- (1) Is guilty of fraud or deceit in procuring or attempting to procure a license to practice as a radiographer or as a radiation therapy technologist;
- (2) Is mentally incompetent;
- (3) Is guilty of unprofessional conduct; or
- (4) Has knowingly or repeatedly violated this chapter.

(b) Before denying, suspending, or revoking any license pursuant to subsection (a), the board shall furnish the licensee a notice in writing as prescribed by section 91-9 and shall afford the licensee an opportunity to be heard in person and by or with counsel. Any order denying a license, or suspending or revoking a license shall be rendered not later than fifteen days after the hearing, and any aggrieved person may appeal the order as provided in chapter 91.

(c) The board shall suspend, refuse to renew, reinstate, or restore, or deny any license or application if the board has received certification from the child support enforcement agency pursuant to the terms of section 576D-13 that the licensee or applicant is not in compliance with an order of support or has failed to comply with a subpoena or warrant relating to a paternity or child support proceeding. Unless otherwise provided by law, the board shall issue, renew, restore, or reinstate the license only upon receipt of an authorization from the child support enforcement agency, office of child support hearings, or family court. Subsection (b) shall not apply to a license suspension pursuant to this subsection.

~~[(d) The board shall not renew or reinstate, or shall deny, suspend, or revoke, any license or application, if the board has received certification from an administering entity pursuant to chapter 436C that the licensee or applicant is in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract, or has failed to comply with a repayment plan. Unless otherwise provided by law, the board shall renew, reinstate, or grant the license only upon receipt of an authorization from the administering entity.]"~~

SECTION 9. House Bill No. 736, HD 1, SD2, is amended by amending Section 9 to read as follows:

"SECTION 9. Section 605-1, Hawaii Revised Statutes, is amended to read as follows:

"§605-1 Attorneys, qualifications. (a) The supreme court may examine, admit, and reinstate as practitioners in the courts of the State, such persons as it may find qualified for that purpose, who have taken the prescribed oath of office. The supreme court shall have the sole power to revoke or suspend the license of any such practitioner.

(b) In order to be licensed by the supreme court, a person shall be of good moral character, and shall satisfy such residence and other requirements as the supreme court may prescribe.

(c) In addition to other qualifications for licensure and conditions for continuing eligibility to hold a license, applicants for licensure, licensees renewing their licenses, and existing licensees shall be in compliance with an order of support as defined in section 576D-1 and has not failed to comply with a subpoena or warrant relating to a paternity or child support hearing.

~~[(d) In addition to other qualifications for licensure and conditions for continuing eligibility to hold a license, applicants for licensure, licensees renewing their licenses, and existing licensees shall be in compliance with any obligation under any student loan, student loan repayment contract, or scholarship contract, or shall be in compliance with a repayment plan as provided in chapter 436C.]"~~

SECTION 10. House Bill No. 736, HD 1, SD2, is amended by deleting Sections 10 through 13 and renumbering the remaining sections accordingly.

Senator Trimble moved that Floor Amendment No. 8 be adopted, seconded by Senator Slom.

Senator Trimble rose and said:

"Mr. President, if we look at debtors and debtor rights, over history we will find that it is a mixed bag. If we go back a few

hundred years to jolly old England, which probably wasn't all that jolly, you could be thrown into prison, your children and wife could be thrown into prison, until you repaid your debt. When our country was established, we looked at the rights of individuals and we were mindful of excessive exercise of power by a central government.

"A few short years ago, we liberalized the reasons why people could file for bankruptcy, and after that was done, we noticed that many people did indeed exercise their right and filed for bankruptcy and discharged debts. However, more recently, bankruptcy laws have been amended. You can no longer discharge debt for a college loan by filing for bankruptcy, but the last step that the state took last year was uncalled-for. You cannot excuse your actions by merely saying that the federal government would like that we do it.

"Education is a worthwhile objective, and when people borrow money to go to school, we as a society have suggested that that is a good purpose. But when we got the state into the collection business and only one step away from the repo business, saying that a person's source of livelihood could be denied by pulling his license merely for the fact that they did not pay their college loan without a full and complete understanding of the circumstance, we as a body, we as a government extended what in an earlier time would have been considered just a dispute between two individual people.

"Why have we inserted the power of government on the side of the lender? There are sufficient remedies that exist without having passed that bill last year. So I ask my colleagues to look deep into your heart and consider that perhaps last year you made a mistake. That is why I've offered this floor amendment, which would repeal last year's action.

"Thank you."

The motion to adopt Floor Amendment No. 8 was put by the Chair and, Roll Call vote having been requested, failed on the following showing of Ayes and Noes:

Ayes, 5. Noes, 20 (Aduja, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hooser, Ige, Ihara, Inouye, Kanno, Kawamoto, Kim, Kokubun, Menor, Sakamoto, Taniguchi, Tsutsui).

Senator Trimble rose and said:

"Mr. President, I would wish that my vote be recorded as a 'No.'"

The Chair so ordered.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1267 was adopted and H.B. No. 736, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

THIRD READING

H.B. No. 1225, S.D. 1:

Senator Taniguchi then moved that H.B. No. 1225, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hanabusa then offered the following amendment (Floor Amendment No. 9) to H.B. No. 1225, S.D. 1:

SECTION 1. H.B. No. 1225, S.D. 1, is amended by designating part III as part IV, and renumbering sections 4 and 5, to sections 9 and 10, respectively.

SECTION 2. H.B. No. 1225, S.D. 1, is amended by adding a part III to the measure to read as follows:

"PART III.

SECTION 4. Section 235-110.91, Hawaii Revised Statutes, is amended as follows:

1. By amending its title and subsection (a) to read:

"**§235-110.91 Tax credit for increasing research activities.** (a) Section 41 (with respect to the credit for increasing research activities) and section 280C(c) (with respect to certain expenses for which the credit for increasing research activities are allowable) of the Internal Revenue Code shall be operative for the purposes of this chapter as provided in this section[~~— except that references to the base amount shall not apply and credit for all qualified research expenses may be taken without regard to the amount of expenses for previous years~~]. If section 41 of the Internal Revenue Code is repealed or terminated prior to January 1, 2006, its provisions shall remain in effect for purposes of the income tax law of the State [~~as modified by this section,~~] as provided for in subsection (h)."

2. By amending subsection (c) to read:

"(c) There shall be allowed to each taxpayer, subject to the tax imposed by this chapter, an income tax credit for qualified research activities equal to the credit for research activities provided by section 41 of the Internal Revenue Code [~~and as modified by this section~~]. The credit shall be deductible from the taxpayer's net income tax liability, if any, imposed by this chapter for the taxable year in which the credit is properly claimed."

3. By amending subsection (e) to read:

"(e) If the tax credit for qualified research activities claimed by a taxpayer exceeds the amount of income tax payment due from the taxpayer, the excess of the tax credit over payments due [~~shall be refunded to the taxpayer; provided that no refund on account of the tax credit allowed by this section shall be made for amounts less than \$1-~~] may be used as a credit against the taxpayer's income tax liability in subsequent years until exhausted."

4. By amending subsection (h) to read:

"(h) This section shall apply to taxable years beginning after December 31, 2000, but not to taxable years beginning after December 31, 2005[~~;~~]; provided that research conducted after June 30, 2003, shall be subject to the amendments made by Act , Session Laws of Hawaii 2003."

SECTION 5. Act 221, Session Laws of Hawaii 2001, is amended by amending section 13 to read as follows:

"SECTION 13. It is the intention of the legislature that the amendments in this Act [~~be liberally construed;~~] encourage increased expenditures in Hawaii, promote long-term benefits to Hawaii and its economy, raise new capital, increase spending to accelerate research projects, create new jobs in Hawaii, and encourage the continued growth and development of high technology and certain performing arts ventures. The

department of taxation is [further] given latitude to interpret these amendments in light of industry developments. The legislature does not intend by the amendments in this Act to opine on the interpretation taken by any taxpayer or the department of taxation on any issue arising under prior law.”

SECTION 6. Act 297, Session Laws of Hawaii 2000, is amended by amending section 10 to read as follows:

“SECTION 10. It is the intention of the legislature in making amendments in this [Part] part to sections 235-7.3, 235-9.5, 235-110.9, and 235-110.91, Hawaii Revised Statutes, that the amendments ~~[be liberally construed, and in this regard, the]~~ encourage increased expenditures in Hawaii, promote long-term benefits to Hawaii and its economy, raise new capital, increase spending to accelerate research projects, create new jobs in Hawaii, and encourage the continued growth and development of high technology and certain performing arts ventures. The department of taxation is given latitude to interpret those amendments in light of current industry standards. The amendments made in this [Part] part to sections 235-7.3, 235-9.5, 235-110.9, and 235-110.91, Hawaii Revised Statutes, shall not be construed to disqualify any taxpayer who has received a favorable written determination from the department of taxation under the original provisions of those sections as enacted by Act 178, Session Laws of Hawaii, 1999.”

SECTION 7. To prevent abuse and promote efficient administration of taxes, the department of taxation is authorized to prescribe rules, as may be necessary or appropriate, to carry out the purposes of sections 235-7.3, 235-9.5, 235-110.9, and 235-110.91, Hawaii Revised Statutes. The department of taxation may also provide guidance through various publications regarding the types of transactions that do not qualify for the high technology business investment tax credit, including:

- (1) Investments that lack economic substance or a business purpose;
- (2) Related party transactions that minimize the amount of actual investment or “new money”;
- (3) Certain restructuring and reorganizations that lack economic substance or a business purpose; and
- (4) Investments in commercial television and film products and businesses that lack the long-term potential that this Act is intended to promote.

SECTION 8. Upon enactment, the revisor of statutes shall insert the number of this Act into section 235-110.91, Hawaii Revised Statutes, where indicated in section 4 of this Act.”

Senator Hanabusa moved that Floor Amendment No. 9 be adopted, seconded by Senator Tsutsui.

Senator Hanabusa noted:

“Mr. President, this amendment addresses Act 221.

“There is no question, Mr. President, that Act 221 has had a significant and beneficial impact on the state, especially the state’s high-tech industry. Companies have used Act 221 as a tax incentive to attract outside investment, expand their operations, hire new employees, and to contribute to the growth of the technology industry. Companies will continue to reap benefits under Act 221 even with the amendments proposed. However, what has become evident, Mr. President, is the fact that Act 221 needs to be amended.

“We all recall that the Governor of this State voiced her complete support for Act 221 and has now, upon review, said that Act 221 has loopholes that need to be closed. Before the Ways and Means Committee on April 2, 2003, the tax director, Kurt Kawafuchi . . . I can’t remember, Mr. President, if he was already confirmed by that day, but anyway, the tax director or acting tax director testified and asked for, basically, the similar amendments that we are proposing in Floor Amendment No. 9. Basically, we are saying that the term ‘liberally construed’ will be stricken from the law and instead be clarified to the point the tax incentives are to encourage long-term business growth.

“Mr. President, we are all aware of the fact that whether you call it the surfer girl movie or Blue Crush came into town, about \$14 million of tax credits were given to the particular movie itself. And no one believes that that was the intent of Act 221.

“Tax credits for research will conform to the federal tax code and be restricted to investments that increase research activities. And the Department of Taxation will be given the latitude to interpret these amendments and ensure that credits are granted only to those investments that demonstrate economic substance.

“Now Mr. President, we’re not hiding anything by this amendment. A lot of it is driven by the fact that we do have a difficult budget situation. The closing of these loopholes, as we refer to it in Act 221, will result with about \$55 million in savings – \$55 million that is very necessary, \$55 million, Mr. President, that the education budget really, really needs. That is why I ask that the members of the Senate please support us in Floor Amendment No. 9 to H.B. No. 1225, S.D. 1.

“Thank you, Mr. President.”

Senator Fukunaga rose to speak in opposition to the amendment and said:

“Mr. President, I rise to speak in opposition to Floor Amendment No. 9 to H.B. No. 1225, S.D. 1.

“This amendment proposes to eliminate the refundable research and development credit in Act 221 as well as remove the legislative purpose clause calling for liberal interpretation of the high-tech tax incentives which were adopted between 1999 and 2001.

“I can well appreciate the gravity of the state’s fiscal condition and the need to correct abuses of Act 221 that have occurred up through 2002. However, this route is not the way to achieve it. Even the Advertiser’s John Duchemin, who has often been among the most vocal of Act 221 critics, has said:

‘Lingle administration officials claim that curtailing the section of Act 221 that lets companies take a 20 percent refundable credit on high-tech research expenses will add \$68 million to tax revenues over the next three fiscal years, wiping out a sizable part of the projected shortfalls.

‘This argument, however, is not only ironic — six months ago, Lingle vowed to protect Act 221 from changes — but also based on questionable math.

‘Administration officials project that high-tech companies would claim at least \$26 million in research tax credits in fiscal year 2004 and \$20 million the next year.

‘Officials base this projection on 2001, when companies claimed \$9.8 million of the credits. Since that was the act’s first year, the administration assumes the amount of tax credits would increase in subsequent years. By 2004, Lingle officials predict, the amount of research tax credits claimed

under Act 221 will be almost triple the amount claimed that first year.

'If that's the case, then Hawai'i has a far larger research community than anyone realizes. To walk through the math: Lingle expects Act 221 will generate at least \$26 million in research tax credits in fiscal 2004. Because those are 20 percent tax credits, at least \$130 million of research will have to be done in 2004 to generate that much money (\$130 million times 20 percent = \$26 million).

'Where is this money going to come from? The Hawai'i high-tech community would be hard-pressed to find five companies whose total revenues add up to \$130 million, let alone produce \$130 million in R&D.

'What's more, the Act 221 research tax credits can only be claimed on "qualified" research expenses, a strictly demarcated definition that even excludes many types of scientific expenses. Hawai'i Biotech president David Watumull asserts that if the Hawai'i economy is producing \$130 million in qualified research per year, the actual amount of research could be nearly double that — about \$250 million per year.

'If the high-tech community in Hawai'i was investing \$250 million in research and development per year, we wouldn't be having this discussion. There would be no need for Act 221.'

"For these reasons, colleagues, I strongly urge you to vote against Floor Amendment No. 9 to this measure. Thank you."

Senator Hooser rose for a conflict ruling as follows:

"Mr. President, I wish to disclose a possible conflict of interest. My business, H&S Publishing, Best Places.com, is a qualified high-technology company and we're in receipt of a comfort letter from the tax office and may be possible beneficiaries of this legislation."

The Chair ruled that Senator Hooser was not in conflict.

Senator Trimble rose to speak against the floor amendment and stated:

"Mr. President, in the spirit of bipartisanship, which is not always showing in this body, I wish to rise and speak in opposition to this amendment.

"If we had really been interested in addressing the fundamental problems of economic development, we could have, several years ago, done several things — one of them would have been to look at our tax structure and its recessive impact on businesses when we repeatedly tax business to business transaction. We have not done that. We could have looked at our transportation infrastructure that is a severe impediment to the shipment of goods for small businesses between the neighbor islands. We chose not to do that. This body, instead, looked at another approach, and that was an approach that did not rely upon the physical movement of goods, but instead had as its basis, brain power, creativity, finding jobs, creating jobs here in Hawaii for a significant sector of our economy that left Hawaii to get jobs elsewhere.

"I did not support Act 221 when I ran for office, but now that I'm in office, I would like to suggest that when it has fulfilled its purpose as a five-year experiment, we take a second look and see what it has done.

"So number one, it is too soon to piddle with it. Number two, the credibility of this body is at stake. You cannot, one year, pass a law and then when it demonstrates that it is doing exactly what you wanted it to do, can you step back and say, 'oh, I didn't intend that.' And to change Act 221, with respect to the 20 percent credit for research, would be doing exactly that.

"With that minor exception, I do support the Governor in her efforts to correct what she properly classified as abuse. And in these areas, the tax department has already issued a ruling that will make major steps in minimizing the abuse that has been brought to public light. So let us not assume that there is abuse for the research tax credit. That has not been demonstrated.

"So, in summary: (1) Act 221 is doing exactly what this body intended it to do; (2) to change it now would be to send a signal to the world that they indeed cannot trust Hawaii lawmakers because they certainly are a fickle body — on Mondays they vote yes and on Tuesdays they vote no.

"Thank you."

Senator Fukunaga rose and said:

"Mr. President, I'd like to request a Roll Call vote."

The Chair so ordered.

Senator Taniguchi rose in opposition and said:

"Mr. President, I rise to oppose this amendment.

"Mr. President, I appreciate the fact that this amendment provides much needed revenue to our financial plan. However, after hearing the testimony regarding the Governor's amendment and weighing the pros and cons, I made a personal commitment — Mr. President, a promise — not to support any changes to Act 221. Mr. President, I need to keep that promise, and therefore ask that the members join me in voting against this amendment.

"Thank you."

Senator Baker rose to speak in opposition and stated:

"Mr. President, I, too, rise in opposition to Floor Amendment No. 9.

"I have the Maui Research and Technology Park in my district. I've worked with a lot of high-tech companies over the past several years trying to educate them on the value of Act 221 and it has been very valuable in bringing businesses to Maui and having businesses on Maui expand and grow.

"There are at least a dozen companies on Maui that would not be in the development and research industry that they are — providing good jobs, jobs for kamaaina to come back to — if it were not for Act 221. It is a big deal. It's been a big deal for Hawaii's economy. It's the only significant incentive that the state provides to attract businesses to our state.

"The effect of these amendments, if they are finally adopted, would be, in effect, to gut this Act. The Act has created jobs; it's allowed kamaaina to come home to Hawaii to live here; it's allowed businesses to flourish, and for the companies that I'm familiar with, they've reinvested here in Hawaii. I think the Act that the 1999 and subsequent Legislatures had the foresight to enact should remain on our books unamended.

"Thank you, Mr. President."

Senator Ige rose to speak in opposition to the amendment and said:

“Mr. President, I also rise in opposition to this floor amendment.

“I would like to request that the words of the Senator from Manoa be inserted into the Journal as if they were my own.

“I just wanted to offer a couple of other observations. I do believe that this action really circumvents the legislative process. And another reason to vote against this floor amendment is that it really, really circumvents the legislative process.

“These amendments will be offered and voted upon without a public hearing. As you are aware, the administration, in testimony on various unrelated bills – totally unrelated bills – had proposed that the Legislature accept these amendments and we have not had the benefit of taking it to public hearing and really hearing what the people have to say. In addition, your Committees on Economic Development and Science, Arts, and Technology scheduled and heard and had public hearings on every single bill introduced in this body to amend Act 221 and there never was any testimony in support of making any amendments to Act 221. And therefore, I really believe that this floor amendment circumvents the public process and further enhances the public perception that the Legislature is a game and that rules are made to be broken and that we don’t follow our own rules.

“Thank you.”

Senator Hooser rose to speak against the floor amendment and said:

“Mr. President, I rise to speak in opposition.

“I’d like the good words of the Senator from Pearl City to be entered into the Journal as if they were my own. (The Chair so ordered.)

“I would also like to say, briefly, that in my district, one of the centers of economic activity is the Pacific Missile Range facility and the West Kauai Technology Center, and we’ve spent much, much money and much energy to build the technology industry on Kauai. This supports the diversification of our economy. It supports the creation of good jobs.

“I believe the abuses of the past can be handled in an administrative function, and I say, let the bill run its course. For these reasons, I will not be able to support the amendment.

“Thank you.”

Senator Menor rose with reservations and said:

“Mr. President, I just wanted the Clerk to note my vote with reservations.”

The motion to adopt Floor Amendment No. 9 was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Baker, Chun Oakland, Fukunaga, Hooser, Ige, Ihara, Taniguchi, Trimble).

By unanimous consent, H.B. No. 1225, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE

ADMINISTRATION OF TAXES.” was placed on the calendar for Third Reading on Thursday, April 10, 2003.

THIRD READING

MATTER DEFERRED FROM THURSDAY, APRIL 3, 2003

Stand. Com. Rep. No. 1231 (H.B. No. 1214, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1231 be adopted and H.B. No. 1214, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Kanno rose in opposition to the measure and stated:

“Mr. President, I rise to speak in opposition.

“Mr. President, the bill provides to the state and counties a blanket waiver of liability on public lands. I have a number of concerns about the bill language.

“The bill states on page 2, lines 8 and 9, that it’s to provide protection from liability on improved public lands. Yet, on page 4, lines 13 and 14, it states that the state and counties shall not have a duty to warn for dangerous natural conditions on unimproved public lands.

“The bill states that it shall be conclusively presumed that the public is warned if signs are placed and the signs are approved by the Board of Land and Natural Resources. The bill establishes a risk assessment working group that is to be consulted to approve the warning signs. The Risk Assessment Working Group is required to have a person knowledgeable in warning sign design. I believe the group should also include independent experts in recreational hazards, parks, hiking and geology, and a representative from the visitor industry.

“If the sign is stolen, vandalized or illegible, this conclusive presumption extends 30 days from the date the vandalism or removal is discovered, or 7 days if the sign is at the entrance. This could mean the sign could be down for 6 months to a year or longer, and if it is not ‘discovered’ by the state and county, the state and county is still not liable. If we’re talking about a blanket waiver of liability, the state and counties should be required to periodically check the warning signs. To protect against liability from slips and falls, stores like WalMart are required to conduct periodic inspections for possible spills in the store.

“The purpose section states that an equitable balance is needed. I couldn’t agree more. Unfortunately, the blanket waiver of liability for the state and counties go too far.

“The bill implies that what we’re addressing are individuals who participate in hazardous recreational activities who choose to ignore warning signs. Unfortunately, the bill affects all people and on all public lands, improved and unimproved.

“What if there was a boulder on unimproved state land and the state received a report that the boulder was at risk of dislodging and falling down a hillside and had a high probability of doing so. The bill states that the state or county shall not have a duty to warn for dangerous natural conditions on unimproved public lands.

“I am not speaking for individuals who ignore warning signs, whose behavior contributes substantially to injuries. I am speaking out for all others who I believe deserve to hold someone responsible for injuries that may have happened

through no fault of their own. I'm not talking about a blank check. I am speaking about someone having their day in court to make a case that is to be decided by an independent party.

"I urge my colleagues to vote 'no.' Thank you."

Senator Inouye rose to speak in support of the measure as follows:

"Mr. President and fellow colleagues, I wish to rise in support on H.B. No. 1214, Relating to Public Land Liability.

"Mr. President, H.B. No. 1214 establishes a process to provide the state and counties with protection from the liability that arises from dangerous natural conditions on improved and unimproved lands under their jurisdiction.

"If this was a perfect world, we would all be free to enjoy nature without fear of injury. However, this is not a perfect world and dangerous conditions do exist. It's an unfortunate fact that people have been injured in the past and more will be injured in the future while trying to enjoy our beautiful natural environment. The question we have to ask ourselves as Legislators is, How much liability belongs to government and how much liability belongs to individuals when injury occurs from recreational use of state lands?

"I believe, Mr. President, this measure strikes an equitable balance between the personal responsibility of people engaged in recreational pursuits and the duty of government to adequately warn of potential dangers. If we leave the system as it is now, the ambiguity of how much legal care needed to prevent costly lawsuits may result in public recreational assets being closed.

"I urge my colleagues' support for H.B. No. 1214. Thank you, Mr. President."

Senator English rose in support of the measure and stated:

"Mr. President, I rise in support of the measure.

"Mr. President, when I was on the Maui County Council, we dealt with many liability issues from recreational activities. And if you looked at it, one of the key elements in it was personal responsibility. The assumption that often ran with many of these claims was that government was supposed to be responsible for acts of what's termed an 'act of God' or 'an act of nature.'

"I think this bill is good and I urge my colleagues to support it because it returns an element of common sense into our system; that if something looks dangerous, it probably is. If something feels dangerous, it probably is. And the idea that someone else is responsible for your personal safety when on public lands has created some really outrageous situations.

"So I ask my colleagues to support this measure. It's good for the long-term benefit of Hawaii and it's also good for the individuals to realize that common sense may prevail.

"Thank you, Mr. President."

Senator Menor requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1231 was adopted and H.B. No. 1214, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kanno).

THIRD READING

There being no objections, the Senate took the following action out of order from the sequence printed on the Order of the Day.

H.B. No. 200, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 200, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Taniguchi rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"I would like to start today by acknowledging a few people who have helped me meet the many challenges of this Session. I first want to thank my hardworking staff. They remained committed to producing a quality product in the work of your Ways and Means Committee. I'm always impressed by their comprehension of issues and am proud of their dedication to the Senate. I would also like to thank the members of the Ways and Means Committee and you, Mr. President, for your support and leadership.

"With the magnitude of challenges facing us, I have come to rely on the members for their input, insight, and flexibility. I have tried to be open to their ideas, which has been very instructive for me, Mr. President. I guess that even after 23 years in the Legislature, I still have much to learn.

"I also want to thank my Vice Chairman, the Senator from the Big Island, for taking on the traditional responsibility of taking the blame for all the bad parts of the bill. His predecessor, the Senator from Waianae, has gone on to bigger and better things, but as the Ways and Means Vice Chair emeritus, we still call on her to take the blame for many other things. (Laughter.)

"Last, but not least, I again want to take this opportunity to acknowledge the support and guidance of my family, especially my wife Jan. My son Daniel and my daughter Karli are both public school products of whom I'm very proud. Much of why I support public education so much is with them in mind.

"I kind of wanted to talk today a little bit about the budget and really impress upon the members that this budget is only part of the Senate's financial plan. If you only look at this budget bill, you will see increased funding only for our fixed or mandated costs, and you will see many, many cuts. This is not the whole picture as to how the Senate intends on restoring the devastating cuts to education as proposed by the Governor and to the community health and human service needs that are not even addressed at all by her ever changing budget proposals.

"We cannot proceed with this bill without passing three other bills, Mr. President – H.B. No. 510, which increases our general excise tax by a half percent, provides our public schools with critically needed resources; H.B. No. 512, which provides crucially needed assistance to our community health centers throughout the state with rainy day money; and H.B. No. 668 provides badly needed resources to our human services safety net, also with rainy day money.

"Mr. President, I pledge to you that I am committed to seeing these three areas funded in some way, or we will not go home.

The bottom line is that a large number of people in this state have told us that we must provide adequate resources for our public schools and that they are willing to pay a little more for it. This budget bill only goes part of the way in fulfilling this request. We need to do more if we want to claim that education is our top priority.

"By now, it should be apparent that the Governor does not believe that education is her priority. She is turning her back on our children. She has made an outright across-the-board cut of \$3 million per year, starting in the current fiscal year. She has retracted and \$8 million request destined for charter schools and school security. She's moving \$9 million in general funds out of food services, hoping to supplant it with special and federal funds that may not be there. She has also slashed general funds of \$2.7 million per year for adult education, hoping to supplant that through a fee increase. This sounds like a tax increase to me and a tax increase on those struggling to get their GEDs and citizenship.

"Lastly, she has asked the DOE to give up \$8 million per year in anticipation of the state receiving more federal impact aid. This is a terrible time to base your budget on increased federal impact aid to the states.

"Mr. President, while I sincerely believe the Governor is trying her best, I cannot agree with her approach to the budget. She needs to stop trying to legislate through the media. Let's sit down and work on a long-term plan that recognizes the needs of our people and provides adequate resources for them.

"I urge my colleagues to support this bill, as well as those that provide for our most pressing needs. Thank you, Mr. President."

Senator Baker rose to speak in favor of the measure and stated:

"Mr. President, I rise to speak in support of H.B. No. 200, S.D. 1.

"I want to thank the Chair and Vice Chair of the Ways and Means Committee for all their efforts to craft a budget bill that we can support. Perhaps it's not exactly a silk purse out of a sow's ear, but pretty close.

"During this period of budget shortfalls, theirs is an extremely difficult job – many competing and worthy projects, few resources, mostly unpleasant alternatives – and I commend the Chair and Vice Chair for the time and effort they put together in this measure. I also want to extend my appreciation to the members of the Ways and Means Committee and to the hard-working staff who spent many long hours trying to find ways to balance this year's budget.

"The Department of Health took a huge hit in the executive biennium budget request, and I appreciate the willingness of Ways and Means to restore some of those cuts and to work with your Committee on Health to pursue other funding strategies for additional baseline services. Preserving and protecting our citizenry's health, safety and welfare are government's core functions. By putting needed resources into the community mental health plan and Hawaii State Hospital remedial plan, Ways and Means has helped the adult mental health division move forward a prudent, cost-effective plan to improve services and comply with court decrees.

"The restoration of funding of positions for developmental disabilities service branch is equally as important. This Legislature, several years ago, made a commitment to the well being of our developmentally disabled citizens in a client

centered community setting. These funds and positions will help fulfill that commitment.

"Additionally, I applaud the Committee's decision to restore the general practice dental residency program for disabled patients to access care and provide much needed equipment for the emergency medical services division. Insuring that our primary and secondary responders are prepared to deliver critical, necessary care while on duty will only serve the interest of the state in the long run. And as everyone knows, adequate dental care still remains a concern in our state and, unfortunately, will not be fully addressed in this resource challenged environment.

"H.B. No. 200, S.D. 1, along with H.B. No. 512, S.D. 2, H.B. No. 1182, S.D. 2, and previously passed related Senate measures, provide the minimum resources necessary to ensure the viability and vitality of our healthcare safety net here in Hawaii.

"I appreciate the work of the Committee on Ways and Means to address the vital services needed by our state, and I urge my colleagues to join me in supporting this important measure and the others mentioned by the Chair of Ways and Means.

"Thank you."

Senator Hemmings rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of this budget and this legislation.

"This bill does represent a change of attitude on the part of the Majority Party in certain areas. Your Minority Party introduced legislation to eliminate many of the vacant positions that seem to plague honesty in the budget process. We also called out for eliminating many special funds that oftentimes have a margin or float in it. And recognizing the accuracy of this position, the Chairman of the Senate Ways and Means Committee and his Committee members have indeed incorporated into this budget eliminating vacant positions and eliminating some special funds through this and other legislation.

"I have to stand up and challenge the Majority Party on their position on education, and most especially the broadside levied against the Governor by the Chairman of the Ways and Means Committee. We know, beyond a doubt, that business as usual has failed the children of Hawaii. I find it almost incredible that certain members of certain union's leadership come to the Ways and Means Committee and chastise those who challenge the performance of our public education system. Their logic is – how dare you criticize us; how dare you advocate change; how dare you advocate reform; we're doing a good job. And after they're finished saying that, they turn around and ask us for more money. If they're doing a good job, why do we need more programs, more money?

"I've gone over this before. Since 1990, the education budget has gone up to include Felix consent decree almost a billion dollars, far exceeding the growth of any other department in state government. For the record, the enrollment of public schools has pretty much remained static, and for the incredible amount of money the good taxpayers have put into the system, we're not getting what we're paying for. The problem is not money; it is indeed governance, and I applaud the Governor for saying, enough already, we cannot throw more money at a broken program – we have to fix it. I'm hoping that the Majority Party will see the wisdom in doing that.

"I find it quite ironic that the Governor is trying to do what the previous administrations failed to do – collect adequate funding for mandated programs from the federal government for the State of Hawaii. It's no secret that the prior administrations failed to collect adequate money for Felix mandated programs and cost overruns. And speaking about the Department of Health and other programs, it's no secret that the prior administrations did a miserable job on collecting Medicaid funding for assistance with QUEST eligible patients and others. So I find the duplicity on this issue somewhat disingenuous.

"I also find that we just had a floor debate about the positive effects of tax credits, which are tantamount to tax reduction to increase economic activity in Hawaii. And I think it's been proved out to be true and you all have pretty much endorsed the concept, first by those who voted against amending Act 221 by saying these tax credits have been wonderful in bringing new business and more economic activity to Hawaii. Everyone is unanimous on that idea, but to then turn around and say, in order to support this budget, we're going to need some increased taxes, is once again disingenuous and contradictory.

"Adam Smith, in The Wealth of Nations, said over 200 years ago that oftentimes, tax increases result in less revenue to government because they stifle the very economic development and activity that creates taxes in the first place. So I'd say to the Majority Party, you can't have it both ways – you cannot stand up and say tax reduction in the form of tax credits is an economic stimulus but in turn we have to increase taxes other ways to support this budget.

"This budget is headed in the right direction. It does reduce spending by approximately 2 percent from the proposed executive budget that originated in the Cayetano administration. And I would suggest to the Majority Party that we continue to find ways to make government more efficient, more accountable so that we can balance this budget without putting more hardship on the poor taxpayers of Hawaii.

"Thank you, Mr. President."

Senator Sakamoto rose in support of the measure and stated:

"Mr. President, I rise in support of the measure.

"In part, I agree with some of the points made by the previous speaker. Certainly, I agree with the Chair of Ways and Means that this budget, in addition to other measures, in particular in education, are needed. I think for too long some people have claimed our education system has failed and paints every school, every teacher, every principal, and every student with the same brush.

"Mr. President, there are different colors on this chart that represent some schools in blue that are indeed doing well, some schools that are in green that are indeed doing okay, some schools in yellow that certainly are in need of improvement, but certainly there are schools in red that really need to be improved. I think it's unfair to our school administrators, to our teachers, to our students, to our community to claim that system has failed, to say everybody's red and we ought to go somewhere else. It's unfair to say that it's not just a problem of money. Certainly, money isn't the only problem, perhaps decentralization and getting money to the school complexes is part of the solution. An expert came to town a few weeks ago and made that plea.

"I think that this measure, as far as getting money to the schools, is an initiative that your Senator from Pearl City and previous education people have looked at, and perhaps its time has come again.

"It's unfair to say that we haven't tried to get more money from the federal government for Felix, more than the 11 or 12 percent that we're getting, but in spite of the scarce resources, our school complexes, our teachers, our administrators, our parents, our students have pulled together to move us a long way with the money they have. But certainly, more resources would help that effort.

"On one hand, I agree. I think I was standing here speaking to the Senator from Lanikai saying you can't have it both ways, and I agree it's difficult to have it both ways. With education, though, or with tax incentives, if you picture a vehicle, Mr. President, an automobile, on one hand you can say let's inflate the tires a few more PSI. Let's give some incentives by inflating tires so the vehicle can have balance and actually if you inflate your tires, you save mileage – assuming you inflate it a few pounds, Mr. President. On the other hand, perhaps you also need fuel. So, perhaps taxes, and additional resources to put in the fuel tank, will help that measure as well.

"So, in both cases, inflating the tires of the education system to have it move more efficiently, the tax incentive is for businesses so they can move more efficiently, as well as fuel for the much needed things in schools can help our educators and our students move forward better.

"Thank you, Mr. President."

Senator Slom rose in support and said:

"Mr. President, I rise in support of the budget bill.

"While not perfect and just beginning a journey, it's something that I will support. But I take great umbrage at some of the statements and misinformation that's been shared on the Senate Floor in the last several minutes.

"First of all, to the good Senator from Moanalua who always gives us many anecdotes and many examples – bridges and cars and ex-lax and things like that – what I got out of this last anecdote about the automobile was the inflation. And I think that expectations have been inflated, and I think that numbers have been inflated, and I think that demands have been inflated by those who are in the educational bureaucracy.

"And I like the Chairman of the Ways and Means Committee, especially when he wears a baseball cap and he provides snacks for us on those lonely Saturday closed-door sessions all day. And I'm going to give him the benefit of the doubt, because when he says that education is not the Governor's priority, he knows better than that. And when he says that the Governor has turned her back on Hawaii's children, he knows better than that. Funny things happen, though, when we get down in this Chamber and we look at the numbers of people and the bipartisanship that we've all talked about seems to disappear. Maybe that was inflated as well.

"Let's talk about the reality – the reality is that the Governor's budget for education was larger than what is included in this budget right now. Let's talk fact – the Governor's original proposals for education increased the educational budget by more than 8 percent, and that is without any tax increases or more burdens on Hawaii's families. And we'll get into that in just a little while.

"The point is that the budget is a process, as we keep hearing over, and over, and over again, and we've got a long journey to go. But to make these kinds of statements about the Governor's intent, when it really is our responsibility to make the hard decisions, are unfair, unwarranted, and untrue. If, for example,

the House did not like the budget as modified, they would have refused to pass it over. If in fact the Majority did not like the budget and wanted to do something entirely differently, they would not have proposed it for adoption today.

"I think that it is important to realize that this budget is something that we're all going to have to deal with, as the Senator from Kailua said earlier, in a different manner. We have been use to spending without regard to the future. We have been use to increasing taxes without regard to the present. And like a parent, I, like the good Senator from Manoa, have public school aged children, and the problem is that you are the bad guy whenever you say no. As long as you say yes to whatever the children want or whatever special interests want, hey, nobody can fault you, at least from those communities. But leadership and parenthood exerts an awesome responsibility, and sometimes, Mr. President, you have to say no to excesses because you know that in the long term, what that's going to do is going to destroy opportunities for everyone.

"So it is a careful balancing act, an act that puts the highest regard for children and for real education, but at the same time, to keep us cognizant that we don't have unlimited resources and also to remember where those resources come from. They come from the people that are targeted as the fourth highest taxed people in the United States. And we're going to debate in just a little while to try to add to that tax burden.

"So, to say that the Governor doesn't care about children, to say that the Governor has turned her back on education is unfair. I will be supporting this budget today. I will be participating in whatever way I can in the Conference process, and we'll take a look at the final document that we have.

"Thank you, Mr. President."

Senator Kanno rose to speak in support as follows:

"Mr. President, I rise to speak in support.

"The Ways and Means Committee had the near impossible task of determining a balanced budget. Under the Chairs' leadership and through the hard work of the Ways and Means staff, Ways and Means has supported key priorities that are important to our community. At the same time, Ways and Means has also supported important priorities for Hawaii's retirees.

"I urge my colleagues to vote aye."

The motion was put by the Chair and carried, H.B. No. 200, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

MATTERS DEFERRED FROM FRIDAY, APRIL 4, 2003

Stand. Com. Rep. No. 1265 (H.B. No. 135, H.D. 1, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1265 be adopted and H.B. No. 135, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise to speak in favor of this bill with reservations.

"Colleagues, I want you to know that I firmly support this measure's intent. Women who use international matchmaking organizations do need to be protected from blindly entering into abusive relationships, and this bill in, its present form, stands to protect women in potentially abusive relationships.

"However, as drafted here with S.D. 1 to this particular bill, the attorney general has noted a couple of points and I think they are of concern and potentially could be vetoed by the Governor unless these points are addressed in Conference Committed. And that is, this bill excludes organizations of a religious or traditional nature. And what it means is that inappropriately it will force the government into defining what is of a religious nature based on other countries' laws, and possibly create a loophole for matchmaking organizations that portray themselves as traditional or religious. Hopefully, these matters can be corrected in Conference Committee.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1265 was adopted and H.B. No. 135, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1269 (H.B. No. 1010, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1269 was adopted and H.B. No. 1010, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

H.B. No. 123, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 123, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Whalen rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition.

"I won't repeat everything I said before, but I'm still greatly concerned over our lack of care or concern about the significant impacts giving this powerful drug to a woman without any sort of medical examination. Like I said before, doctors will refuse to do it because of their liability and concern over the patient, but we're going to allow pharmacists to do it. I just cannot understand why we are allowing pharmacists to hand out powerful drugs that not only endanger the life of the woman, but if taken too late, it often causes severe deformities in the child which is later born.

"I just cannot understand why we're doing this, so I will be voting 'no.'"

Senator Baker rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in support of this measure.

"I have some prepared remarks that I'd like submitted but I need to address the concerns raised by the previous speaker from the Big Island.

"This measure allows appropriately trained pharmacists to dispense emergency contraception in accordance with approved collaborative agreements with the physician. In the intensive hearings we've had twice now, before both the Health and Consumer Protection and Housing Committees, we've had overwhelming testimony in support from pharmacists, from the folks that license pharmacists, from physicians and the folks that license physicians, the board of medical examiners. Everyone has been in support of this measure because it provides some additional access to woman who may not have a regular physician.

"Emergency contraception is approved by the U.S. Food and Drug Administration as a safe and effective way to prevent unwanted pregnancy. It is not without its safeguards and it's not without its restrictions.

"In 2001, Hawaii had more than 17,000 births and 53 percent of those were unintended. Women do not have appropriate access to the kind of services and medications that are contemplated under this measure that are so needed to help prevent unwanted pregnancies. It does not harm a fetus that is already formed. It will not abort one that has already started to take shape. It prevents the implantation.

"This measure is something that's very needed in our community. It's been endorsed by the very medical professionals that the Senator from the Big Island was concerned about. It's been endorsed by women's groups. It's been endorsed by the U.S. Food and Drug Administration. I urge my colleagues to support this measure.

"Thank you."

The Chair having so ordered, Senator Baker's inserted remarks read as follows:

"Mr. President, I rise to speak in support of H.B. No. 123, H.D. 1, S.D. 1, which allows appropriately trained pharmacists to dispense of emergency contraceptives, in accordance with an approved collaborative agreement with a physician. To be effective, emergency contraceptives must be taken during the critical seventy-two hours after unprotected sex. In order for the contraceptives to work properly it is vital that a woman be able to access this medical option in a timely manner to prevent an unwanted pregnancy.

"Emergency contraception is approved by the U.S. Food and Drug Administration (FDA) as a safe and effective way to prevent unwanted pregnancies. Emergency contraceptives will work only if dispensed within the limited time frame after sexual intercourse. Under the current system emergency contraceptives must be administered by a physician, which can limit accessibility for women who do not have an established provider whom they may call upon. In addition, some facilities are unwilling to see or 'squeeze-in' a client if she is not an established patient, due to their limited schedules or number of physicians. And, if emergency contraceptives are needed during the evening, weekend or on a holiday it can be equally

difficult for a woman to reach her doctor, and secure prescription within the critical seventy-two hours.

"In 2001, Hawaii had more than 17,000 births and 53 percent of those pregnancies were unintended. Of those 8,500 unintended pregnancies 78 percent were to girls aged 15-19 years old. Health Mothers, Healthy Babies Coalition of Hawaii concluded, in 2002, in a survey on the accessibility of emergency contraception in Hawaii, that there were significant barriers in obtaining emergency contraception. The survey concluded that fifty-six per cent of family planning clinics and none of the fourteen private pregnancy/counseling organizations were able to provide EC within the seventy-two hour time frame. In addition, only ten per cent of emergency rooms were able provide access to EC within that time frame.

"Expanding the practice of pharmacy under the pharmacist licensing law, to include the dispensing of emergency contraceptives, will allow women to have adequate, and timely access to the medical treatment they need, especially on nights and weekends when a physician may not be available. By permitting appropriately trained pharmacists to dispense emergency contraceptives women will have the medical options they need to make decisions that effect themselves and the lives of others. Additionally, it will reduce health care costs, reduce unwanted pregnancy and provide options to women who may have been abused or assaulted.

"I urge my colleagues to join me in supporting this important measure which is a part of the women's coalition legislative package. Mahalo."

Senator Kawamoto requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Sakamoto rose with reservations and said:

"Mr. President, I'd like to note my W/R as well as request comments be inserted in the Journal."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Mr. President, I rise with reservations on this bill.

"My concern is that women who would opt to use emergency contraception should be fully informed that this drug is effective by preventing an already fertilized egg from embedding in the womb. I feel that women who may believe that life begins at conception should have the knowledge that this course of action could run contrary to their beliefs.

"I also have concerns about the health risks of repeated use of emergency contraception."

Senator Whalen rose in rebuttal as follows:

"Mr. President, just a brief rebuttal.

"I won't go through it point by point, but all the testimony has not been in support of this. I went through numerous hearings of this, as well, over the time that we've been examining this issue, and yes, it can cause deformities for a child that's already been implanted. It is dangerous to a woman who takes it too late once the baby is there. There are dangers with this drug. That's why doctors will not prescribe it without examining a woman first.

"The government had approved lead in paint for years, until we found out that it was dangerous. So, just because a government agency says this is a good idea, doesn't necessarily

mean that it is. We are a government agency or a body and we make all kinds of decisions that later on we figure out that maybe we shouldn't have done that. So, just because there's a stamp of approval from a government, it doesn't mean it's the right thing to do.

"I said I won't go on, so I won't. My concerns have not been dealt with, and I think we're going down the wrong road when we're allowing people to prescribe medicine who don't even examine the patient first to make sure whatever being claimed is the situation.

"Thank you."

Senator Kim requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 123, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Aduja, Hemmings, Slom, Whalen).

H.B. No. 1165, H.D. 2, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1165, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hogue). Excused, 1 (Taniguchi).

Stand. Com. Rep. No. 1314 (H.B. No. 714, H.D. 1, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1314 be adopted and H.B. No. 714, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"We had a lively discussion in Ways and Means and there was, I think, an honest attempt to make this bill better, but the bottom line is this – those of us that believe in educational reform and educational decentralization also believe in the individuals in our community, particularly the parents of school-age children. The very simple idea was to put a question on the ballot and let the people decide whether or not they want to make changes to the present system of a state bureaucratic board of education that makes all decisions from about 200 yards away from this building here for all places around the state. That was really the question – will the public get to decide whether or not they want decentralization? And it was a very specific proposal made for seven decentralized regional elected boards of education.

"The discussion that ensued, as I said, was I think a good faith attempt to try to reach a compromise. But unfortunately, it has fallen short, because this bill, the way it's written right now, amounts to no more than an advisory referendum by the public. In other words, the public can vote 'yes, we want to have decentralization; yes, we want to do away with the state school board at a bureaucratic centralized position.' But all this bill does then, with that question, is to advise the legislature of what that opinion is. The legislature then may or may not authorize

the decentralization. So, the question is only half complete. It doesn't do the job and does not allow for choice.

"What it also does is provide for additional bureaucracy if the legislature, in ignoring the people, assuming that the people say they want that decentralization, decides to continue on with what we have or to add to more bureaucracy as we'll see in additional bills.

"So therefore, I urge a 'no' vote on this bill, Mr. President. Thank you."

Senator Sakamoto rose to speak in support of the measure as follows:

"Mr. President, members, I rise in support of this bill.

"This bill does propose a constitutional amendment authorizing the Legislature to establish regional boards of education and administration. It also establishes a committee to design and implement a smooth transition for all stakeholders and outlines the process and timeline to reach that goal. This measure, along with the Senate draft of H.B. No. 289 represents our efforts to make our educational system more responsive and responsible to the distinct communities that they serve.

"The intent of the Legislature is that thoughtful planning be a prerequisite to restructuring the public school system, to minimize disruptions to the educational process and the delivery of educational services, and to facilitate an informed, timely, and good transition for all educational personnel, parents, and students.

"Mr. President, following up on the speaker from Hawaii Kai, let us not equate decentralization to elected or some form of school board organization. Decentralization is a broader word – school governance, per pupil waiting. There are other ways, including school/community-based management, which is already in place in most schools. There are many ways to decentralize. I think people want decentralization. They want schools, school principals, local communities to have more involvement.

"This measure does say we need to work on this, and I think my hope would be that the administration, the House and Senate would agree that question is possible this Session, a question is possible next Session prior to the voters voting. But certainly, all parties should agree that we need to really determine if indeed we can have a specific question and work to get the best question, Mr. President.

"Thank you."

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"Three points: (1) the committee that is appointed appears to represent those that would tend to keep the status quo in effect; (2) the measure that would be put on the ballot does not specifically call for elected local school boards; and (3) it's still not giving the people the choice. It boils down to what the Senator to my right said – the voters get to say yes, they want something, but then the Legislature decides whether they in fact wanted it or not.

"Thank you."

Senator Hogue rose to speak in support of the measure with reservations and said:

“Mr. President, I rise to speak in support of this measure with reservations.

“I applaud the Senator from Moanalua for bringing forward this question. I do believe that it has to be brought forward to the people. Unfortunately, we’ve not gone far enough with this particular question, and this question has taken many forms along the way.

“Mr. President, I believe strongly in the people, and I believe that the people should make a decision with this particular matter. I ask that the question be: Shall there be established multiple school districts with executive authority of those districts governed, as provided by law, by locally-elected school boards? This would mean that it would be established by purview of the vote of the people that we have locally elected school boards with executive authority. As the question now stands, that is not the case.

“As noted by the good Senator from the Waikiki area, if this particular advisory board or transition board goes forward, the status quo could in fact determine whether or not the Legislature would follow the will of the people.

“Mr. President, I believe in the people. I believe that the people should make this decision and the Legislature should just get out of the way. Thank you.”

Senator Hooser rose to speak in support of the measure as follows:

“I rise in support of this measure, Mr. President.

“I’d like to briefly speak in support of this measure. I think it’s an important measure, and I think it does offer the people the opportunity to choose.

“While there’s much debate over the quality of the question or the words of the question, it is clear that if this question goes forward, the people of this state will be able to say whether or not they want this Legislature to establish additional school boards. If the people vote no, that will be very clear and the Legislature will not be able to establish additional school boards. If the people vote yes that they want to give the Legislature this power, then that will be a clear and unequivocal message that the people in fact would like to have more school boards.

“Now, the question as to how many school boards, whether we have a main school board, whether we have seven school boards – there are many, many questions left unresolved. And even amongst this body, there are many people that can’t agree on that issue. There are people here who feel that we should have seven school boards without a state school board as a central school board. The Governor’s own original proposal in fact included a state school board with seven underlying school boards.

“There are many, many options and this will allow the people to choose if this measure goes forward. Equally, if not more important, the bill also sets up a process. There are many, many unanswered questions, not just how many boards, but how the funding will happen and what powers those boards would have, if in fact we do set up boards. This commission will not direct or control that decision. This commission, which is proposed to be made up of a wide cross section of members in the educational community, will merely make suggestions to this body, to the Governor, and to the board of education for their action, because that action will ultimately lie with this body.

“So, for those reasons, I encourage my colleagues to vote in support of this measure. Thank you.”

Senator Menor rose and said:

“Mr. President, please note that I’m voting with reservations.”

Senators Hanabusa, Taniguchi, Kokubun, Aduja, English and Ige requested their votes be cast “aye, with reservations,” and the Chair so ordered.

At 12:07 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o’clock p.m.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1314 was adopted and H.B. No. 714, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

At 12:09 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:52 o’clock p.m.

Stand. Com. Rep. No. 1315 (H.B. No. 1285, H.D. 1, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1315 be adopted and H.B. No. 1285, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“Today we’ll be reviewing four types of law. Probably the most important and of which there’s been the least amount of discussion is the law of unintended consequence. But in addition to that, there’s bad law, unnecessary law, and, occasionally, good law.

“This measure was supported in Committee and in the committee report in that it closed a loophole. I had a hard time believing that because it’s been my impression that it has been against the law for a great number of years to disturb or otherwise cover over or construct over burial sites. I can understand why there maybe have been a case where somebody lost a case and in his own defense, couldn’t have been his own incompetence, it must have been a loophole in the law. And the loophole that was decided was that somehow private property was exempted. So I went back to the original copy of the Hawaii Revised Statutes and I looked at Section 6E-11(b): ‘It shall be unlawful for any person, natural or corporate, to knowingly take, appropriate, excavate, injure, destroy, or alter any burial site or the contents thereof, located on private lands or lands owned or controlled by the State.’ Get to penalties – any person who violates this section shall be fined not more than \$10,000 per day for every separate offense.

“It is already in the law, so why are we trying to make it illegal a second time? I urge my colleagues to vote against this unnecessary law.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1315 was adopted and H.B. No. 1285, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HISTORIC SITES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Trimble). Excused, 4 (Menor, Sakamoto, Taniguchi, Whalen).

Stand. Com. Rep. No. 1316 (H.B. No. 993, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 1316 be adopted and H.B. No. 993, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Hooser rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“The purpose of this measure is to apply the state reconstructed vehicle laws to counties with populations of less than 500,000. I’m very concerned of this bill’s impact on my district, the rural district of Kauai. My district is a rural community – we have no freeways; we don’t have that many roads, period, and the speed limits certainly aren’t very fast. We have many, many off-road vehicles, pickup trucks and other reconstructed type vehicles, and I’m afraid unless this bill is radically altered in Conference Committee, that it’s going to instantly cause most of those vehicles to become illegal and be subject to fines and penalties.

“I think this is more of a home rule issue, and for those reasons, I’ll be voting in opposition. Thank you.”

Senator Kawamoto rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of the bill.

“Mr. President, we defected the date on this bill to go to Conference. I also talked to the House introducer of the bill and expressed our concerns about incident violations, and we’re going to look at that.

“Basically, the basis of this law is to have the neighboring counties and the emergency people that brought out the bill, they’re concerned about the vehicles and not only the fact that they run their highways, but different roadways with big trucks, big wheels, and those kinds of things that they’re concerned about.

“So, the emergency people on the neighbor islands supported the bill and wanted the bill. So I ask all my colleagues to vote ‘aye’ on this bill.

“Thank you.”

Senator Tsutsui rose and said:

“Mr. President, I’d like the Clerk to reflect my ‘no’ vote on this measure. Thank you.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1316 was adopted and H.B. No. 993, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RECONSTRUCTED

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

Ayes, 13. Noes, 9 (English, Fukunaga, Hemmings, Hogue, Hooser, Ige, Ihara, Trimble, Tsutsui). Excused, 3 (Sakamoto, Taniguchi, Whalen).

Stand. Com. Rep. No. 1320 (H.B. No. 640, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1320 be adopted and H.B. No. 640, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the bill.

“While I certainly support efforts for a loss mitigation, we’ve discussed this issue many times before. The only problem is, with this bill now, the conference report, I think, is incorrect. It refers to taking the \$6 million for this out of the interest of the hurricane relief fund. But the bill itself is very clear – it takes it from the corpus or the body of the hurricane relief fund, further, I think, minimizing the impact that the fund can have and the purposes for which it was created.

“So I think that a ‘no’ vote is in store. Thank you.”

Senator Chun Oakland rose to speak in support of the measure as follows:

“Mr. President, I stand in support of this measure.

“This makes an appropriation for loss mitigation grant program. The bill before you today allows the use of up to 3 percent of the Hawaii Hurricane Relief Fund, \$3.5 million in fiscal year 2003-2004 and \$2.5 million in fiscal year 2004-2005, to be used for this important program. Under the loss mitigation grant program, the State would match 50 percent of the single- or multi-family homeowner’s cost to install wind-resistive devices, up to a maximum of \$2,100 per dwelling.

“Last year, the Legislature passed Act 179, which established the loss mitigation grant program as a 3-year pilot project. The intent of the Legislature was to use a portion of the interest generated by the inactive Hawaii Hurricane Relief Fund to give matching grants to Hawaii homeowners to make their homes less vulnerable to hurricane-strength winds. Strengthening single-family or multi-family homes against hurricane-strength winds now, will ultimately reduce the potential damage from a hurricane, and the resulting losses to homeowners and the insurance industry, in the future.

“This bill appropriates \$6 million over the next two fiscal years. According to the State Civil Defense Director, that \$6 million, together with homeowners’ investments in hurricane mitigation devices for their homes, could be used to obtain pre-disaster mitigation funds from the Federal Emergency Management Agency (FEMA), on a 75 percent federal to 25 percent state match basis. That means that by expending \$6 million, the State could obtain up to \$33 million in new federal funding for mitigation efforts by homeowners and the State and counties.

“A 2000 study by the Hawaii Hurricane Relief Fund showed that tens of thousands of Hawaii homeowners are interested in taking advantage of this program. But, the loss mitigation grant program is not a handout or entitlement. Rather, it is a contingent expenditure, where funds are spent only when matched. And because single family, condo, and townhouse

owners must match the State's share, dollar-for-dollar, it motivates consumers to invest during uncertain times and keeps that money circulating in our State.

"The loss mitigation grant program can generate up to six times its funding in reduced hurricane damage losses and could potentially cut the State's post-disaster costs in half. It can help an estimated 4,000 families a year to strengthen their investment in their homes, reduce their insurance premiums, and help hold the line on hurricane deductibles. Moreover, this program can help create up to 100 small business jobs throughout the State, and help generate between \$480,000 and \$2 million in new tax revenues, depending on the actual level of federal grants awarded.

"In today's difficult economic climate, we need to make the best possible use of all available resources, including the Hawaii Hurricane Relief Fund interest. Looking at the facts, this bill makes good economic sense. I urge your support for H.B. No. 640, H.D. 1, S.D. 2.

"Thank you, Mr. President."

Senator Hogue rose in opposition to the measure and stated:

"Mr. President, I rise to speak in opposition to this bill.

"I think whether or not this actually makes good economic sense is a dubious argument. It certainly makes bad policy sense.

"I think everyone knows the history of the hurricane relief fund and it would certainly seem that those who paid into it should be the beneficiaries. And one of the obvious drawbacks to this besides the fact that we're going into the corpus rather than the interest is that those who will benefit from this fund are not those who paid into it, or at least may not be.

"For these reasons and the fact that certainly the number one thing that we should do is to give the people their money back, I'll be voting 'no.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1320 was adopted and H.B. No. 640, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Sakamoto, Whalen).

Stand. Com. Rep. No. 1323 (H.B. No. 1412, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1323 be adopted and H.B. No. 1412, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"What we have here, and I want to address a little bit larger issues, is yet another group that seeks to establish their credibility by being able to say that they are licensed and that is tantamount to being approved by the State of Hawaii. It is the wrong direction. I think that we need to ask DCCA or the legislative auditor to look at all such license groups and make recommendations so that we can go toward a society which gets the state out of the licensing business.

"Thank you."

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I, too, rise in opposition to this bill.

"In addition to the comments made by the good Senator from Waikiki, I think it's important to know that this bill also adds new fees, new charges, exempts government employees from the provisions of the bill, and uses the Felix consent decree as an excuse for more bureaucracy.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1323 was adopted and H.B. No. 1412, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Sakamoto, Whalen).

Stand. Com. Rep. No. 1326 (H.B. No. 21, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1326 be adopted and H.B. No. 21, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"The intent is good, but I don't think that anyone has stopped to think and look at the bureaucracy that this unfunded mandate will necessarily result in. And because of this increased bureaucracy and perhaps the chilling effect that it may have when people seek to apply for tax credits, I oppose and I urge my colleagues to oppose this measure.

"Thank you."

Senator Fukunaga rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of H.B. No. 21, S.D. 2.

"This bill authorizes the Department of Taxation to report on tax benefits for development assistance programs, disclose development assistance, and recapture of assistance from recipients who fail to achieve jobs, wage and benefit gains. It also would appropriate funds for the Department of Taxation to fulfill the objectives of this measure.

"I agree with the prior speaker that this bill is currently a work in progress. During the past eight years, tax incentives for businesses have increased dramatically. Yet, we have not determined whether businesses that use these tax credits have actually been successful in creating more jobs.

"When businesses receive tax breaks to grow the economy, the Legislature should require Department of Taxation to compile and collect data to show whether or not the benefits that we achieve are consistent with the credits being utilized. At the same time, it is not practical to ask the Department of Taxation to collect all of the requested information immediately.

“By giving the proponents of this measure an opportunity to focus on the more critical areas of reporting first, and by providing the tax department with staff and resources to do a credible job, we as policy-makers can accurately weigh the cost benefits of tax breaks to stimulate Hawaii’s economy.”

“For these reasons, I urge my colleagues to vote ‘yes.’”

Senator Ihara rose and said:

“Mr. President, please not my reservations on this bill.”

The Chair so ordered.

Senator Espero rose and said:

“Mr. President, please note my support with reservations.”

The Chair so ordered.

Senators Ige, Hanabusa, Hooser and Aduja requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1326 was adopted and H.B. No. 21, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CORPORATE DISCLOSURE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Sakamoto, Whalen).

Stand. Com. Rep. No. 1327 (H.B. No. 1579, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1327 be adopted and H.B. No. 1579, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

“Mr. President, I rise in opposition to this measure.”

“If we choose to look at the Hawaii Revised Statutes and see how many pages DBEDT goes on, and on, and on, and on, one might wonder why we have a need to add this particular piece of legislation. The definition of economic development is the broadening of human options. A subset of that is economic diversification. It is in Chapter 201 in the beginning, in the middle, and in the end.

“This is yet another example of unnecessary legislation. Thank you.”

Senator Fukunaga rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this measure.”

“This bill requires DBEDT to develop and implement plans, programs, and initiatives to diversify Hawaii’s economy and it spells out specific performance targets to measure our progress. DBEDT’s mission to oversee the growth and development of Hawaii’s economy has been unchanged under Chapter 201 for the past 30 years. With the current administration, we have an opportunity to chart a new course of action and to pursue it aggressively.

“Your Economic Development Committee therefore directed DBEDT to specifically identify and implement actions to in fact

achieve the diversification of Hawaii’s economy that we seek. This includes creating a vision and a long-range plan for diversification, a permanent strong focus on the marketing and promotion of Hawaii as a competitive business climate, coordinating whatever agencies are necessary to achieve specific targeted results, and utilizing other educational training and marketing tools to create high quality jobs.

“Hawaii can no longer be content with business as usual. DBEDT must take the lead in stimulating our economy with vigor and specific actions. Therefore, S.B. No. 1579, S.D. 2, will help us get there.

“Thank you.”

Senator Trimble then responded.

“Mr. President, I think that all DBEDT needs is to have some of their attached agencies removed so that they can focus on the job at hand, and perhaps an appropriation so that they can begin the work that is already in the Hawaii Revised Statutes.

“Thank you.”

Senator Ihara rose with reservations and said:

“Mr. President, please note my support of this bill with reservations. I believe it’s too little too late.”

The Chair so ordered.

Senator Kim requested her vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1327 was adopted and H.B. No. 1579, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Sakamoto).

At 1:11 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:13 o’clock p.m., with the Vice President in the Chair.

Stand. Com. Rep. No. 1328 (H.B. No. 1628, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1328 be adopted and H.B. No. 1628, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

“Madame Chair, I rise in opposition to this measure.”

“This is an interesting piece if we can couple it back to a bill that we talked about earlier today. First, this appears to be encouraging people to go out to rural areas in the State of Hawaii, and if they do that, then we will give them a deduction for the interest on their student loans. But they should be ever mindful that if they fail to repay those loans, we’ll pull their license.

“Now, my opposition to this bill is a little bit simpler. We are creating a privileged class narrowly defined, and for that, I must oppose the measure.”

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1328 was adopted and H.B. No. 1628, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATIONAL LOANS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Bunda, Sakamoto).

Stand. Com. Rep. No. 1329 (H.B. No. 32, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1329 be adopted and H.B. No. 32, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this bill.

“There are several good features to this bill, but there is still the troubling question of the kindergarten age and the march, I think, to universal kindergarten, and now we’re adding a new idea of junior kindergarten.

“I certainly support the idea of collecting fees for those that misuse or misabuse property, including textbooks, but do not support the idea of a \$20 textbook fee, so I’ll be voting ‘no.’ Thank you.”

Senator Kanno rose to speak in support of the measure with reservations and said:

“Madame President, I rise to speak with reservations in support of the measure.

“I’d like to acknowledge the work that the Chair of the Education Committee has done to make improvements on the bill. There are two particular items. One is on page 5, line 4, the bill now requires the department to provide pre-kindergarten programs for those children who are affected by the bill. Secondly, on page 4, line 5, it requires the department to establish procedures and criteria to determine the psychological and physiological readiness of children for public school kindergarten.

“I have some concerns about the measure still. I think it’s very important for us to look at the words ‘shall’ and ‘may,’ and in this sentence, it’s the ‘may’ that really creates a problem. The sentence continues – and may grant an exception in the case of a child who is found to be ready for kindergarten. My concern that even though the department does go through the process of setting up procedures and criteria, they could in effect put them on the shelf and not grant any child an exception. So, I wanted the Chair to be aware of that, that the language may need to be reworked to assure that the department is implementing these procedures on the criteria.

“My other concern comes on page 5 where it reads: ‘The department may offer pre-kindergarten services to families at public schools not within the school district in which a family resides, provided that the public school pre-kindergarten services are not available or not offered within the school district in which a family resides, and provided further that the family provides transportation of the child to and from the public school pre-kindergarten that the child attends.’ My concern is on an island like Oahu, if the department were to

designate only one school to offer pre-kindergarten services, let’s say it were in Honolulu, children out in the Waianae Coast, on the North Shore, and for Windward Oahu it probably would not be feasible for them to attend that one school. So we asked the Chair to look at this issue.

“I know some have requested that at every school there be provided pre-kindergarten programs because I know access is going to be a difficult issue. We’ve struggled with that in the past with the immersion schools.

“So I really do want to extend my appreciation to the Chair of the Education Committee for the improvements on the bill and ask that he look at these items as the measure goes to Conference.

“Thank you.”

Senator Hogue rose to speak in support of the measure with reservations and said:

“Madame President, I want to speak in support of this bill with reservations.

“I, too, want to applaud the Chair for some of the work that has gone on with regards to the kindergarten age. I strongly believe that children should be ready before they actually enter kindergarten. So I think that the age is appropriate here and I know that we have done that with our own family.

“I also think that junior kindergarten, or whatever you call it, is really a good idea and I know that it’s been very beneficial to a couple of the children in my own family. So, those areas of the bill I applaud.

“I don’t like, however, what has happened here on page 14 of the bill in which it says, beginning with the 2005-2006 school year, the department, at the beginning of each school year shall assess and collect from each student or the student’s parent or guardian, a textbook and instructions material fee not to exceed \$20 per student. We need to provide free and appropriate education, and a \$20 fee, or whatever you call it, is not.

“So I’ll be supporting it and hoping that that part can get nixed along the process. Thank you.”

Senator Sakamoto rose and said:

“Madame President, I’d like some comments inserted in the Journal so I don’t have to go over some ground that we have gone over before. We hope to continue to improve this bill. I appreciate the awareness and the concerns brought forth.

“I’d like to address the concern about the free and appropriate education. We did ask the attorney general because constitutionality is a concern that we wouldn’t want to tread on and that we shouldn’t tread on. Their response in a letter dated April 7 in response to our letter requesting an opinion on whether the \$20 book fee and \$20 book deposit would violate the obligation of the State of Hawaii to provide a free education to public school students, and they wrote that ‘the proposed amendments in sections,’ and they listed some section, ‘permit the Department of Education to charge students for equipment and material. In as much as textbooks can be considered equipment or material, there appears to be no legal objection to the assessment of deposits or fees for books.’ But certainly, it is a concern that we recognize.

“Thank you.”

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Madame, President, I rise today to enthusiastically support of H.B. No. 32, which does two things. It will raise the entrance age for Kindergarten from 4½ to 5 years of age, and assist schools in procuring and retaining textbooks.

"First I will address the need to raise the Kindergarten age. Advancing the kindergarten cutoff date is the only way for Hawaii's public school students to come to the academic starting line at or ahead of mainland students when it comes to competing on nationally normed tests such as the Stanford Achievement Test (which is used for our Statewide testing), the Scholastic Aptitude Test (which is used for college entrance) and for those tests used to assess progress in the Federally mandated 'No Child Left Behind program.'

"Results from our own Statewide testing for all grades in school years 1994, 1995, 1999, and 2001 show younger students, those born during the latter half of the year, July through December, scored significantly lower than older students in both reading and math.

"Other evidence of a needed change is the disproportionate number of Specific Learning Disability (SLD) students born during the latter half of the year. The SLD criteria is not supposed to be based on age, yet there is a weighted count of 24 percent more students born between July and December. That means there are about 1,200 more children in the SLD program than would be reasonable to expect. They are simply too young when they start school and because they can't do the work they are misidentified as learning disabled. At conservatively \$10,000 per student, that's about \$12 million a year that can be better spent on other needs in education.

"The Test Development Section and Special Education Branch of the DOE affirms that changing the cutoff date will bring about higher test scores and significantly decrease the number of SLD students. Such a change will minimize the costs that will continue to be incurred complying with the 'No Child Left Behind' mandate. Once our students are on par with those in most other states, we can more effectively address other problems afflicting our schools.

"Most mainland schools have a September 1 cutoff date. Hawaii public school students as a group are currently four months behind in social, emotional and intellectual maturity as they start their academic careers. Advancing the cutoff date to August 1 puts us out in front of the majority of mainland schools but not outside the window of others. Why August 1? August 1 splits the difference between the private schools cutoff date for boys, June 30 and the cutoff date for girls, September 1. These private school students are the main competition for our public school students. In addition, for school year 2003-2004, over 60 percent of our public schools in Hawaii will begin on or before July 31.

"The National Education Association, in a resolution regarding early childhood education said, 'The Association supports regulations requiring children starting kindergarten to have reached age five at the beginning of a kindergarten program.'

"Before you cast your vote ask yourself what else could account for the statistical differences between the older and younger groups? And why are there 24 percent more SLD students born during the latter half of the year? And why is Hawaii the only state in which girls outscore boys in math? If starting school earlier is supposed to benefit our children, why are these very children who are younger lagging behind

throughout their school career? Test results show that the great majority of younger students never catch up when they start too early. We must stop handicapping our students.

"Advancing the kindergarten cutoff date will bring about higher test scores but more importantly many more Hawaii public school students will become successful adults.

"This bill also provides a solution to our school's textbook crisis. H.B. No. 32 implements measures to assure that we are getting the greatest value for our textbook dollar, by consolidating purchases or conducting purchasing in partnership with entities such as the DOD; allows parents to purchase textbooks for home use; and provides for a system of Textbook deposits and fees to ensure that DOE can provide current textbooks.

"Many other jurisdictions use textbook fees and deposits to support textbook purchasing and replacement. The bill asks for a very small contribution – \$20 – for every child in the DOE system, with a waiver for the 59,999 students that are eligible for free lunch and the 19,292 students that are eligible for reduced fee lunch. This translates into a small contribution from families that can afford it, but a big infusion of resources for essential materials in the schools, estimated at just over \$2 million.

"Many may ask how implementing a textbook fee interferes with Free and Appropriate Education. My response is that because we exempt those who cannot afford the fee are not required to make it, but still get the benefit of up to date textbooks, a fee can certainly be required for "Free and Appropriate" education, just as lunch fees are.

"Providing and retaining up to date textbooks has been a long term struggle for our schools, this measure will go a long way towards remedying the problem."

Senator Trimble rose and said:

"Madame President, interesting comment – I don't think that anyone here is questioning whether schools or the board of education can levy fees. We're not questioning the legality of that, but we are talking about the moral obligation of the state to provide free public education. And the way that we are starting on today is going in the direction of a fee public educational system.

"Thank you."

Senator Espero requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Inouye rose and said:

"Madame President, please note my reservations, and I'd like to ask the Clerk that the comments of the Senator from Kapolei be submitted into the Journal as if it were my own. Thank you."

The Chair so ordered.

Senator Ihara rose with reservations and said:

"Madame President, I have reservations on the contents, the substance of this bill. Also, I have concerns about this bill. This is, I think, one of the first major gut and replace bills. And my concern is that this gut and replace action was not necessary because the Senate's position on this matter is assured, or virtually assured, because the House is poised to adopt S.B. No. 17, which contains the Senate's position.

"And so, my concern is that if Chairs are going to gut and replace, that they think it through and do it when necessary. I believe there are times when it may be necessary, and in this case, the casualty is the House draft contents which are separate and completely different from the subject matter.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1329 was adopted and H.B. No. 32, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Stand. Com. Rep. No. 1330 (H.B. No. 289, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1330 be adopted and H.B. No. 289, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame Chair, I rise in opposition to this bill.

"This is another one of those bills about automobiles and inflated tires, I think . . . oh no, I'm sorry, this is about education.

"If there was any question in H.B. No. 714 as to what would happen if we didn't allow people the choice for decentralization and allowed it up to the Legislature, then this bill removes all doubt. Because what the Legislature would do here is absolutely make sure that the bureaucratic and bungling state board of education remains in tact, the State Department of Education with its accountability problems remains in tact, and then we'll have some additional appointed boards and regional boards and then maybe we'll have some elected boards down below.

"But it was interesting to me and I raised this question several times in Ways and Means, when the Governor made the proposal for decentralization and seven regional boards, there was a figure that came up immediately as to added cost, a figure of \$6 million. It was traced back to the Department of Education but nobody could verify where that figure actually came from and what the justification was. Now what we're seeing is an over duplication, over bureaucracy, and nobody seems to have any clue as to what the additional cost would be. Independent estimates that my office made indicates that the estimates for additional cost would be anywhere from \$20 million or more.

"So, it's bad in terms of fiscal responsibility; it's bad in terms of not allowing people the choice for decentralization; and it's bad because it parades as something that's going to make a change when in fact it absolutely protects the status quo.

"Thank you."

Senator Sakamoto rose to speak in support of the measure as follows:

"Madame President, I rise in support of the measure.

"H.B. No. 289, S.D. 2, establishes seven education agencies and regional superintendents within the public school system.

This bill will give communities input into their school systems immediately by establishing regional boards as governing bodies of the regional education agencies and provides authorities and responsibilities of the state superintendent and regional superintendents. In addition, it establishes principal advisory committees and school complex-based management.

"Studies of successful schools and high student achievement reveal that schools in control of their own decision-making and resources attain higher outcomes in student achievement. This measure seeks to quickly move these authorities closer to the communities that they serve and to empower individual schools and complexes. It also establishes appointed councils that will begin to train and give experience to those community members who may wish to one day run for a local school board office, should those opportunities become available.

"This measure maintains the Superintendent of Education to ensure that implementation of statewide policy as adopted by the Board of Education is in compliance with state and federal laws, and the preparation and execution of the statewide budget and financial management system.

"The Responsibility of daily management of the schools, including the personnel, procurement of goods and services, and management of state and federal resources allocated to each region are assigned to the regional superintendents, who are appointed and evaluated by the regional boards proposed in this measure.

"So Madame President, I'm not sure where our Hawaii Kai speaker got \$20 million. I believe the boards guesstimate for elected school boards and the electoral system was in the neighborhood of \$6 million. This is an appointed system and certainly if the Senator from Hawaii Kai is willing to wait for the people to vote, perhaps in 2004, perhaps for elected school boards which they will not be able to vote for until 2006, I wonder why the urgency to have the question now. This mechanism would propose immediate relief now and would mimic the elected boards and, in fact, to me, bring governance closer to the people.

"So I'm a little curious about some of their agendas."

Senator Slom then responded.

"Madame President, let me answer the good Senator's plea.

"I've been patient for a long time cause I have a 46-year-old son and a grandson, as well as my current crop of children. I think a lot of people here have been very patient too. They've been waiting for 40, 50 years to see changes in our public education system. And as the good Senator said, what we're doing here is having agencies, as he refers to them, and more advisory groups.

"If you really want to do something now, then you would let people vote now to make the changes now – that's what we can do – and to give the people the guarantee that this Legislature will abide by what they want to do. But what we're doing is we're playing a shell game and we're trying to fool the people into thinking that they can make a decision when really the Legislature continues to have the decision making power and continues to support a statewide, single bureaucratic, autocratic Department of Education and board of education.

"Thank you, Madame President."

Senators Menor and Aduja requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1330 was adopted and H.B. No. 289, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1332 (H.B. No. 314, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1332 be adopted and H.B. No. 314, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this measure.

"The Department of Education has an obligation to see that all people that it employs are adequately trained. There's not question about that. Why is it the responsibility of the Legislature to pass a bill? Why not hold the Department of Education accountable for performance? By micromanagement measures such as these, we are keeping them from accepting their obligation to ensure that everyone in their employ is adequately trained for the task they are to perform.

"Thank you, Madame President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1332 was adopted and H.B. No. 314, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hemmings, Trimble).

Stand. Com. Rep. No. 1333 (H.B. No. 320, H.D. 2, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1333 be adopted and H.B. No. 320, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Madame President, I rise in opposition to the bill.

"While I absolutely support more autonomy for the University of Hawaii, this bill creates yet another new special fund – the university risk management special fund. And we don't know whether it's going to guarantee additional annual appropriations or not, so it does not go along with fiscal accountability.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1333 was adopted and H.B. No. 320, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1334 (H.B. No. 418, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1334 be adopted and H.B. No. 418, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak against the measure and said:

"Madame President, if we look at this measure, what it does is provide a special appropriation for the University of Hawaii. I wonder why the University of Hawaii did not provide in its own budget adequate personnel and funding to ensure that they educate the proper number of people to supply our public schools with teachers. Why is it our responsibility to tell them what they need to do?

"On one hand, they ask for autonomy. They say they're going to create a world-class university. We give them \$150 million for a new medical school in Kaka'ako, but when will they be responsible for figuring out what the needs are for the greater community in terms of educating students to become teachers.

"For those reasons, I'm voting against this measure."

Senator Sakamoto rose to speak in support of the measure as follows:

"Madame Chair, I rise in support and would like to insert some comments.

"A brief response that I believe the Legislature and issues of statewide concern such as teachers need action."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Senate President and members of the Senate, I rise to support H.B. No. 418, H.D. 1, S.D. 1.

"This measure is critical for providing teacher trainers at the University of Hawaii, College of Education to address the increasing number of teacher vacancies in the public schools of Hawaii. The Department of Education's office of Human Resources (personnel), indicates that 2,453 teachers in the age group 50-54, and 1,996 in the age group 55-59, are eligible to retire. That is roughly 4,449 teachers who could leave the system in the next 2-5 years. Large numbers have already retired or terminated, which is why there is a critical need for teachers. This crisis is not only a problem for Hawaii, but throughout the nation's schools. Therefore, competition for teachers is another factor to consider.

"Plans for recruitment and retention are already in progress by the DOE, which includes instituting programs like Teacher Cadets in the high schools for encouraging seniors to consider Teaching as a Career. Another exciting program is focused on recruiting retiring military personnel into education careers. Colonel William Kinoshita is the newly-hired liaison between the military and DOE to recruit and train potential retired military personnel into education. So far that initiative is progressing.

"On March 14, 2003 in his testimony to the Senate Committee on Education, Dean Randy Hitz of the University of Hawaii College of Education stated that they have turned away up to 40 secondary and special education teacher candidates a year, because of their faculty shortage.

"Appropriating funds to hire 34.5 instructional faculty for the UH College of Education will provide the critical component for teacher training and certification, and allow the University

of Hawaii to accept more teacher candidates than they are now able to accommodate.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1334 was adopted and H.B. No. 418, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1335 (H.B. No. 620, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1335 be adopted and H.B. No. 620, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator English requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1335 was adopted and H.B. No. 620, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1337 (H.B. No. 1362, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1337 be adopted and H.B. No. 1362, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak with reservations on the measure and said:

“Madame President, I’m going to be voting for this and all subsequent special purpose revenue bonds with reservations for the following reasons.

“We have been told that it will not affect the state in any way. It will not affect collection of revenue. It will not affect our tax base. I disagree. It will cost the state revenue because the bonds that will be issued are tax exempt.

“Number two, we have been told that the state has no legal liability. This may be true, but so was the case when Manoa Finance failed. And what did the Legislature do in response? So I think that if one of these investments or one of these bond issuances turn sour, I will notice my colleagues suddenly rising and saying we need to make the investors whole.

“The third thing is, and I just want to note in passing, is that the interest the people will receive from the special purpose revenue bonds is probably going to be quite a bit different than the amount of money that the bond issuers pay. And I don’t think that we, as a body, have ever looked and examined how this system will actually work in practice.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1337 was adopted and H.B. No. 1362, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, English, Hooser, Tsutsui).

Stand. Com. Rep. No. 1338 (H.B. No. 1506, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1338 be adopted and H.B. No. 1506, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to the bill.

“The bill continues to move along. The appropriation now is only \$2, but the basis for the bill is still the same – it would add 313 new personnel to the Department of Education. And while it is true that some of the teachers absolutely need additional help because of Felix and other related matters, we cannot justify the addition of 313 ISPED technicians, database people.

“Aloha.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1338 was adopted and H.B. No. 1506, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1339 (H.B. No. 73, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1339 be adopted and H.B. No. 73, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this measure.

“Earlier I talked about good law, bad law, unnecessary law, law of unintended consequences. I don’t know how to categorize this one. On one hand, it may be unnecessary. Public employees, and I was one for many years, are free to act without fear of criminal or civil penalties as long as they follow their ministerial duties. So in that regard, if that’s all that this bill is talking about, it is unnecessary.

“If it seeks to provide immunity from criminal or civil matters or persecution when they go beyond their ministerial duties, then it is bad law. And I can’t figure out which one it is, but I’ll be voting ‘no.’”

Senator Ihara rose to speak in favor of the measure with reservations and said:

“Madame President, I rise to speak in favor of H.B. No. 73, S.D. 1, with reservations.

“My first reservation is that this is a gut and replace bill. It did have a hearing and so the public did have an opportunity to testify on the S.D. 1. The concern I have is that the House draft contained language that would have extended the core government functions advisory commission and additional year. And because that’s not before us, I don’t really know whether that’s a good idea or not. Offhand, it sounds like it may be; I don’t know.

"But the scene in Conference will be that on one side of the table you will have House members seeking to extend the core government functions advisory commission, and on the other side of the table you'll have Senators wanting to exempt law enforcement officers from criminal acts. And I'm not sure what kind of conversation will occur, and I'm not sure how that Conference Committee will decide which of those . . . it's more than an apples and oranges difference here.

"The other concern I have . . . so that concern is I'm not sure how you're going to decide which of the two very, very different pieces of legislation to proceed in a conference draft, if there is a conference draft.

"The other concern I have is that this draft would allow Hawaii law enforcement officers who are assigned to civil defense duties to have immunity from Hawaii criminal laws. And I'm not sure if that was intended. I understand that may not have been intended and that's why I am in favor with reservations because I hope that this bill will be fixed in Conference Committee, otherwise I'll be voting 'no.'

"The other persons that are already covered by the criminal immunity section of this law – members of the United States army, air force, navy, and other state national guards – I understand that they are currently . . . without this amendment they are currently immune from civil and criminal liability. But I understand that they are subject, however, to the uniform code of military justice, which in many cases has more severe punishment for criminal acts. And for our law enforcement officers who are subject only to the Hawaii laws, by exempting them from Hawaii laws, they could theoretically, under this bill which I hope will be fixed, rape and pillage and rob and steal and so forth and be immune while wearing their uniform.

"I don't believe that was the intent and I have received some assurance that this bill will be improved in Conference Committee and that's why I vote in support with reservations on this bill.

"Thank you."

Senator English rose to speak in support of the measure with reservations and said:

"Madame Chair, I rise in . . . well, after what I just heard, I rise in support with extreme reservations.

"Madame Chair, the previous speaker outlined a lot of my objections to this. I'd like to insert into the record a letter from Professor Richard Miller, outlining some of the objections.

"I'm hoping that we can fix this because I think it is an unintended outcome of the bill. But to grant immunity from civil and criminal conduct to military personnel and to other personnel while they're engaged in civil defense functions is way out of line with the basic concept of rule of law. I think that if we go down this path, we're creating a very, very dangerous precedent.

"But with the assurances that it will be fixed in Committee, I'll vote yes with extreme reservations. Thank you."

The Chair having so ordered, Senator English's letter from Professor Miller reads as follows:

"Richard S. Miller
Professor of Law, Emeritus

April 7, 2003

Dear Senator:

This is an urgent matter: HB73 SD1, a bill which would grant state and local law enforcement agencies and personnel immunity from all civil and criminal conduct under Hawai'i law in the event the unlawful acts were committed while engaging in civil defense functions, is a very reckless and dangerous bill which must not be passed!

HB73 started out as an innocent bill about protecting 'Core Government Functions.' However, the original bill has been 'gutted and replaced,' evidently by the Senate Committee covering Military Affairs, into an entirely different and dangerous animal.

Existing law, § 128-18(a), HRS, gives immunity from only *civil liability* to the States, counties, public utilities, private agencies and persons, including state and local law enforcement officers, engaged in civil defense functions except in cases of willful misconduct. This law leaves those officers and agencies subject to liability for violations of criminal law and to civil liability for intentional wrongdoing. It relieves the officers and agencies of civil liability for negligent misconduct or other wrongs that are not intentional.

Members of the United States armed services on duty and members of the National Guard *from other states* who have been ordered into service in Hawai'i 'to assist civil authorities engaged in civil defense functions' are also granted immunity by § 128-18(c). They are entirely immunized, both civilly and criminally, but only *under Hawai'i law*, for any act done or caused by them in pursuance of duty involving civil defense functions.

Unlike state and local law enforcement officers, they are subject to punishment – indeed very serious punishment in some cases up to and including the death penalty – under the Uniform Code of Military Justice (UCMJ) for wrongful acts done in the line of duty. Among many other crimes, the UCMJ covers such common crimes as murder, manslaughter, rape, larceny, robbery, forgery, arson, assault and battery, housebreaking, and even unlawful detention or arrest. Thus, members of the armed services cannot get away scot-free with these crimes committed while they are engaged in civil defense functions. For them, therefore, there is a strong set of laws designed to deter wrongful conduct.

By contrast, in the case of state and local law enforcement personnel, if HB73 becomes law then aside from the limited application of federal laws which prohibit violation of civil rights under color of state law, there is no external code of justice to deal with them if they engage in willful wrongdoing, such as use of excessive force, even killing innocent people, or wrongfully destroying property, in the course of their civil defense duties.

The Senate Judiciary Committee, in approving this bill, said: 'Because law enforcement officers' duties during civil emergencies are comparable to that of other organizations such as the militia or National Guard, your Committee agrees that law enforcement officers should receive the same immunity from liability while engaged in civil defense functions that are enjoyed by other civil defense organizations.'

But the plain fact is that this bill gives Hawai'i law enforcement officials far greater immunity and protection for their wrongful acts than that available to members of the armed services engaged in the same activities. There is no

justification whatsoever for granting this huge chunk of immunity.

While law enforcement officers deserve the strong support of the public, there is no group or individual in our democratic society, not even the President of the United States, who should be left free to commit serious crimes without fear of liability or punishment. The risk of harm to citizens is just too great.

The Legislature by passing this ill-advised bill will expose the people of this state to an unnecessary and excessive risk of unregulated lawless conduct during a civil defense emergency, and take away any redress that citizens who suffer harm may have against the offending law officers.

This bill is unnecessary, it is dangerous, and it must not be passed. It has the potential to create a police state in Hawai'i where the traditional rights of the people to be protected from wrongs and crimes of law enforcement officers at times of civil emergency – when the public is often most vulnerable – can be trampled.”

Senator Baker rose with reservations and said:

“Madame President, please note my reservations as well.”

The Chair so ordered.

Senators Hooser, Tsutsui, Menor and Aduja requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1339 was adopted and H.B. No. 73, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE GOVERNMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ige).

H.B. No. 248, H.D. 1, S.D. 1:

Senator Kanno moved that H.B. No. 248, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Sakamoto rose to speak in support of the measure as follows:

“Madame President, I rise in support of this measure.

“I’m sure you all understand the numerous reasons why. Simply put, if there is a place that should be smoke free, it is our schools.”

The motion was put by the Chair and carried, H.B. No. 248, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC SCHOOLS BY PUBLIC EMPLOYEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1343 (H.B. No. 638, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1343 be adopted and H.B. No. 638, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak on the measure as follows:

“Madame President, I don’t think anybody here opposes having money given to the libraries. It’s a worthwhile . . . oh, I’m sorry, there may be a little bit. What we are doing, I think, is setting a bad precedent and following a wrong process. There are many reasons and many organizations which perhaps . . .”

Senator Baker interjected:

“Point of order. Is the speaker for or against the measure?”

The Chair posed the question and Senator Trimble replied as follows:

“I oppose this measure and I’m sorry I took so long to get to the point.

“There are many worthwhile projects. I think, as a body, we should consider all those that are potentially worth including, including the fund for the widow of the Unknown Soldier. Once we have a list, we can decide which we want to put on income taxes. But until we go through that process, I would hate to go through one issue at a time each year to add to the necessary burden of reprinting tax forms and changing it one at a time.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1343 was adopted and H.B. No. 638, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Aduja, Ihara).

Stand. Com. Rep. No. 1344 (H.B. No. 1021, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1344 was adopted and H.B. No. 1021, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Aduja, Ihara).

H.B. No. 140, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 140, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator English rose in opposition to the measure and stated:

“Madame Chair, I rise in opposition.

“The bill is presumptive in that it is presuming another bill will pass allowing county sales taxes to go on. And if it does go, then it will allow motor vehicle rental industries to pass this on to customers.

“I thought about this quite a bit, Madame President, and it sets a bad precedent for us, because if we’re assuming that other bills will pass and we have other bills moving to anticipate other bills, it just becomes unwieldy for the legislative process. So, I will oppose this on principle because we have not passed a bill dealing with county sales tax as of yet and has not become law and it’s premature to be dealing with this right now.

“Thank you.”

Senator Baker rose to speak with reservations and said:

“Madame President, I rise to speak on this measure with reservations.

“I believe that the measure is premature. It belongs in another bill and should not be considered at this time.

“Thank you.”

Senators Tsutsui, Bunda, Ige, Fukunaga, Hanabusa, Hooser, Kokubun and Kawamoto requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 140, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (English). Excused, 3 (Aduja, Ihara, Taniguchi).

H.B. No. 1294, S.D. 1:

Senator English moved that H.B. No. 1294, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hooser requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1294, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aduja, Ihara).

Stand. Com. Rep. No. 1350 (H.B. No. 1405, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1350 be adopted and H.B. No. 1405, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in support of the measure with reservations and said:

“Madame President, I rise in support of the measure with reservations.

“I think we’re all in support of incentives for alternative fuels. This bill, however, very narrowly construes the incentive only for government contracts and only where biofuel is used and then the biofuel is very narrowly determined.

“The bill, of course, is another one of the famous Majority Party ‘works in progress’ because there is a blank amount for preference to be given to the low bidder. There’s also a 3003 defective date. And I think the other part about this is that we’re leaving ourselves wide open because while we say we want the lowest bidder and the preference will be given to the people with the biofuels, as defined in this bill, that low bid for that particular type of fuel may be extremely high and extremely costly to the state.

“So, we’re asked to buy this bill and to support it without having 90 percent of the basic ingredients in it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1350 was adopted and H.B. No. 1405, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BIOFUEL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aduja, Ihara).

Stand. Com. Rep. No. 1351 (H.B. No. 1456, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1351 be adopted and H.B. No. 1456, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to a portion of this measure.

“Part of the problem is our transportation or lack thereof, and in particular, back haul rates to the U.S. mainland and the Far East. If we had competition in ocean freight we would notice that some of our manufacturers of water and beverage products would be exporting to the Far East and the U.S. mainland in much greater quantities than they do today. In fact, it could have been one of our leading exports.

“I oppose that portion of this bill which seeks to tax or place a beverage container tax on manufacturers of these products. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1351 was adopted and H.B. No. 1456, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 1352 (H.B. No. 377, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1352 be adopted and H.B. No. 377, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1352 was adopted and H.B. No. 377, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1353 (H.B. No. 384, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1353 be adopted and H.B. No. 384, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1353 was adopted and H.B. No. 384, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1354 (H.B. No. 422, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1354 be adopted and H.B. No. 422, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this bill.

"I think we all agree there's a nursing shortage. We all agree that we want to help recruit and educate nurses, but this is not the way to do it.

"This bill here, interestingly enough, creates a new \$40 fee for the center for nursing. I don't know how that's going to encourage new nurses. In addition to that, it creates another special fund for the state, so I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1354 was adopted and H.B. No. 422, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 1355 (H.B. No. 548, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1355 was adopted and H.B. No. 548, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1359 (H.B. No. 1616, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1359 be adopted and H.B. No. 1616, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Madame President, I would advise my colleagues, perhaps what we really should do is rename this bill the lifetime tax for one year of care bill, because that's what it accurately depicts.

"The only good thing about this bill is the long-term care income tax credit which was a separate bill before, which is still a better idea, and which is an incentive and doesn't create a tax

which would provide a \$100 million raid on individuals' income.

"This bill does a lot of things but it doesn't do what the supporters want it to do. It does not provide for long-term care. It does not provide for people to have choices. It does not provide for people to be responsible for their own health and welfare.

"What it does do is institute a tax, institute the state in the middle of this tax. It starts at what everybody talks about, \$10, but already in the bill it goes up to \$23 in a very short period of time. And we know by past experience and looking at other fees and taxes and other government programs that that is a very conservative estimate.

"In addition to that, it takes a 10-year period in which to vest to yield \$70 per day for long-term care for a period of up to one year. There are so many fallacies with this bill. There was an analysis that was done last year, which I believe is still current. It shows that it is not economically viable and it's not honest because it is a tax; it is not long-term care.

"Thank you."

Senator Baker rose to speak in favor of the measure and stated:

"Madame President, I rise to speak in favor of this measure.

"Had the good Senator from Hawaii Kai kept his remarks brief, I would have just inserted mine in the Journal. But since he has made some erroneous statements, I feel that as one of the proponents of this measure, it's my duty to correct the record.

"The long-term care plan before us this Session is indeed sound fiscal and social policy. It's simple, effective, market-oriented, and consumer driven. It is a defined benefit program that simply uses the mechanism of the income tax to collect the premiums for this benefit.

"It provides affordable long-term care and is cost efficient. It is the beginning of a move towards privatization of long-term care, while reducing our reliance on the state Medicaid program to pay for this care. It provides a stimulus to the private insurance market to develop new and more affordable supplemental plans.

"It will put money into the hands of those who need the care, providing the frail elderly and their families with some degree of control and choice in caring for their loved ones. It will allow people to stay at home longer than might otherwise be possible, simply because they are not able to purchase services or products that will enable them to stay at home. Most long-term care programs, even the limited option that Medicare provides after a hospital stay, do not provide for in-home services.

"This proposal will provide some efficiency in that lower cost care will be delivered in the lowest cost setting at home. The plan's actuaries estimate that a one-year program will address 75 percent of all home and community care requirements. Overall, that is a tremendous cost avoidance for our Medicaid system and our taxpayers.

"Just a note, three out of four people over the age of 65 will need some type of long-term care services during our lifetime. Currently, only about 6 percent of the nation's population has long-term care. In Hawaii, with the tremendous reliance that our frail elderly have on Medicaid, we're only paying for about

2½ percent of the elderly who need care. And yet, people complain about this being a tax and a tremendous burden.

“Let me add this to the record, each taxpayer in Hawaii contributes more than \$400 per year towards the Medicaid program that only 2.5 percent of our frail elderly population who need care will ever benefit from it. Hawaii’s elderly population is growing faster than most other states. In just a matter of a few years, one out of every five people in Hawaii will be over age 60. As their needs for long-term care services grow, the pressure on the Medicaid budget will increase dramatically. And if we note some of what we had to do this year, we had to pass an emergency appropriation for \$90 million just to keep our Medicaid programs solvent.

“With the wave of additional elderly those of us baby-boomers will create in a few short years, the demands on Medicaid are going to be tremendous if we don’t stem the tide now. That’s why it is important that we act on this measure, we act on it this Session, and we provide a program that is a public/private partnership that is universal, consumer driven, portable, low cost, simple, effective, and efficient.

“Thank you, Madame President.”

Senator Trimble rose in opposition to the measure and stated:

“Madame President, I’m rising in opposition to this measure.

“When it was before Ways and Means, I voted with reservations simply because I wanted to have a chance to read what had been done to the bill. Having read it, I wish to offer the following comments.

“If you strip away the title, if you look at what’s actually there, it is a mandated savings account. And I chose to see how it would work, compare it to the social security system. With the social security system, if you have a parent that dies and you’re a child, you get something, or when you get to be 65, you qualify, you get something. The social security system has, for most of what it pays out, some very clear dividing lines. Once you cross that line, you qualify.

“Where there is greater cost of administration, where there is less certainty is when you get into the area of disability. And I learned on the Committee on Human Services and I would hope after I’m finished, she would get up and confirm my remarks . . . in the spirit of cooperation and collaboration.

“This is a bill where essentially whenever you feel you need to dip into this forced savings account, you will find a reason why you need the money and you’ll be able to find a doctor, an osteopath, or a nurse who will agree that you are indeed in need. The problem is twofold – it probably isn’t going to be around when they really need it because they want to use it up, because there is no clear cut criteria – it’s not whether you’re 65; it’s not if you died – it’s when you feel that you want it. Second, there is going to be a lot of unanticipated administrative costs.

“When you factor these two things in, you will discover that again we are talking about not the healthcare bill, but the law of unintended consequences. Thank you.”

Senator Hemmings rose to speak against the measure and said:

“Madame President, I rise to speak against this legislation.

“This bill, as it was last year, is a tremendously cruel hoax on the people of Hawaii, most especially our elderly and those who need care. We heard some nice rhetorical support for this,

number one, that it’s sound fiscal policy. Well, those who are not socialists amongst us, like Lowell Kalapa from the Tax Foundation, clearly pointed out that this is a huge tax increase that is going to have a tremendously detrimental effect on the economy of Hawaii.

“We heard that this is going to be market driven. Nothing could be further from the truth. In spite of what the Honolulu Advertiser reported last week, the insurance companies that are the market currently for affordable long-term health care, oppose this measure. We were told that this is going to lead to privatization – just the opposite. This is, by every definition of the word, a monopoly. Most people, especially those who least can afford it, are going to pay twice for health care. They’re not going to pay the \$10 a month as it will start and then pay for private sector coverage additionally.

“We heard the word choice – just the opposite. This does not allow choice in the marketplace. This mandates you pay the money to a government agency and then turn around and spend the money under the terms by which the agency dictates. We don’t even know those terms. We heard talk about Medicaid, Medicare costs. That is the very reason to vote against this legislation. As well intended as Medicaid and Medicare have been, they resulted in tremendous problems at the national level and tremendous problems at the local level where their inability to provide adequate coverage so much so, that many doctors are refusing to take those cases.

“But where it’s the cruelest hoax is what it does to the elderly people, some of whom have been calling my office thinking they’re going to get coverage as soon as this passes. And I have to explain to them that they won’t get full coverage for 10 years. I have to explain to them that they only get coverage for \$70 a day. I have to explain to them that it will only last a year. I’ll have to explain to them that as old as they are, if this thing goes into effect, they may not be around to collect the benefits of it.

“This is indeed a hoax. This Legislature was wise enough not to pass it last year. In this bill, though, is a tax credit that we had discussed earlier this morning when we so wisely voted in favor of a tax credit for economic development. Why can’t the same principle apply to medical assistance development and encourage the private sector, through credits, to provide a broad range of medical services that are so desperately needed, and then people indeed will have sound fiscal policy, market driven initiatives, privatization, and choice.

“I urge my colleagues to do the sensible thing. Do not vote for this cruel hoax. Vote ‘no.’”

Senator Sakamoto rose and said:

“Madame President, please note my vote with reservations.

The Chair so ordered.

Senator Hogue rose in opposition to the measure and stated:

“Madame President, I rise to speak in opposition to this bill.

“One thing that has not been talked about is this essentially is a Ponzi scheme. There’s no doubt it’s a Ponzi scheme and I think that should be noted.

“We’ve also, as this bill has progressed, added two new classes of people who can choose whether or not to participate in this Ponzi scheme, including:

1. People who receive insufficient income to be required to file income taxes; and
2. People who have no income subject to state taxes because their income is strictly from pensions.

This, colleagues, in insurance circles is called adverse selection, because it means you take on most of the risk of that class of people, but only get revenue from the handful of people who know good and well that they'll use the benefits. Not only that, we've exempted very low-income workers from participating. Low-income workers tend to be young workers, so this change strips away revenue while not greatly reducing our risk. The net result of all these changes is that the original actuarial projections of needed premiums is no longer valid. In other words, the Ponzi scheme won't work. This program would be grossly underfunded and be a huge drain on the general fund unless the stated premiums were greatly increased.

"Of course, all this, frankly, could be moot because who really believes that the Legislature can keep their mitts off such what is essentially a huge special fund for ten years, for ten years as it is building up hundreds of millions of dollars and taking it right out of the taxpayers' pockets. We're voting on bills today proposing raids on the hurricane fund, the rainy day fund – why on earth would this one be any different?"

"Finally, the biggest reason why this is a bad idea is because it is a disincentive to go out and purchase your own private long-term care insurance. This gives the illusion that the state is going to handle your long-term care for you, and that is not the case. We should have a long-term care tax credit. That part of the bill, I can endorse, but the other one – the Ponzi scheme – and all the bad side effects are many of the reasons to vote 'no.'"

"Thank you, Madame President."

Senator Espero rose and said:

"Madame President, please note my support with reservations. Thank you."

The Chair so ordered.

Senators Aduja, Menor and Kim requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Chun Oakland rose to speak in support of the measure as follows:

"Madame President, I stand in support of this measure. I wasn't going to say anything, but I think I will speak on this matter because I believe a number of us have worked for many years on this issue of long-term care and we would like to share our findings with you.

"In 2002, the Legislature enacted Act 245, to establish the long-term care financing program, which created a temporary board of trustees to design a tax-based plan. H.B. No. 1616, S.D. 2, is an outgrowth of the board's work.

"Madame President, we all know that an increasing number of Hawaii residents will need long-term care services. According to the University of Hawaii's Department of Political Science, nearly a quarter of Hawaii residents will be 65 years of age or older by the year 2020, with the first wave of baby boomers turning 65 years old in 2011. Hawaii's elderly population is growing faster than most states. In just a matter of a few years, one out of five people in Hawaii will be over the age of 60. It has been estimated that three out of four people over age 65 will need some type of long-term care service during their lifetime. But, the cost of long-term care is out of

reach for most people as the Executive Office on Aging estimates that only 6 percent of Hawaii residents have long-term care private insurance. Private day health care costs \$65 a day. Expanded care adult residential care homes charge up to \$3,000 or more per month for private pay residents. Nursing home costs average between \$5,000 and \$7,000 per month, while skilled home care visits cost on average about \$85 per visit.

"Medicaid, the state program for the poor, now pays for three out of four people in Hawaii who receive long-term residential care. Medicaid is supported about equally by state and federal dollars. It is estimated that each taxpayer in Hawaii, as noted by the Chair of the Health Committee, contributes more than \$400 every year towards this Medicaid program.

"This Session is a glimpse of what is to come. The state Medicaid program has asked the Legislature to approve \$90,125,084 in emergency appropriations for increases in health care costs and increased number of people served by the Medicaid program to make up for an anticipated shortfall just for this period until June 30 of this year. The State's Medicaid budget totals each year more than \$800 million. The State cannot keep pace with paying these huge, quickly increasing Medicaid budget costs. Hawaii needs to develop a permanent and dedicated revenue stream to finance basic long-term care services and slow down the number of people who are entering the Medicaid system due to the anticipated growth in demand for long-term care services by the 'baby boom' generation.

"Let's put these statistics into perspective using the Senate as an example. If the estimates are accurate, Madame President, we all hopefully will live beyond 65 years of age, 18 out of 25 of us will need some sort of long-term care. Now, if only 6 percent of us have long-term care insurance, that means less than two of us will not rely on either Medicaid or our financial resources to pay for these costs. Less than two of us, Madame President, and we're supposed to be examples for our constituents.

"I'd like to insert the additional remarks into the Journal, Madame President.

"I would like to close by saying that this measure, as well as Act 245, has been carefully and meticulously crafted in collaboration with experts in long-term care actuarial science and long-term care plan administrators and providers. All other states are struggling with the same problem of financing long-term care, so we are not alone, but we are now taking the lead in the nation, as Hawaii has a proud tradition of so doing, in this matter of national importance. It is NOT a piece of flighty and frivolous legislation. It IS serious and sound legislation that we as Legislators should be proud to support because it is the right thing to do.

"I urge my colleagues to support this measure. Thank you, Madame President."

The Chair having so ordered, Senator Chun Oakland's additional remarks read as follows:

"Madame President, the State's existing long-term care system is not consumer friendly. It lacks choice of individualized service that fits the individual, and it is very expensive. It is not a vibrant sector of the health care marketplace, and there are few incentives in place to attract providers who would develop new and innovative programs.

"H.B. No. 1616, S.D. 2, is the latest and best effort of the Hawaii State Legislature to design a long-term care plan that is simple, effective, market-oriented, affordable, cost-efficient,

consumer driven, and fair. It is the beginning of a move towards privatization of long-term care while reducing our reliance on the state Medicaid program to provide that care. It also acts as a stimulus for the private insurance market to sell more policies and to develop new and affordable supplemental plans.

“This measure establishes a long-term care income tax of \$10 per month, collected through withholding and estimated tax filings, beginning after December 31, 2004. There will be a process by which pensioners, low income, and the unemployed can participate in the program. Vesting occurs after ten years of contributions and the benefits are portable for persons who leave the State.

“Defined benefits of \$70 per day up to a cumulative period of 365 days are paid to the taxpayer before insurance and Medicaid benefits are paid. A person becomes eligible for defined benefits if the person needs assistance with two or more activities of daily living or is afflicted with Alzheimer’s disease or dementia.

“The defined benefit can be used for any long-term care services, whether at home or in a facility. The services could even be provided by a family member in the home. Any balance of charges would be paid out-of-pocket by the person unless the person has private long-term care insurance. For Medicaid eligible persons, although the state Medicaid program has not committed to paying the balance because this is a new program, the Department of Human Services has not ruled it out. If Medicaid does pay the balance, the State would still save money as this program would encourage in-home care instead of at a costly facility.

“This measure also provides for a ten-year long-term care tax credit for persons who have purchased long-term care insurance and paid the long-term care income tax. The amount of credit is \$10 per month up to \$120 for each of the first five years, and increasing to \$15 per month up to \$180 per month for each of the remaining five years. This is intended to provide an incentive to purchase long-term care insurance, as well as to offset the effect of the tax. The tax would hold down the cost of long-term care, making the tax plan cost-effective over a period of time.

“The tax proposed by this measure is a necessary solution to a problem that has been growing over time with no end in sight. Although the tax could be considered regressive, the tax is extremely modest and is in the best interest of the State. Think about it, Madame President: For the cost of a movie and popcorn, or two plate lunches per month, we could have a long-term care plan.

“This measure would also facilitate the growth of the home care industry in Hawaii. It is anticipated that the demand for home care services would be stimulated. People would have cash to pay for a variety of home care services. In effect, the industry would become market driven.

“The insurance industry naysayers should realize that this measure calls attention to the problem of paying for long-term care, and the importance of having more than the defined benefit to pay for it such as long-term care insurance. This measure is intended to supplement, not supplant, the coverage provided by long-term care insurance. Coverage under this measure is very basic yet it would meet 75 percent of people’s needs.

“Although this measure will not solve all of the State’s long-term care issues, it will add another prong to work alongside Medicaid to facilitate the State’s strategy of implementing a

fully functional and flexible multi-pronged approach that ensures that citizens of our State receive the long-term care they need without inordinately placing the cost burden on one particular financing mechanism.”

Senator Hemmings rose again to speak against the measure as follows:

“For the record, Madame President, I’m rising to speak against this.

“There’s nothing in this bill that preempts anyone in the future for collecting Medicaid. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1359 was adopted and H.B. No. 1616, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LONG-TERM CARE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1360 (H.B. No. 122, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1360 be adopted and H.B. No. 122, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this measure.

“There used to be a problem, and there seems to be a lag in the length of time it takes for the perception to disappear and reality to appear. In the testimony in the Human Services Committee, Lillian Koller, the Director of Human Services said that on the form, pregnant women are given priority. They are given expedited processing and that in most cases, they can be told in one week and no more than two weeks whether they qualify for QUEST. Given the change in the length of processing that it now takes, this measure is no longer necessary.

“Thank you.”

Senator Baker rose to speak in support of the measure and said:

“Madame President, I rise to speak in support of H.B. No. 122, S.D. 2.

“Unfortunately, the reality simply is that this bill is still needed. There is still a huge wait for people to be determined to be eligible for QUEST. And it’s very important that women get very early and continuous prenatal care. It lowers the cost of births; it lowers the costs of care down the road. And since Medicaid now pays one quarter of the cost of all births, the lower we can keep the cost of those births, the less costly it is to the system.

“Providing early and continuous care for pregnant women is the sensible way to ensure better outcomes during childbirth. It makes sound economic sense for the state to provide these early services without delay, rather than footing the bill later for complications during pregnancy and birth. It’s a measure that does make sense. It is still needed despite the preliminary testimony of the Director of Human Services. When we’ve done a check out in the field with the providers, we find that

there is a tremendous lag and people are not getting services, they're not being qualified.

"We need to move this measure forward. Thank you."

Senator Kanno rose to speak in support of the measure as follows:

"Madame President, I rise to speak in support.

"Delays in Medicaid eligibility determination mean that women may delay seeking care until approved, or providers may delay or deny some prenatal services until the woman is insured. These delays in women seeking prenatal care translates to an increase in low birth weight babies.

"Infants born to mothers with late or no prenatal care are two times more likely to be born low birth weight. For every low birth weight delivery prevented, there is an estimated savings of \$14,000-\$30,000 per child in health care costs.

"With presumptive eligibility, federal Medicaid will pay their share of all prenatal ambulatory costs, even if the woman is ultimately found to be ineligible for QUEST. At least 28 states plus Washington, D.C., and the Commonwealth of the Northern Mariana Islands already offer presumptive eligibility for pregnant women.

"To quote from the testimony of the March of Dimes Hawaii Chapter:

'The State of Hawaii needs to send pregnant women a clear and consistent message that early and continuous prenatal care is in the best health interests of mother and baby.

Eliminating barriers created by the need for predetermination of Medicaid eligibility will go a long way in reinforcing this message to our entire population.'

"In December of 2002, Healthy Mothers Healthy Babies conducted a survey of all Department of Health perinatal providers serving at-risk pregnant women statewide. The purpose of the survey was to determine if the new simplified Department of Human Services application (DHS form 1100), which was implemented in September 2002, has reduced Medicaid eligibility processing time for pregnant women or not.

"Of 12 DOH perinatal providers who were sent the survey, a total of nine responded. That represents 75 percent. Geographical responses included Lanai, Maui, Big Island, and on Oahu there were two providers in Kalihi, a provider in Kahuku, Waianae, Honolulu, and Mililani.

"Clinics responding indicated that they had served a total of 1,107 pregnant women between September 2002 and January 2003. The average response estimated by providers for Medicaid eligibility determination processing for pregnant women during this time was 20-39 days, roughly 3-6 weeks.

"I urge my colleagues to vote 'aye.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1360 was adopted and H.B. No. 122, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Inouye).

Stand. Com. Rep. No. 1364 (H.B. No. 668, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1364 be adopted and H.B. No. 668, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to the bill.

"I rise in opposition because what this bill does is to take money directly from the so-called rainy day or emergency fund to appropriate various and sundry human service projects. I don't think that's proper use of that fund.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1364 was adopted and H.B. No. 668, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Inouye).

Stand. Com. Rep. No. 1365 (H.B. No. 500, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1365 be adopted and H.B. No. 500, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Hooser and Ihara requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1365 was adopted and H.B. No. 500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Inouye, Sakamoto).

At 2:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:31 o'clock p.m., with the President in the Chair.

Stand. Com. Rep. No. 1367 (H.B. No. 1155, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1367 was adopted and H.B. No. 1155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Ihara).

Stand. Com. Rep. No. 1368 (H.B. No. 176, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1368 be adopted and H.B. No. 176, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Kanno requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1368 was adopted and H.B. No. 176, H.D. 1, S.D. 2,

entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1370 (H.B. No. 756, H.D. 2, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 1370 and H.B. No. 756, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1373 (H.B. No. 1111, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1373 be adopted and H.B. No. 1111, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Slom, Trimble and Hogue requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1373 was adopted and H.B. No. 1111, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1374 (H.B. No. 1116, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1374 be adopted and H.B. No. 1116, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak against the measure and said:

"Mr. President, I'm speaking against this measure.

"The only basis that makes sense to me that I can support is waiving fees if there is a needs test, and what I mean by a needs test is whether it's based on income or assets or a combination of the two. To do otherwise, I think, is fiscally irresponsible.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1374 was adopted and H.B. No. 1116, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1375 (H.B. No. 1154, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1375 be adopted and H.B. No. 1154, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"What we are doing in effect is essentially creating a special fund. We are saying that the administrative costs used for the disposal of property will be deducted. That is sort of like

saying that the cost involved is like that of the Department of Taxation, the administrative costs of the Department of Taxation will be subtracted from the amount of revenue they collect.

"I do not accept the principle on which the argument is based and therefore urge my colleagues not to support this measure. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1375 was adopted and H.B. No. 1154, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1378 (H.B. No. 29, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1378 be adopted and H.B. No. 29, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"It's a seemingly innocuous bill – provide meal breaks for employees – but what it really does is show the heavy hand of government involved in the workplace, even greater than it is right now, requiring employers to do certain things regardless of what the requirements are for work and what flexibility is allowed between employer and employee.

"We haven't had any testimony that show that there's any abuses or that people are denied breaks. We have had testimony, however, how difficult it is because of certain kinds of occupations and certain kinds of businesses. The answer to that was to create certain exemptions for individuals, but what we're saying is that it's really bad for them but it's all right for the rest of businesses and employers. And in fact, Mr. President, it is not.

"I'm opposed to the bill. Thank you."

Senator Sakamoto rose to speak with reservations and said:

"Mr. President, I rise with reservations on this bill.

"I don't believe that state government should be imposing this level of regulation on our employers. Certainly, while I appreciate that, exceptions to that rule have been granted to the common carriers of passengers to continuously operated facilities that are regulated by environmental permits. But I feel that certain other classes of employers also have special needs and circumstances that will adversely be affected by this measure.

"So, I believe that freeing our employers of unnecessary regulation will free them to create more jobs and better working conditions for their employees."

Senators Kim, Aduja, Ihara and Fukunaga requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1378 was adopted and H.B. No. 29, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1379 (H.B. No. 50, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1379 was adopted and H.B. No. 50, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

Stand. Com. Rep. No. 1380 (H.B. No. 130, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1380 was adopted and H.B. No. 130, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1381 (H.B. No. 290, H.D. 2, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1381 be adopted and H.B. No. 290, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"Employers across the state within the last two weeks all received notices of increased unemployment compensation taxes. It's interesting because the unemployment rate, at least by the figures published, seems to continue to go down. Part of that is because people have moved away or people have given up on trying to get employment in some cases.

"In any event, the unemployment compensation tax has increased. This bill would extend benefits and would increase that tax further, and I reiterate to my colleagues and to the public again – no employee pays any part of unemployment compensation tax. It is a tax on employers only.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1381 was adopted and H.B. No. 290, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1382 (H.B. No. 294, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1382 be adopted and H.B. No. 294, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to the bill.

"We're talking about additional costs that are going to be paid by both employers and by the taxpayers as a whole, and we're providing a solution for a problem that in fact does not exist at this time.

"Thank you."

Senator Sakamoto rose with reservations and said:

"Mr. President, I rise with reservations on this measure.

"It needs more thought and refining. For example, Section 2, part 3, of the measure indicates that the uninsured would be given insurance once they 'agree to pay for the costs of the person's coverage premium.' I'm concerned that this promise to pay is not money in the hand, and ask that the measure provide coverage only once the individual has provided payment for it."

Senators Aduja and Ihara requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1382 was adopted and H.B. No. 294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1385 (H.B. No. 531, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1385 was adopted and H.B. No. 531, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1386 (H.B. No. 968, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1386 be adopted and H.B. No. 968, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senators Sakamoto and Aduja requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1386 was adopted and H.B. No. 968, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1387 (H.B. No. 986, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1387 be adopted and H.B. No. 986, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"Our needs are great. Our resources are few. We can always find reasons why we should give a little bit more, but it is fiscally irresponsible at a time when the employee retirement system is significantly underfunded to expand the pay out, the burn rate, the benefits that are paid out.

"I urge my colleagues to vote against this measure. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1387 was adopted and H.B. No. 986, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS OF SURVIVING CHILDREN OF PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 1388 (H.B. No. 1013, H.D. 3, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1388 be adopted and H.B. No. 1013, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"This bill would add additional cost to the workers' compensation system, which again is born entirely by the employer. Workers' compensation costs and premiums have continued to escalate, and it is a situation where the employer makes the choice today, pays for all of the costs, and therefore, in terms of selecting a physician, if the employee wants to select an additional physician on his or her own, he or she should be allowed to do that. But as long as the employer is paying for it, it should not be part of the overall decision.

"Thank you."

Senator Sakamoto rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"H.B. No. 1013 proposes to add unnecessary steps to the worker's compensation process. These additions will delay treatment and services to the employee, increase costs to the system, and most importantly, creates imbalance and unfairness in the system. The existing system is already fair and balanced for the most part and allows the injured employees to choose their physician of choice in the determination process.

"Very rarely do disagreements occur between employees and their employer. However, when they do, the current system has proven to be self-corrective by allowing the employer to choose the physician for the second referral.

"This bill attempts to correct a working and balanced system that does not require correction. It is no wonder that the Department of Labor, Hawaii Medical Association, Chamber of Commerce and many other organizations testified in opposition. Passage of this bill would result in further complicating and further prolonging the worker's compensation process. In short, this bill attempts to fix an entity that is not broken; therefore I will be voting 'no.'"

Senators Aduja, Inouye and Ihara requested their votes be cast "aye, with reservations," and the Chair so ordered.

At 2:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:45 o'clock p.m.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1388 was adopted and H.B. No. 1013, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Hemmings, Hogue, Ige, Sakamoto, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1389 (H.B. No. 1041, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1389 be adopted and H.B. No. 1041, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against H.B. No. 1041, S.D. 1.

"Mr. President, to make a long story short, the State of Hawaii cannot afford to give a pay raise to anybody."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1389 was adopted and H.B. No. 1041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1390 (H.B. No. 1042, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1390 be adopted and H.B. No. 1042, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure as follows:

"Mr. President, I rise to speak against this proposal to make appropriations for collective bargaining costs and I will be entering remarks similar for the remainder of collective bargaining authorization.

"Number one, the State of Hawaii is not in the position to give a pay raise to anybody, as I previously announced.

"Secondly, the State of Hawaii has more public employees on a per capita basis than most any other state in the nation. That is one of the problems with paying for state government with excessive taxes.

"Number three, the fringe benefits for our public employees is by far and away the most generous in the nation. We are paying for, on the average, three or four more days off every year than any other state pays for. Our other fringe benefit packages including health care and retirement health care for those employees who stay in the system over ten years is incredible alongside what other states do and it costs so much money that the State of Hawaii even circumvents its own laws

and hires people through temporary hires and hides the funding of it oftentimes in funded vacant positions in the state budget. That's how disingenuous this system is.

"And lastly, this is incredibly unfair to the employees in the private sector who are struggling paying high taxes and look at their counterparts in the public sector getting pay raises year in and year out no matter what the state of the economy is.

"Now, I know many people in this august body owe quite a lot to organized labor, politically, but now is the time to do what's best for them and for the entire State of Hawaii. We cannot afford pay raises and I'm very proud to stand and speak against appropriations for collective bargaining pay raises. And we can all do our best to curb the cost of government by voting 'no' on this and similar legislation.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1390 was adopted and H.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1391 (H.B. No. 1043, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1391 was adopted and H.B. No. 1043, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1392 (H.B. No. 1044, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1392 was adopted and H.B. No. 1044, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1393 (H.B. No. 1045, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1393 was adopted and H.B. No. 1045, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1394 (H.B. No. 1046, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1394 was adopted and H.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

H.B. No. 96, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 96, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"I noticed that the consumer advocate and the public utilities commission testified against this measure. It's my sense that if we continue forward and pass this measure, it will mean higher telephone rates. I stand opposed to this measure and I ask my colleagues to join me.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 96, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

H.B. No. 139, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 139, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senators Baker, Sakamoto, Ige, Ihara, Kokubun, Taniguchi and Aduja requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 139, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (English, Hanabusa, Kim, Trimble).

H.B. No. 595, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 595, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Sakamoto rose to speak with reservations on the measure and said:

"Mr. President, I rise with reservations on this bill.

"By raising the limits of the check amount and maximum fee, individuals would end up paying and being charged a lot more. The existing law is \$300 at 15 percent, which is \$45. This measure would almost triple that to charging \$120 for a \$600 check.

"So I feel this is certainly getting usurious and unconscionable. I urge more reasonable limits be set."

Senator Ihara rose to speak in support of the measure with reservations and said:

"Mr. President, I have reservations in support.

"I support this bill with reservations because the percentage that a check cashier may charge went up from 15 percent to 20 percent for a 32-day period and did not have the opportunity to have anyone testify on this provision. I hope the Conference Committee will solicit and allow at least written testimony on this section that increases the percentage that can be charged. It's getting into the slightly loan shark kind of concern.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 595, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Chun Oakland, Hemmings, Hogue, Hooser, Inouye, Trimble).

H.B. No. 730, S.D. 1:

Senator Menor moved that H.B. No. 730, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"Just to be consistent, it's time to get the state out of the licensing business and I think it is time that we reviewed and made the markets more competitive by reducing the number of professions that are licensed by us.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1403 (H.B. No. 1532, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1403 be adopted and H.B. No. 1532, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Kim requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"We have a process . . . we have a process when people want to receive money such as this, and I believe they have, in the past, approached the Hawaii Tourism Authority. I think that we would certainly continue a bad precedent if we today were to approve this, and every other organization like the 'Aloha Week' would then come directly to the Legislature for an appropriation.

"Thank you."

Senator Hogue rose and said:

"Please note my reservations, Mr. President. Thank you."

Senators English and Tsutsui requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1403 was adopted and H.B. No. 1532, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CELEBRATION OF MARTIN LUTHER KING, JR. DAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1405 (H.B. No. 1400, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1405 be adopted and H.B. No. 1400, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"There are three points I'd like to bring to your attention. First, this extends the credit one year. If you look at the planning horizon for construction projects, they are much longer than one year. So, the tax credit, in and of itself, is not going to generate more activity than would occur in its absence.

"Second, if you look at the 10 percent of retail space devoted for the promotion and sale of Hawaii products, certainly a laudable objective, but in terms of enforcement, it is a bureaucratic nightmare and we'll be rift with lining the pockets of attorneys that will argue on both sides.

"Third, given the world's current outlook, I do not think that a tax credit in this area is going to be as an important factor as other considerations, so I don't think that it, in and of itself, will generate more economic activity, and thus will just serve to reduce our already short tax supply.

"Thank you."

Senator Sakamoto rose to speak in support as follows:

"Mr. President, I rise in support, not to address the previous speaker, but to please insert comments into the Journal."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Mr. President I rise in support of H.B. No. 1400, H.D. 1, S.D. 2, Relating to Hotel Construction and Remodeling Tax Credit. I feel it is very important that during these difficult economic times, we focus on and support the building and tourism industries.

"Providing these tax credits helps us maintain and restore our tourism infrastructure to ensure that we continue to occupy our status as a premier resort location in the world.

"This bill will also extend the tax credit to hotels that dedicate 10 percent of their occupied space to promotion and sale of Hawaii products, which extends the local economic multiplier effect even further."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1405 was adopted and H.B. No. 1400, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOTEL

CONSTRUCTION AND REMODELING TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1406 (H.B. No. 704, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1406 be adopted and H.B. No. 704, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Ihara rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support of this bill with reservations.

"While there are many positive sections in this bill, H.B. No. 704, S.D. 1, I am opposed to Section 4, part of Section 4, which is on page 4, lines 12-14. These three lines would eliminate the use of request for proposals, RFPs, in the procurement of professional services contracts. Currently, contracts for architects and engineers are now procured by non-bid and RFP processes, although there are just a minority of contracts that use the RFP process.

"This bill would require only nonbid contracts for professional services. I understand that there may be some concerns about RFPs but the state procurement officer says that even after asking, no one has come forward with any example of the concern about RFP abuse.

"There was testimony on this bill in opposition by all of the various procurement officers because they want to retain the option to use RFPs. For example, an agency may want to install, let's say, a community kitchen for use to train nonprofit organizations to train chefs. And instead of selecting an architect based only on qualifications, they may want to seek an RFP so that they can get ideas from an architect on the various types of kitchens, or a proposal on a kitchen design. And this would help them to develop and integrate their chef training program, for example, to integrate with the kitchen. It would also give them ideas about pricing.

"Also, with an RFP and a proposal, the agency would have a better idea about, rather than just on qualifications, they would have a better idea if the architect kind of fits in with their philosophy and what they intend to accomplish in their project. An RFP would also provide pricing information to help the agencies scale the kitchen to their program needs and also pricing needs.

"I believe we should not restrict agencies from seeking RFPs, otherwise, the example I gave where you have a community kitchen agency, they would have to select a kitchen architect or planner only on qualifications, and after selection, then at that point, they could start discussions and negotiations on the kind of kitchen designs and the needs, as well as pricing.

"In certain situations, Mr. President, I believe it may be a better practice to use RFP, like the example I gave, and therefore I ask that this RFP ban be deleted in Conference Committee. That's why I support this bill with these reservations."

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"The good Senator from Kaimuki did point out that there are a number of good things in this bill, but a number of questionable items as well. He talked about the RFP process, which is very troubling, but in addition to that, there is another part in Section 3, item no. 6, page 3, which establishes and maintains a Hawaii Procurement Institute in cooperation with the Richardson School of Law. It also creates a procurement library. It gives various tasks, employment and training, but there's no appropriation and there's no idea as to what the cost will be for this, how long it will be, or actually how it will be governed, and I don't think that it's necessary.

"Thank you."

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I also rise in opposition to this measure.

"As a former administrator for a division for the State of Hawaii, I always held pre-bid conferences. I found it effective, and I held it when it was appropriate. And one observation is that when I held pre-bid conferences, I suddenly observed that it was an opportunity for potential bidders to find out who was going to bid and it did raise levels of concern that they might have at the back of their mind the potential for collusion.

"There are situations where a pre-bid conference may not be a good situation. I will vote 'no' for the reasons mentioned by the Senator from Hawaii Kai, the Senator from Kaimuki, and also because I think it gets the Legislature deeper into the realm of micromanagement.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1406 was adopted and H.B. No. 704, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1407 (H.B. No. 1230, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1407 was adopted and H.B. No. 1230, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1408 (H.B. No. 1247, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1408 was adopted and H.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CONTRAFLOW LANE ON FARRINGTON HIGHWAY ALONG THE WAIANAE COAST FROM MOHIHI STREET TO PILIOKAHI AVENUE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1409 (H.B. No. 1363, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1409 be adopted and H.B. No. 1363, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“We have Enchanted Lake waterway. We have Salt Lake waterway. We could generalize and include all waterways on the island of Oahu. I just feel that it’s inappropriate to identify one specific example for which to make a grant-in-aid.

“Thank you.”

Senator Sakamoto rose to speak in support of the measure as follows:

“Mr. President, I rise in support of the measure.

“I have comments to insert in the Journal, but just briefly, this is an effort where the neighborhood has already worked with the federal government, the state government, the city and county to move thing forward. In fact, things are moving forward and this is an effort to have the state participate in really helping the residents of that whole community.”

The Chair having so ordered, Senator Sakamoto’s remarks read as follows:

“Mr. President, I rise in support of H.B. No. 1363, H.D. 1, S.D. 2, to appropriate funds as a grant-in-aid to the City and County of Honolulu to clean up Salt Lake Waterway.

“The Salt Lake is filthy and stagnant and releases noxious odors that are both bothersome and could be harmful to the health of my constituents.

“The Salt Lake Waterway cleanup has been going on for mote than 5 years now through efforts made by the City and County of Honolulu, the Department of Health, and numerous community-based projects. While the Honolulu Country Club owns all the land under the waterways the waters that are stagnant in the lake belong to the State. This measure demonstrates a commitment from the State, in partnership with the City and County of Honolulu and private landowners to do our part in cleaning up the Salt Lake Waterway.”

Senator Hogue rose to speak in support of the measure with reservations and said:

“Mr. President, I rise to support this measure with reservations.

“I want to note that similar to what is going on in the Salt Lake community, we’ve had similar efforts on the Windward side in Kailua with regards to Enchanted Lake and the Kailua waterway system. And what I find to be very distressing, and this the reason why I have the reservations, is that similar to Salt Lake, the community has gotten together and tried to work with the city and county, and the federal government and the state, etc., etc. And year in and year out, since I’ve been here, I’ve submitted a grant-in-aid bill to try to help clean up the Kailua waterways and my bill goes nowhere. I’m assuming that it has to do with the fact that I have an R next to my name instead of a D.

“So, I find that very, very distressing and I think that if we were really, really genuine and we wanted to clean up the waterways, and I think that we all support the environment, we

would not look to see who is in command of that district and would just go and clean up the waterway.

“Thank you.”

Senator Kim rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of the measure.

“Mr. President, when I was on the city council, we started the initiation, the measures to clean up the waterway, to work with the Salt Lake Elementary school to teach the students about all the runoff and residents throwing things into the waterway. And for years we’ve been trying to get this grant-in-aid, and for years we haven’t been getting it. And so, I urge our colleague across the way to keep trying and perhaps one day you too may see your grant-in-aid sitting before you.

“Thank you.”

Senator Hogue rose and said:

“Mr. President, I will keep trying. You can count on me.”

Senator Chun Oakland rose to speak in support of the measure and said:

“Mr. President, I also speak in support of this measure.

“I’m happy to see that something is moving in this area. Similarly, the Senator from Waikiki and I share Kapalama Canal and I know that the Senator from Moanalua is very aware of this as well. It would be very good if we had a combination of waterway grant-in-aid projects, and the Senator from Kaneohe, maybe we can do that together.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1409 was adopted and H.B. No. 1363, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1410 (H.B. No. 1554, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1410 be adopted and H.B. No. 1554, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

“Mr. President, I rise in strong opposition to this bill.

“Some people have incorrectly classified this bill as a home rule bill, but in fact, it is not a home rule bill. What it is it’s a tax bill, an additional \$120 million potentially, or more, on the taxpayers, primarily the city and county of Honolulu.

“It started out to give an option to the counties. It was narrowed down to the county with more than 200,000 population, and then it was set to set the rate at 1 percent, then it set the dates, then it takes away and changes the formula for the transient accommodations tax for the neighbor islands. And there is some residue from that TAT under this proposal and that surplus amount would go back to the state.

“So, one could argue, I think, very accurately that this is a backdoor tax increase for this state as well. But here we would be imposing a retail sales tax on top of the general excise tax, on top of the general excise tax which you intend to try to increase in a few minutes. And all these crocodile tears earlier about our consumers and about the families and about how much money we’re going to save, we’re not going to save anything if we’re continually increasing taxes.

“So if we want home rule, then let’s in fact truly have home rule and let each of the counties decide what they want to do in terms of their taxes and also in terms of providing services and all of that. Then we’ll have home rule, and we’ll have autonomy, and accountability, but we’re not doing that in this bill. This is, again, a naked tax increase.

“Thank you.”

Senators Ihara, Hooser, Chun Oakland, Fukunaga, Ige and Espero requested their votes be cast “aye, with reservations,” and the Chair so ordered.

Senator Menor rose and said:

“Strong reservations.”

The Chair so ordered.

Senator Hogue rose and said:

“Mr. President, I want the record to note that this tax increase is fully clothed, and I’ll be voting ‘no.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1410 was adopted and H.B. No. 1554, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COUNTY TAXES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Aduja, Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1413 (H.B. No. 293, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1413 be adopted and H.B. No. 293, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the bill.

“It’s back again. It’s been here before. It would create a world-class farmers’ market, whatever that is. Of course, we never create anything here at the state level that’s not world class – we have world-class education, world-class transportation, world-class ethics in government – every thing is world class.

“The point is we don’t need this bill. We don’t need an appropriation which is blanked out here, or a defective date. The farmers have been doing a very good job. The farmers’ markets have been doing an excellent job. We have them in all sectors of the state. In fact, in my areas of Hawaii Kai, we’re increasing the number of days an hours for farmers’ markets.

“So, the farmers seem to be doing just fine without government intervention. Thank you.”

Senator Inouye having requested her remarks be inserted into the Journal and the Chair having so ordered, her remarks read as follows:

“Mr. President and fellow Senators, I rise to speak in support of H.B. No. 293, H.D. 1, S.D. 2, Relating to the Farmers’ Market.

“The purpose of this measure is to appropriate funds for the Department of Agriculture to assess the economic feasibility of establishing a world-class farmers’ market in Hawaii.

“As our state’s economic and cultural history is deeply rooted in agriculture, the perpetuation and continued growth of this industry is essential in ensuring prosperity for the people of Hawaii. The establishment of a farmers’ market would thus prove to be a great multi-faceted enhancement to our state. Local agricultural producers would be afforded with a centralized outlet to market and promote their produce and value-added products to both commercial and private consumers. Furthermore, this venue holds the promise of promoting economic growth as an attraction to tourists and residents alike, while simultaneously fostering a rise in employment and business opportunities for Hawaii residents working at the market.

“Seattle’s Pike Place Market is a prime example of a farmers’ market that is world renown not only for the quality and diversity of its produce, but also for its local distinctiveness. Hence, while the market is a strong contributor to the Washington economy, it is also a cherished historical landmark and boasts strong cultural ties to the state. A world-class farmers’ market of our own, one that showcases Hawaii’s strong and proud agricultural industry, holds such potential for our own state for many years to come.

“I therefore ask you all to support this measure.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1413 was adopted and H.B. No. 293, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE FARMERS’ MARKET,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1414 (H.B. No. 426, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1414 be adopted and H.B. No. 426, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hemmings rose to speak against the measure and said:

“Mr. President, I rise to speak against H.B. No. 426.

“Mr. President, this is a bad precedent for the state to set where the Legislature intervenes on contracts by the DLNR. I really want to point out, the most important thing is if you look over the list of the leases in Kokee, the beneficiaries of this special treatment are among the wealthiest people of Kauai, including many of the wealthiest people in Hawaii who have seemed to have gotten, for a number of years, some of Hawaii’s most pristine land at a favorable rate. And now they’re asking for lease extensions.

“There’s another problem with this bill coming over from the House that shows a tremendous conflict of interest – the Kawakami family is one of the beneficiaries of this special treatment. I don’t think anybody should get treatment like this,

and it sets a bad precedence. I'm asking that we all vote 'no' or send this bill back to Committee so the ethical thing can be done."

Senators Ihara and Ige requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Inouye having requested her remarks be inserted into the Journal and the Chair having so ordered, her remarks read as follows:

"Mr. President and fellow colleagues, I wish to rise in support of H.B. No. 426, Relating to Public Lands.

"This measure is to direct the Department of Land and Natural Resources to issue new long-term leases for certain parcels of the public lands on Kauai.

"The state is currently experiencing an economic downturn caused by some recent and not so recent events and as a result we must do what we can to encourage and support measures to stimulate the economy. Certain lessees of public lands used for hotels on Kauai have never fully recovered from the devastating results of Hurricane Iniki and the September 11th tragedy and now face the current economic downturn. In the face of all this those lessees are still surviving, however they need our help. Many of them struggling along find that they need to reinvest in their properties to help stimulate economic growth to save their businesses but to their dismay they find that they are unable to find financing. They are stuck between a rock and a hard place, they need to reinvest into their properties, but are unable to because they are having difficulties finding financing for capital improvements when their leases are for fewer than thirty years. This measure will allow them to receive new leases and help them finance much needed capital improvements to their businesses, while providing an economic benefit to the state.

"I urge you all to support this measure, by helping them we will also be helping ourselves."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1414 was adopted and H.B. No. 426, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1416 (H.B. No. 1613, H.D. 2, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1416 be adopted and H.B. No. 1613, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I stand in opposition to this measure.

"I think that there are costs associated with implementation. It is an unfunded mandate. We say that we have no money. A worthwhile project it is, but I think we can delay it by one year.

"Thank you."

Senator Inouye having requested her remarks be inserted into the Journal and the Chair having so ordered, her remarks read as follows:

"Mr. President and fellow colleagues I wish to rise in support of H.B. No. 1613, H.D. 2, S.D. 1, Relating to North Kohala.

"This measure authorizes the Department of Land and Natural Resources to preserve historical sites in North Kohala by condemning the land adjacent to the Kohala Historical Sites State Monument and to allow the Mo'okini Luakini Corporation to protect and care for the Mo'okini Heiau.

"The land when acquired will be used as a buffer and to provide access for the Kohala Historic Monument that includes the Kamehameha birth site, Kukuipahu Heiau, and the Mo'okini Luakini.

"Act 166, Session Laws of Hawaii 1992, codified as Section 6E-38.5, HRS, sought to preserve and protect the Kohala Historical Sites State Monument and mandated that certain lands be acquired to preserve and protect the monument by adding buffers and to provide additional public access. The property was to be acquired by gifts and land exchanges, however attempts to acquire the lands via land exchange or purchase has been unsuccessful.

"To complete the intent of Act 166 and protect the Kohala Historical Sites State Monument I urge you to support of H.B. No. 1613."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1416 was adopted and H.B. No. 1613, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1417 (H.B. No. 1175, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1417 was adopted and H.B. No. 1175, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1418 (H.B. No. 512, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1418 be adopted and H.B. No. 512, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to the bill.

"Among other flaws in the bill, again it is a raid on the rainy day fund for specific appropriations.

"Thank you."

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I have remarks in support of this measure I'd like inserted in the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of H.B. No. 512, H.D. 1, S.D. 2, which would mitigate unintended problems when federal requirements under the Health Insurance

Portability and Accountability Act of 1996 (HIPAA) go into effect this year. H.B. No. 512, H.D. 1, S.D. 2, also makes appropriations from the rainy day fund for programs and services which are essential to the public's health, safety, and welfare and repeals the sunset date for Act 121 regarding mental health parity.

"It was brought to the Health Committee's attention that due to implementation of the privacy provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) the State must make appropriate changes to State law in order to avoid future problems in accessing medical records. Originally, a next-of-kin provision was inserted into S.B. No. 1356, Relating to Vital Statistics, but due to a title problem it was taken out. Thus, the provision was inserted into H.B. No. 512 under the more appropriate title of Relating to Health. The provision provides for a patient's next of kin to have access to their medical records if the patient or the patient's attorney is unable to do so. Currently, Hawaii has no next-of-kin law, to allow family members of the deceased to have access to the deceased's medical records, except those who have some form of legal designation. This will pose a severe problem when HIPAA's privacy provisions take effect. Under HIPAA, providers will be prohibited from allowing families to access or authorize the release of the deceased patient's records. Thus, when a surviving spouse requests that their deceased spouses' records be sent to a life insurance company, their request would be denied due to HIPAA regulations.

"H.B. No. 512, H.D. 1, S.D. 2, also contains an amendment to allow the disclosure of a mental health patient's medical records for insurance reimbursement claim purposes. Hospitals are frequently unable to obtain payment for services rendered to mental health patients because they are required to obtain specific consent from the patient prior to the release of the patients mental health records. There is no exception to this rule such as in the HIV law (HRS 325-101), which allow the release of information after the patient has been afforded the opportunity to make the reimbursement but choose not to.

"The bill also repeals the sunset date of Act 121, as amended by Act 243, section 8 paragraph 2, Session Laws of Hawaii 2000, which provides for mental health parity. The repeal protects the mental health patients from having to pay additional rates, terms or conditions on serious mental illness benefits, if similar rates, terms or conditions are not applied to services for other medical or surgical conditions. Patients with serious mental illness deserve to have equal access to medical treatment and should not have to pay additional costs for that treatment.

"This measure also appropriates the funds necessary to maintain the State's healthcare safety-net system and other non-state healthcare providers, which are an indispensable part of our healthcare foundation. Appropriations to Molokai General Hospital, which is the only hospital on the island of Molokai, and to Kahuku and Wahiawa General hospitals, are essential to insure the health and well-being of our rural communities. In addition, appropriations to community health centers such as the Hana Community Health Clinic and the Waianae District Comprehensive Health Center are fundamental in providing a healthcare safety net.

"Many of the programs and facilities, which would be appropriated funds through this measure provide a crucial service to their communities. If these programs do not receive assistance from the State they will be forced to reduce their services and in some cases close completely. Programs such as the poison center and the sex abuse treatment center provide statewide services that are vital to the public's welfare. Without additional funding from the State these programs will be forced

to reduce their services which will immediate and serious consequences which will jeopardize the health and safety of the public.

"H.B. No. 512, H.D. 1, S.D. 2, is an important and necessary measure which provides for a next-of-kin provision would help healthcare providers and the Department of Health avoid problems related to the privacy provisions in the federal HIPAA regulations. The death of a loved one is a very difficult event. Without the provisions of this bill that time of grief may be even more traumatic. Also by allowing for the disclosure of a mental health patient's records for reimbursement purposes the State is permitting hospital to collect fees and continue to provide services. Furthermore, the repeal of the sunset of Act 121 as amended by Act 243, prevents mental health patients from being subject to unnecessary and discriminatory fees for treatment. This bill also provides the much-needed funds to the State's healthcare safety net and other non-state providers that the public depends on. Mr. President, I urge the members of this body to support this measure by voting Aye on H.B. No. 512, H.D. 1, S.D. 2.

"Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1418 was adopted and H.B. No. 512, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 282, H.D. 2, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, H.B. No. 282, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

H.B. No. 1152, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, H.B. No. 1152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1424 (H.B. No. 298, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1424 be adopted and H.B. No. 298, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I stand in opposition to this measure.

"This measure specifies a solution, dictates a particular solution, and kind of designates how it will be undertaken. For those reasons, I oppose the measure.

"Thank you."

Senator Sakamoto rose and said:

"Mr. President, may I insert comments, please, into the Journal."

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

"Mr. President, I rise in support of this measure. I support the development of the Halawa facility because I believe the time has come to have OCCC become a useful and productive part of our community. My hope is that with the development of this new facility, the site at OCCC can become a useful part of the Kalihi neighborhood. I also expect, Mr. President, that the Kalihi community be consulted and involved in the redevelopment of OCCC."

Senators Kim and Chun Oakland requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1424 was adopted and H.B. No. 298, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hogue, Ige, Slom, Trimble). Excused, 2 (Aduja, Menor).

Stand. Com. Rep. No. 1425 (H.B. No. 391, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1425 be adopted and H.B. No. 391, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hanabusa requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Ihara rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support of this bill with reservations.

"I'd like to just note that this is another gut and replace bill. The subject matter Committee amended the House draft, which dealt with public employee health benefits, and inserted the contents of the bill now, that has S.D. 2, which is repeal of the privatization law which I note was done without a hearing. Actually, this provision repealing the privatization law was in another bill. Actually it's the following bill, H.B. No. 510, and it was displaced, so I guess this is the new home. So this is the third home of the current language in this bill.

"Thank you."

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to the bill.

"I'm trying to find where the bills go and where the guts and the intestines are. It's really difficult. It's difficult for the public; it's difficult for some of the Legislators. But this bill is pure and simple, an attempt to roll back the option of privatization, which had still been little used in this State because the people that opposed it are fighting against it.

"Managed competition is not privatization. Managed competition is not an option that the state needs for budgetary and performance standards.

"Thank you."

Senators Kokubun, Kim, Ige and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1425 was adopted and H.B. No. 391, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Chun Oakland, Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Menor).

Stand. Com. Rep. No. 1426 (H.B. No. 510, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1426 be adopted and H.B. No. 510, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"This is a tax increase, the worst possible form of tax increase that we could take. It increases hidden tax. It increases indirect taxes. It increases business-to-business taxes. And if we're trying to shrink the economy by what we do here today, then we're on the wrong track.

"I urge my colleagues to oppose the increase to the general excise tax. Thank you."

Senator Taniguchi rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, this bill is the 'Invest In Our Children Act' of 2003. This bill is very similar to a Senate bill that we passed earlier in the Session, so I won't repeat the arguments along those lines.

"I do believe that S.B. No. 510 is an improvement over our previous version. It would provide additional funds for education. Mr. President, this is the Senate's only vehicle to provide much needed additional resources to our public schools. I realize that this is a tax increase and it will have an impact. However, I believe that providing adequate resources for public education is so important, that I'm fully prepared to accept whatever criticism of me that may follow.

"Mr. President, there's no good time for a tax increase, but there couldn't be a better or more necessary time to invest in our children. I would ask that members support this bill.

"Thank you."

Senator Hogue rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"If we truly want to invest in our children, we should vote against raising taxes. It only makes sense. It's the worst thing that we could do to an economy that is already in danger.

"Here's an analogy, just a few short days ago, there was an article in the sports section - I do have a tendency to read the sports pages, still, these days - and it talked about the University of Hawaii Men's Volleyball program. They, too, felt that they needed to raise money. They had pretty good

attendance there for awhile, so they wanted to raise the revenue. So what'd they do? They increased ticket prices . . . just like increasing taxes. And what was the net benefit? Their revenues went down, their revenues went down. That's essentially what could happen to the State of Hawaii if we raise taxes – the net benefit would be that our revenues could go down because our economy would go down.

“And if we want to actually invest in our children, we are doing just the opposite with this particular measure because we are providing for them a poor economy and not giving them the opportunity to stay here and live here and raise their families here. Instead of raising taxes, we should be doing just the opposite – we should be cutting taxes to invigorate our economy so that revenues increase and then more money will flow to our public schools and our education system can improve.

“This is a very, very bad idea and I encourage all the members to vote ‘no.’ Thank you, Mr. President.”

Senator Sakamoto rose to speak in support of the measure as follows:

“Mr. President, I rise in support of the measure, and I have comments to insert similar to what I've stated earlier on a similar measure.

“I want to add, that to get a broader understanding, not just us talking to each other, I sent a survey to the schools to ask the principals, the staff, the teachers, the parents, and asked the school to get responses from the parents, and let me share some of the results with you now. When asked the question, would they (and this is obviously not the population in general but the people involved with the school) support a ½ percent general excise tax increase for education, from this survey, 89 percent said yes, 11 percent said no. When asked how significant a factor the lack of resources for students' success was, 53 percent said it's the most significant; 44 percent said significant but not the most; and 3 percent said not significant.

“We've asked elementary, middle, and high school students, what should the resources be used for? And the different role groups gave their comments and we did list a whole slew of different things, as well as leaving a blank for other. Some of the things they reported back, at least in this survey, were repair and maintenance, professional development, textbooks, computers, supplemental tutoring, curriculum, consumables, teacher retention, and it goes on and on.

“My point being, Mr. President, certainly our schools need these things and we, I'm sure, here concur that these things that were mentioned by the people in the school system are things that we could fund more. Our hope and our prayers are that we can fund more of these things. Certainly, if we could, through the budget as it existed, that would be a good thing. But at this point the economy and education are so intertwined. We need to do more and we believe the people in the schools, believe people in the community, as they have stated, will support this, provided we target specific supports for education. And we can do that, and we will do that.”

The Chair having so ordered, Senator Sakamoto's remarks read as follows:

“Mr. President, I rise today in support of H.B. No. 510 which would raise the General Excise Tax by ½ a percent to support education and a food tax credit.

“Mr. President, Our schools are struggling.

“We have proposed many solutions and many new programs to assist our schools this session, but none of these changes are free. Most people would agree that in spite of the notion that the BOE and the DOE are not using all of the dollars they currently receive as efficiently as they could, there needs to be more funding directed to education.

“This Session, your Education Committee has seen many problems:

- The repair and maintenance backlog is still at \$400 - \$500 million.
- Each child does not have a textbook solely for his or her own use.
- Teachers continue to take money out of their own pockets to purchase needed supplies for the students.
- The Federal government has not sent enough dollars to Hawaii to cover the costs that will be incurred by the ‘No Child Left Behind’ legislation.
- Money for tutoring and supplemental programs is woefully lacking.
- School complexes do not have their curriculums aligned and even for those that have a plan to do so there is a lack of resources to purchase the textbooks, curriculum and consumables such as workbooks to fully implement what is best for our keiki.
- New communities cry out for new schools for their children before their children graduate with memories of portables and PE class without showers or lockers.

“We have not seen the resources to implement progressive programming to address these problems:

- Where are the resources to assess student progress on an 8-week cycle as opposed to a 24 or 12 month cycle?
- Where are the resources to improve on the personal educational plan for each child? Yes, special needs and the Felix class children as well as the ‘regular education’ kids and the GT – gifted and talented.
- Where are the resources for implementing the best practices envisioned by High Schools that would ‘Break Ranks’ and the move to smaller learning communities and project-based learning?
- Where are the resources to purchase and utilize research based curriculum packages such as Direct Instruction, Core Knowledge, Success for All, or America's Choice?
- Who will train the new principals and new teachers who are scurrying to fill the shoes of retirees?

“We've struggled with these problems and solutions during the Session:

- The Senate has moved many proposals to the House for their consideration.
- The Governor has proposed several reforms including seven or more Local School Boards.
- The House has moved many proposals to the Senate for our consideration.

“Of course more money is not the whole solution, we also must use these resources wisely, and get the resources closer to the classroom.

“Finally, this proposal is not only crucial to the success of our keiki, it is imminently fair to our residents, the food tax credit would return much of the additional expenditure to them in the form of a food tax credit.”

Senator Kawamoto rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"First of all, I'd like to congratulate the Ways and Means Committee and their efforts to focus on education and try to make a greater percentage of our revenues going to education. We hope that if and when we are in Conference that we can further get more money for education. Basically, we'd like to see some physical structures out there that we could use the monies for, and again, something that's tangible that we can touch and say this money went to that activity.

"Thank you."

Senator Menor rose to speak in favor of the measure with reservations and said:

"Mr. President, I just wanted the record to note the fact that I will be voting in favor of this measure, but with strong reservations.

"I am concerned about the potential regressiveness of the excise tax. I'm also concerned about the potential negative impact on consumers and businesses during these difficult economic times. Nevertheless, I will be voting in favor of this measure because it raises important issues and calls for additional funding for our public schools, which is badly needed by our school system.

"All measures that offer the prospect of providing much-needed funds for important programs and services, including public education, should be given the opportunity to be considered in a free and open discussion. It is only to ensure that such discussion continues that I am voting to keep this measure alive and not because I agree with the funding mechanisms House Bill No. 510 proposes. I would also like to emphasize that, in passing this measure at this stage of the session, the Senate is not giving this bill final approval, but only moving out the measure for further consideration and review by the House.

"Thank you, Mr. President."

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in strong opposition to this bill.

"We've heard about a number of polls that have been conducted recently, one of which I talked about earlier when we first discussed this bill, when the Honolulu Advertiser was even forced to say that the way that their poll and the question was being used was out of context.

"The good Senator from Moanalua is telling us that people support an increase in their taxes for targeted projects and specific projects. But we don't have any targeted projects or specific projects in this bill. We have a tax increase.

"The good Senator from God's country wants to see something rise into the sunset, something we can touch, something we can feel, something we can allow to become rundown like the other buildings that we've allowed around town and around our state.

"The fact of the matter is the people outside this building have gotten the message. They want a change in the way we've done things. They want a change in throwing money at the problems. They want a change in the past lack of leadership. They want a change in the fact that we've had a few people that dominate the public education system from the top and don't

include parents, don't include taxpayers, don't include a large part of this community, but that all they ask for all the time is more money, more money, more money.

"If this Senate passes this bill, which is likely right now, those members that have supported all of these measures can congratulate themselves because they've completed the trifecta today – three major tax bills that have added \$400 million to the consumers and taxpayers and parents of this state, \$400 million, which takes from them the ability to make their own choices.

"We talk all the time about investment. That's funny, the last time I checked, an investment is something that you voluntarily make and some people choose to invest in one thing and other people choose to invest in something else or not to invest at all. But all of these programs that this Senate is voting on today does not give choice, does not give investment. It says that this state, this state, is better situated to make these choices for individuals – \$400 million worth.

"We're not talking about the children; we're not talking about education. We use them as excuses for everything we do – from laptop computers to higher legislative salaries, we use the children in this state. But we're really not concerned about them because we don't listen to the parents; we don't include them; we don't demand accountability; we don't demand changes and improvement and leadership. We just say, give us more money, give us more money, give us more money. And that's what this bill is doing.

"And it's not a half a percent. I remind you again, it is a 12½ percent increase from 4 to 4½ percent. And it is across the board because in our wisdom, we still remain the only state ever to institute or maintain a general excise gross income tax – the most regressive, the most harmful tax on individuals, poor families, businesses and anyone that we can look at.

"This bill also creates another special fund. This bill also, at one time, was supposed to balance the equities between those people that paid for the high cost of food, because far be it for our colleagues here to exempt food cost from the general excise tax, even though almost everyone campaigns on that issue and everyone says that they'll do it until it comes time to vote. Instead, we're going to raise the taxes, raise the taxes, raise the taxes. And initially, we talked about offsetting that with a food tax credit, and the food tax credit started at \$100 and got down to \$80 and is still going down, has more limitations, more exclusions, more restrictions.

"We're not interested in helping the consumers of this state, because if we were, we would cut the taxes, whether we're talking about tax on food, on shelter, on clothing, on healthcare services, on gasoline. Instead, we're raising the taxes, raising the taxes, raising the taxes. That was the old way of doing things, and the public voted against that. They voted for a change, and yet a lot of people in this building still have not gotten that message.

"This will not help improve education, will not help children, will not help their parents, will not help businesses, will not help single moms. It will further penalize them by taxing them, taking away their choices, taking away any discretionary income, and taking away the investment possibilities they might have had.

"Thank you, Mr. President."

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against this bill.

"In doing so, I wish to say that I'm by no means criticizing or speaking against the Chairman of the Senate Ways and Means Committee and one of the proponents of this tax increase. But I am saying, with all good intentions, the path to economic hell is paved with good intentions. A wise man said in the Federalist Papers, James Madison, 'experience is the oracle of truth.'

"What's very fortunate with us here today in debating these issues, is that we have a long history of experience with tax increases. The truth of the matter is that we're amongst the highest taxed people in the nation. And the experience is, and the truth of the matter is, that Hawaii, for the most part, has been in the economic doldrums since at least 1990. The truth of the matter is that our economic plight is largely due to the policies of state government, not the least of which as we've created one of the most onerous business environments, by excess taxation, in the nation.

"The second truth is that for years, as we've spoken before on this issue, we have poured huge amounts of money into public education. And if the experience was that if more money was going to improve education, we would have improved the education system, but we haven't.

"This is a failed formula for the economy, and it's a failed formula for education. We cannot afford to continue to make these mistakes because Hawaii will continue to suffer as we have economically and educationally. It's time to break the failed formula. Vote 'no' against this tax increase."

Senator Hooser rose to speak in support of the measure as follows:

"Mr. President, I rise in support of the measure.

"I'd like to say, as I said earlier, that the polls that are referred to are important in some ways as an indicator of the public's intention, but the poll that matters to me is the poll that elected me to this office just a short time ago. When I ran for office and campaigned door to door in my community, I pledged to support education. I pledged to make education my number one priority, and I'm standing here today to do so.

"When I served on the county council, I learned a couple of things, Mr. President and colleagues. I learned that when government tells you there is no money, when people come to government and ask them for money and ask them for support and government says there's no money, what they are really saying is that it is not a priority. We have money for our priorities. And what some of us are saying now is that we don't have money for education, and education is not a priority. But I'm here to stand today to say that education is my priority and ask my colleagues to vote in support of this.

"Yes, yes, yes, raising the GE tax will raise the cost of living. There's no question about that. The cost of a plate lunch will go up about 2 cents. But no, businesses will not flee our shores and they will not shut their doors and they will not run off to some other place. Business will go on. The economy will improve, just like it always does.

"I wish we were not raising the general excise tax, but however, in my opinion, the long term impacts of not doing so, the alternatives are much, much worse. We cannot and must not allow budget education cuts to continue. We must make a commitment today to invest in the education of our children. We must make a commitment today to invest in the future of our community.

"Raising the GE tax one-half percent will indeed increase the cost of living – 2 cents on a plate lunch, about \$250 on a Lexus, and I have to say, the owners of the Lexuses are the ones that have been complaining the most in my e-mail.

"Our economy in time will recover and will grow, tax increase or no tax increase, but our children only get one shot. Our kids will only go to kindergarten one time. Our young people will only get one chance at a good high school education, and we owe them the very best experience that we can afford.

"Yes, there may be negative impacts of raising this tax by one-half percent, but it is my sincere belief that the long term negative impacts of continuing to under-fund our schools is far greater.

"Right now, as we speak, as I stand here today, we have elementary schools in my district without playground equipment. They haven't had a playground in four years. There are kids there that have been going to school for four years and haven't been able to swing on a swing set. Imagine, young children going to school if it were your children, not even having a swing set or a jungle gym.

"We have high school students who don't have books to take home to do their homework. Many of our high schools are woefully short of school counselors, technology programs and gifted and talented programs. At Kilauea Elementary School on the North Shore of Kauai, we have a cafeteria that's so old and so small, the kids cannot even eat lunch together at the same time or meet together as a group on a rainy day.

"Our libraries, our adult education programs and even the A-Plus program, have been cut so severely that their core missions are at risk. While these programs may not seem important to some, to many of us in our community, these programs fall under the category of essential.

"In my opinion, supporting and improving our public school system from Kindergarten through the University is the single most important thing we can do as a community. The potential long term benefits from building and maintaining a high quality public education system extend to all parts of our daily lives. There is a direct correlation between the quality of our schools, the quality of our lives, and the strength of our economy. We must invest in and aggressively support our public education system and we must do so today.

"The Governor has gone on record stating publicly that she will not spend money from the hurricane fund or the rainy day funds (estimated to exceed \$200 million), nor will she lay off any government workers to achieve savings.

"This legislative body has already voted in support of hundreds of millions of dollars of giveaways in tax credits to a wide variety of interests. We've given money to hotels for reconstruction, to aquariums, to high-tech industry, to biofuel – millions, hundreds of millions of taxpayer dollars – in the hopes that they might stimulate our economy. Yet, we are hesitant to invest in our own children's future.

"There is always talk about cutting fat, lots of talk about cutting fat, lots of talk about increasing efficiency and reforming the government structure to bring decision making closer to the local level. The fact is, colleagues, while fixed costs and federal mandates continue to escalate, we spend less and less on our public education system, and even to stay even, let alone improve or expand the programs offered.

"To my knowledge, no one, including the Governor, has been able to clearly identify any more significant areas of fat that can be cut today, and I emphasize the word today."

"While many are quick to throw rocks at the much ballyhooed 'bloated bureaucracy,' the fact is that Hawaii is ranked 13 in the nation for the percent of the education budget spent on actual instruction. Of the 21,220 total employees working for the Department of Education, 95 percent work directly at the school level, only 507 work in the state office."

"Yes we can, and we must, increase efficiency and improve administrative performance. And yes, with proper management and a solid commitment, significant savings can be achieved over time. Empowering local communities and bringing meaningful decision making closer to the individual school level are laudable goals, and I support these goals 100 percent."

"This effort is extremely beneficial and worthwhile, but again will take years, years, to produce tangible benefits to our schools. Our kids need our help now. They need our help today. Our children and our schools cannot afford to wait another two or ten years. Our community cannot afford another round of budget cuts to our schools."

"We must step up to the plate, make a sincere investment and begin building the quality public education system our children deserve. If not, the long term cost and negative impacts to our community will far exceed those that might result from adding two cents more to the cost of a plate lunch, or even \$250 to that Lexus."

"I ask my colleagues to vote 'yes' on this measure and send a strong message to our children and our community – that education is indeed our most important priority."

"Thank you, Mr. President."

Senator Whalen rose in opposition to the measure and stated:

"Mr. President, I rise in opposition."

"Obviously, today I haven't said much, and I wasn't planning on saying anything on this bill as well, but there are so many misstatements and misunderstandings in the last speech, that I got inspired."

"First of all, this bill is not about education. Any of you who followed the gambling issue across the mainland, etc., when these issues first came up, we were going to do a lottery and all the money goes to education. In every single state, the other funding that used to be there, dries up and it becomes a sole source funding issue."

"I agree with the Senator from Kauai that we do need to make our commitment. We have money right now in the budget that we could not just cut the fat, but cut unessential services that we're involved with and put more money in schools, if that's what we wanted to do. But where is the commitment? Raising taxes to bloat our coffers further is not a commitment to education; it's a commitment just to spend more money."

"And getting to the issue of that, all of us received, or we should have received, something in the mail that California is one of the highest ranked states when it comes to per pupil spending, yet they're one of the lowest when it comes to graduation rates and dropouts and everything else. Their system is very poor. A very extensive study was put on by the Legislature there and they found out that more money is definitely not the solution to the problem to improve education."

It is an important factor, but it is not the thing that gives you a quality education."

"I am a product of a very small private school that spent far less than what the public school was spending on its students. My kids right now receive an excellent education at a private school which is far, far less than what we're spending on public school students right now."

"It's not just money, Mr. President. It's not just about a commitment to spending every dime we have into education because that will make it better – NO! There are other issues we've talked about today. There are other bills that have come and died that would improve education. We talk about accountability, etc."

"But now I'm diverging off the subject, because the subject is a tax hike, period. It's not about education. It's about raising our taxes further."

"The two cents for a plate lunch shows the misunderstanding of just how the general excise tax works, and I know somebody will correct me if I'm wrong, but it's my understanding that the GE tax is our one major source of income into the state. Okay, I'm correct . . . okay, I got it. So, our one major source we're not just pushing up half a percent, we are increasing that one major source by 12.5 percent. And it's not just the guy who walks up to the window and orders a plate lunch. It's every single step along the way the GE tax is tacked on there. So it's not even just a 12.5 on the very end, but I'm not sure this half a percent, as it said, or 12.5 percent will bring in another \$180 million. Multiply that by whatever and you can see what a huge amount of money we're talking about sucking out of our economy right now."

"So, to put it in any other light that it's just two cents on a plate lunch, whatever else, shows very misconceived assumptions about what this tax is going to do to our economy. I won't ramble on, but I would encourage us as we go forward in this discussion to please stick to the issue. The issue is a tax hike. It's not about better education. It's not about our commitment to education, because if you really had that commitment, we could put the whole budget into education if we wanted to, if that was really our commitment. We don't need to raise taxes to give education more money – we just cut areas that we don't want to fund because they're not the priority."

"So again, the question isn't priorities, the question is, Is this really the time or the place in our economy . . . which, by the way, I don't know if it always does bounce back; we've been in a very dire straits for a long time now. It's just creeping and struggling. In fact, the revenue guys who said they had us at 6 and now we're down at 4.1. I don't think we're always going to be able to come back, Mr. President. We can't count on an economy that you just continue to suck all the blood and life out of it, that it will somehow resurrect itself one day."

"For those reasons, and as I stated, there's just no way in the world that I could support a tax hike at this time."

Senator Ihara rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill."

"Mr. President, I'm opposed to this bill because it's the wrong time and wrong tax, and without a real plan to improve education in Hawaii."

"Also, Mr. President, this is the mother of all gut and replace bills. You knew I'd get to that, right? (Laughter.) This is a double gut and replace bill. The subject matter Committees gutted the House draft, which would have established a system of managed competition for state services. And if it stopped there, then that may actually be a good gut and replace. What was put in place of it was a repeal of the privatization law, which was displaced by the next Committee. I'll explain that later on.

"It gets very, very confusing. You have several bills involved here and if the subject matter Committee's gut and replace stayed, actually that might have not been too bad, because you would have had two versions – the House version, which would be a managed competition legislation, and the Senate version, which is no privatization in the state.

"What happened in the last Committee, the Ways and Means Committee, is it gutted what was previously inserted. It gutted the repeal of the privatization law and inserted this general excise tax increase for education legislation. The House has never had a hearing on this legislation, and in Conference, sitting on one side of the table would be the House conferees. I understand they're against this legislation, but they would be arguing for their legislation, which is the managed competition system, and you'd have the Senators on the other side trying to get the House to talk about the GET increase for education legislation. I'm not sure how you'd resolve this.

"I believe it is not appropriate for the Senate to expect the House to pass this legislation, because the House conferees would have to agree to the Senate proposal that they have not previously handled. There was no bill introduced in the House to increase the general excise tax. There was no hearing in any of the Committees on this idea, and they had publicly stated over and over, they're opposed.

"If by chance, and I don't believe there's a chance, but if by chance our conferees convince the House conferees to agree to accept this general excise tax increase for education, these conferees would be asking their colleagues in the House to pass major legislation on Third Reading without passing it on First or Second Reading, because the substance of the GET increase for education legislation was never passed on First Reading or Second Reading in the House. That's part of the problem about gut and replace bills. The Senate did pass a general excise tax increase for education bill over to the House, and they filed it.

"In addition, the House members who would be voting on major legislation without having received much public input, I'm sure they would have a lot of opposition from e-mails and letters. But because there was no public hearing, the House members would have to decide on this major legislation without a hearing.

"I'm not voting against it because of the gut and replace concerns. I just wanted to point out that in addition to my disagreement with the substance of the bill, this is a very good illustration of how we make the bicameral system not work, if this bill passes.

"Thank you."

Senator Fukunaga rose to speak in support of the measure with reservations and said:

"Mr. President, I rise to speak in support of this bill with strong reservations.

"Generally, I do not support tax increases at all. In fact, in this instance, I do not support a tax increase. However, I do

think it would be hypocritical of me to speak in opposition to the amendment this morning and not to stand in support of a bill which actually represents the Ways and Means Committee's best efforts to try and resolve some of the financial difficulties which we face. And although I do not support a tax increase, I do note that the title, Relating to Government, does reflect a vehicle which I hope the Ways and Means Committee will use to reflect the various concerns which have been expressed today, and to find a way to balance the budget to address our financial difficulties without taking the steps outlined in this measure.

"Thank you."

Senator Sakamoto rose to speak in support as follows:

"Mr. President, I rise again in support

"I want to address, at least in part, some of the issues raised. One in particular talked about having enough money, and we can pontificate, we can suggest, we can assume.

"One national publication, Education Week, which publishes nationwide, did a survey called Quality Counts 2003. Hawaii's not first in terms of resources adequacy, and we're not last. Many times people say we're last in everything, but sadly, we're in the middle of the pack, 26. So if people think being in the middle of the pack is fine at this time, in this state, so be that. I don't think because of adequacy of resources we ought to be in the middle of the pack. I think we ought to move forward, and this measure helps to do that.

"And with the money directed to the schools and the school complexes, with input from the constituents, from the parents, I think we can use these resources wisely. In spite of other parts of government having, perhaps, difficulty in using their resources, these resources need to be used wisely for our kids.

"If the Senator from Kauai didn't speak so long, I would like those words added as mine, but I don't say that much and he said it very well." (Laughter.)

Senator Aduja rose to speak in support of the measure with reservations and said:

"Mr. President, I would also like to rise in support, however, with strong reservations.

"The comments of the Senator from Kauai was very, very compelling and I feel very strongly against any tax increase. I don't want to go into a long discussion at this time, so I'm requesting permission to place in the Journal my comments.

"Thank you."

The Chair having so ordered, Senator Aduja's remarks read as follows:

"Mr. President, H.B. No. 510, S.D. 2, proposes an increase of one-half percent to the State's general excise tax, with two-thirds of the money raised to go to education-related programs. Though I am generally opposed to increasing taxes, especially in times of fiscal austerity, I have decided to vote 'YES, with strong reservations'. It was a difficult decision to make. Though a newspaper survey indicated that 70 percent of Hawaii's people would pay more in taxes if it were dedicated to improving our schools, a survey that my office conducted in my district indicated an almost 50/50 split regarding the bill. I ultimately let my commitment to improving the education of our children be the deciding factor. I feel very strongly that the fate of our State is directly impacted by the quality of education

we provide our children. For our collective well-being, it is an investment we should and must make.”

Senator Baker rose to speak in support as follows:

“Mr. President, may I have some comments in support of this measure inserted into the Journal?”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of H.B. No. 510, S.D. 2. This measure would provide a mechanism to fund both lower and higher education by raising the General Excise Tax an additional one-half percent.

“Mr. President, none of us want to resort to increasing the General Excise Tax. But without this measure, public education would be severely impacted because of the budget crisis we now face. It is vital that we maintain funding for education, because a well-funded education system contributes to our quality of life.

“Maintaining or improving the education of Hawaii’s school children is an important a factor to ensuring that our State remains viable and attractive to those who seek to do business here. During the past four years, I have spoken with industry representatives, particularly from the technology sector, exploring the possibility of setting up shop in the County of Maui. The availability of an educated workforce was as important to them as the local tax structure.

“The proposed GET increase would restore nearly all of the reductions in education funding made by the Governor this year. In addition, \$45 million would be allocated on a per-student basis directly to our local public schools. We would also be able to restore some of the funds for the school repair and maintenance program, and fund programs to improve teacher training and retention, among others. Finally, the increase is only temporary. The measure imposes a sunset on the one-half percent increase in ten years.

“Some would argue that putting additional money into education will not solve the problems of our educational system, and to some degree they would be right. We do need to improve our efficiency of education service delivery. However, the fact remains that the basic costs of education – salaries, resources and infrastructure – are not fixed costs, but will continue to rise. To ignore that would be a disservice to those who serve us in our State’s education system.

“H.B. No. 510, S.D. 2 will not be a popular measure. But we need this measure to restore core education services and to provide our schools with the resources they deserve. I want to thank the Ways and Means committee for having the vision and courage to pass out this measure, and I urge my colleagues to join me in support.

“Mahalo.”

Senator Hemmings rose and said:

“Mr. President, I’d like to call for a Roll Call. This is such a serious bill with such major implications and we’ve heard so much dialogue on it today.

“I think it’s important, especially when we have so many reservations and so many people off the reservation that we have a Roll Call on this so we see exactly where we stand on this incredible tax increase.”

The Chair so ordered.

Senator Tsutsui rose and said:

“Mr. President, could I also insert some comments into the Journal as well? Thank you.”

The Chair having so ordered, Senator Tsutsui’s remarks read as follows:

“During this Session, we have heard testimony about the deteriorating condition of school infrastructure, the need to construct new classrooms, students who are without textbooks, and other bare essentials. These needs cannot be cured under the current school budget nor can they wait until the economy improves. As citizens, we all share the responsibility for ensuring that our children have a fair and equal opportunity to learn and grow under our educational system.

“In the absence of other sources of revenues, we must make the difficult choice to support education through the current tax proposal contained in H.B. No. 510. The revenues generated will be directed to our public education systems and by its own terms is of limited duration. This measure will afford the Legislature an opportunity to work with the Department of Education in improving the efficiency and effectiveness of the present education system.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1426 was adopted and H.B. No. 510, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT,” having been read throughout, and Roll Call vote having been requested, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Hemmings, Hogue, Ige, Ihara, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1427 (H.B. No. 659):

Senator Taniguchi moved that Stand. Com. Rep. No. 1427 be adopted and H.B. No. 659, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“This is a very strange bill. I don’t recall seeing any testimony about the bill. I don’t know why it’s being presented at this time. For the longest period of time, the Lieutenant Governor’s Office has handled the sale of the Journals, the sale of Hawaii Revised Statutes, the sale of census maps, and all other matters. They’ve had prices that were affordable. They gave copies away free. They made them in a timely manner, and I just have not seen anyone show me why, all of a sudden with the change in administration, we need to take it out of the Lieutenant Governor’s Office.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1427 was adopted and H.B. No. 659, entitled: “A BILL FOR AN ACT RELATING TO THE LEGISLATIVE JOURNALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

Stand. Com. Rep. No. 1428 (H.B. No. 1182, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1428 be adopted and H.B. No. 1182, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator English rose to speak in support as follows:

“Mr. President, I’d like to have comments inserted into the Journal in support.”

The Chair having so ordered, Senator English’s remarks read as follows:

“The County of Maui residents and visitors need – and deserve – an emergency air medical services system that assures timely transport of the most seriously ill or injured persons to Maui Memorial Medical Center or to a tertiary hospital in Honolulu.

“This measure is about saving lives. You cannot put a dollar amount on a life.

“The County of Maui has only one full service acute care hospital located on the island of Maui-Maui Memorial Medical Center. Although in many cases persons who are injured can be appropriately treated and stabilized at Maui Memorial Medical Center, others with head trauma or severely injured or ill patients who will need treatment at tertiary hospitals in Honolulu will need rapid transport if the life of a patient is threatened and medical attention is needed within an hour of the incident. We call this the ‘golden hour.’

“This measure is a vehicle for the Department of Health to integrate emergency aeromedical services into statewide emergency medical services. The DOH will have oversight on any aeromedical services in the State.

“The County of Maui is a unique county unlike the other counties. We are made up of four islands, Maui, Moloka`i, Lana`i, and Kaho`olawe. We are separated by water. It is for this reason that the residents and visitors of Maui County are going to need a twin-engine helicopter because it needs to have the capacity to fly over water.

“Hawaii Air Ambulance currently provides air ambulance service on its fixed-wing airplanes. The company services the whole State of Hawaii. There is language in this bill that will assure Hawaii Air Ambulance that this emergency medical helicopter service will not compete with its services.

“Mayor Alan Arakawa from the County of Maui has made this emergency medical helicopter service his top priority and has committed in his budget \$550,000 as the County of Maui’s match for the emergency medical helicopter service. This amount was based on \$1.35M which is 40 percent and asking the State to subsidize 60 percent which the Big Island’s emergency medical helicopter services has set a precedence. The County of Hawaii has an emergency medical helicopter services which they pay 40 percent of the cost and the State subsidizes 60 percent.

“In regards to the Wailea Ground Ambulance and Kula Ground Ambulance, we need to provide 24-hour services in these areas and we intend to utilize their MICT to staff the medical helicopter when its service is needed. Wailea ground ambulance staff will be the first to respond and jump on the helicopter when appropriate. The Kula ground ambulance staff will be used as a back up for Wailea ground ambulance service. We are showing dual usage of staff so we are not just paying for a full-time qualified staff to wait around for the helicopter to respond to emergencies.

“This measure is vital for my district and for the County of Maui.”

Senator Tsutsui rose and said:

“Mr. President, I’d like to have comments inserted into the Journal.”

The Chair having so ordered, Senator Tsutsui’s remarks read as follows:

“For many of us living on the neighbor islands, timely access to medical service remains a major concern. It affects our decision about where we live, where we send our children to school, and how we plan for our growing families. House Bill 1182 offers to address some of our concerns by providing funds for immediate critical care and transportation of a patient requiring specialized medical care to an appropriate facility by rotary-winged aircraft.

“I can speak from personal experience about the need for emergency aeromedical service on Maui. A few years ago, my grandmother suffered a heart attack. After she was stabilized, the attending medical technician evaluated her condition and determined she required immediate medical care that was only available in Honolulu. With a helicopter on standby, my grandmother was immediately transported from her home to the doorsteps of a critical care unit of a Honolulu hospital. I am positive that the timeliness of the medical care she received is why she is still with us today.

“Based on my experience, as well as upon discussions with medical professionals and beneficiaries of emergency aeromedical services, I strongly support passage of H.B. No. 1182.”

Senator Baker rose as follows:

“Mr. President, I’d like to have comments inserted into the Journal.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of H.B. No. 1182, S.D. 2, which provides a mechanism for funding critically needed emergency medical services. To ensure that these necessary medical transport services are funded, this measure establishes an additional motor vehicle registration fee to help pay for these critical services. Many jurisdictions on the mainland use such fees for their EMS systems as well.

“Ensuring the health, safety and well-being of our citizens should be one of our government’s top priorities. When citizens are in need of emergency medical care, it is our responsibility to ensure that these services exist to save lives. When critical services require funding, we must examine all sensible methods for providing that funding. A significant amount of resources for emergency medical services are spent attending to persons injured on our roads. Thus it is reasonable to utilize the motor vehicle registration fee as a means to help pay for those services. The fees will be collected by the counties and will be used for critical EMS services.

“As I’ve noted previously, Maui County has been without emergency medical helicopter service since 1997. Since then, we on Maui, Molokai and Lanai have been trying to find a way to restore viable emergency medical helicopter service to our county. For the county’s four islands, emergency medical helicopter transport is a key component of an effective medical

rapid response and transport system for our county. Yet Maui County with a clear need for emergency medical helicopter service is without such service. This measure will re-establish that vital service, integrating ground, fixed and rotor transport services with our 911 system.

“In addition to the helicopter and ground ambulance needs we identified for Maui County, Oahu, particularly the Waianae Coast, and Hawaiian Ocean View Estates on the Big Island are in desperate need of additional ground ambulance services. Your Committees are aware that communities which merit an increase in services are growing. Vast distances, increased population, overcrowded roads, and outdated roads all contribute to a greater need for service, throughout the State.

“I want to thank the Ways and Means Committee, especially your Chair and Vice Chair, for assisting your Committee on Health to find a viable and prudent means of funding these crucial emergency services.

“H.B. No. 1182, S.D. 2 will enable us to take steps to address some very serious emergency medical service needs across our State. It carries the hopes of communities on Oahu, the Big Island, and Maui for adequate emergency medical service delivery. I urge my colleagues to join me to support this important measure.

“Mahalo.”

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I have to rise in opposition.

“The reason I have to rise in opposition is this bill establishes a new special fund. If we’re keeping count, this is about the eleventh one today – the emergency medical services special fund.

“I support the purposes of the bill. I support the appropriations, but I will not support the non-accountability of another special fund.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1428 was adopted and H.B. No. 1182, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, APRIL 4, 2003

Stand. Com. Rep. No. 1312 (S.C.R. No. 176, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 176, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO DISCONTINUE MILITARY BASE CLOSURES IN THE STATE OF HAWAII AND ESTABLISHING A BASE REALIGNMENT AND CLOSING COMMITTEE TO PRESERVE LOCAL BASES,” was adopted.

Stand. Com. Rep. No. 1313 (S.R. No. 124, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 124, S.D. 1, entitled: “SENATE RESOLUTION URGING THE U.S. CONGRESS TO DISCONTINUE MILITARY BASE CLOSURES IN THE STATE OF HAWAII AND ESTABLISHING A BASE REALIGNMENT AND CLOSING COMMITTEE TO PRESERVE LOCAL BASES,” was adopted.

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

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

Senate
Concurrent
Resolution Referred to:

No. 135 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture

RE-REFERRAL OF SENATE RESOLUTION

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

Senate
Resolution Referred to:

No. 89 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture

At 3:57 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:36 o’clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 273 to 333) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 273, informing the Senate that on April 3, 2003, she signed into law House Bill No. 1302 as Act 9, entitled: “RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,” was placed on file.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Board of Regents of the University of Hawai`i, the nomination of BYRON W. BENDER, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Board of Regents of the University of Hawai`i, the nomination of SHELTON G.W. JIM ON, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 276, submitting for consideration and confirmation to the Board of Regents of the University of Hawai`i, the nomination of TRENT K. KAKUDA, term to

expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 277, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of CATHERINE LAGARETA, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of EDWARD D. SULTAN, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 279, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of ALVIN TANAKA, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of ERIC D. WEINERT, term to expire June 30, 2005, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Board of Directors of the Aloha Tower Development Corporation, the nomination of SIDNEY A. QUINTAL, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 282, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of KAU'I ALAPA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 283, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of CHRISTOBAL J. QUINTANA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 284, submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, the nomination of WILLES LEE, term to expire June 30, 2004, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 285, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of CRAIG R. BENZEL, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 286, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of HUBERT MINN, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 287, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of CAPTAIN GERALD L. COFFEE, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 288, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of GARRY SMITH, term to expire June 30,

2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 289, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of GAE BERGQUIST-TROMMALD, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 290, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of RYAN S. USHIJIMA, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 291, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of JEFFREY K. MIYAZAWA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 292, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of DONNA P. BISHAW, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 293, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ELVIRA LEE, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 294, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of ANTHONY S. AKAMINE, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of RONALD AWA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of RICHARD R. CHAVES, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of SHARON FOUNTAIN, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of FRANCINE M. KENYON, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 299, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of LUCY MILLER PH.D., term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of PATRICIA NIELSEN, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Environmental Council, the nomination of SHAD S. KANE, term to expire June 30, 2004, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of COLIN KAALELE, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of MAHINA MARTIN, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 304, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of TRISH MORIKAWA, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nomination of THOMAS SINGLEHURST, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Statewide Independent Living Council, the nomination of DIANA C. TIZARD, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 307, submitting for consideration and confirmation to the Island Burial Council, Island of Hawai'i, the nomination of GAIL U. KELIIOA-SHERLOCK, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 308, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of DAVID A. KRUPP PH.D., term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 309, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of ROBIN GAY MAKAPAGAL, term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 310, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of WILLIAM D. SOUZA, term to expire June 30, 2006, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 311, submitting for consideration and confirmation to the Land Use Commission, the nomination of RAE MCCORKLE, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 312, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of WILFRED S. PANG, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 313, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of GEORGE W. MAIOHO, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 314, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of ROBERT I. CROWELL, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 315, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of DENNIS M. DUNN, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 316, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of MABEL FERREIRO-FUJIUCHI, term to expire June 30, 2004, was referred to the Committee on Education.

Gov. Msg. No. 317, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of STACY S.K. HIGA, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 318, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of SCOTT S. MORISHIGE, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 319, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of LEE A. ROMBAOA, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 320, submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, the nomination of RALPH STUEBER, term to expire June 30, 2004, was referred to the Committee on Education.

Gov. Msg. No. 321, submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, the nomination of CARL L. SIMONS, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 322, submitting for consideration and confirmation to the Real Estate Commission, the nomination of MARSHALL D. CHINEN, term to expire June 30, 2004, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 323, submitting for consideration and confirmation to the Board of Registration of the Island of Maui, Molokai, Lanai, and Kaho'olawe, the nomination of STEVE PFISTER, term to expire June 30, 2004, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 324, submitting for consideration and confirmation to the Rental Housing Trust Fund Advisory Commission, the nomination of BECKY L. HAYASHIDA, term to expire June 30, 2004, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 325, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, the nomination of JOELLE KANE, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 326, submitting for consideration and confirmation to the Hawai'i School-to-Work Executive Council, the nomination of NOBLEZA E. MAGSANOC, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 327, submitting for consideration and confirmation to the Hawai'i School-to-Work Executive Council, the nomination of ALBERT S. NISHIMURA, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 328, submitting for consideration and confirmation to the Hawai'i School-to-Work Executive Council, the nomination of KEVIN YOSHINO, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 329, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of DENISE WALKER, term to expire June 30, 2006, was referred to the Committee on Economic Development.

Gov. Msg. No. 330, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of ANNETTE MASUTANI, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 331, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of VICKI L. MORRISON, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 332, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of VAUGHN TOKASHIKI, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 333, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of KIYOKO Y. KIMURA, term to expire June 30, 2004, was referred to the Committee on Tourism.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1468) recommending that S.C.R. No. 20 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1468 and S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO DETERMINE THE COST-EFFECTIVENESS OF THEBUS AND A BUS RAPID TRANSIT SYSTEM," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1469) recommending that S.C.R. No. 101 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1469 and S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO

VETERANS OF WORLD WAR II," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1470) recommending that S.R. No. 70 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1470 and S.R. No. 70, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1471) recommending that S.C.R. No. 100 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1471 and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1472) recommending that S.R. No. 69 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1472 and S.R. No. 69, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Thursday, April 10, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1473) recommending that S.C.R. No. 44 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1473 and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES OF AMERICA TO ISSUE AN EXECUTIVE ORDER GRANTING FEDERAL VETERANS EQUITY BENEFITS AND SERVICES TO FILIPINO WORLD WAR II VETERANS, THEIR SPOUSES, AND THEIR CHILDREN," was deferred until Thursday, April 10, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1474) recommending that S.C.R. No. 195, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1474 and S.C.R. No. 195, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EXPLORATION OF THE FEASIBILITY OF CREATING PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE COST-EFFECTIVE HEALTH CARE SERVICES TO LOW INCOME AND MEDICAID-ELIGIBLE INDIVIDUALS AND GOVERNMENT EMPLOYEES," was deferred until Thursday, April 10, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1475) recommending that S.R. No. 135, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1475 and S.R. No. 135, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING EXPLORATION OF THE FEASIBILITY OF CREATING PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE COST-EFFECTIVE HEALTH CARE SERVICES TO LOW INCOME AND MEDICAID-ELIGIBLE INDIVIDUALS AND GOVERNMENT EMPLOYEES," was deferred until Thursday, April 10, 2003.

Senators Chun Oakland and Kanno, for the Committee on Human Services and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1476) recommending that S.C.R. No. 130, S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1476 and S.C.R. No. 130, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING AN AWARDS PROGRAM TO RECOGNIZE BUSINESSES WITH PARENT-FRIENDLY POLICIES," was deferred until Thursday, April 10, 2003.

Senators Sakamoto and Baker, for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1477) recommending that S.C.R. No. 124 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1477 and S.C.R. No. 124, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RURAL HEALTH SCIENCE CENTER AT THE UNIVERSITY OF HAWAII AT HILO," was deferred until Thursday, April 10, 2003.

Senators Sakamoto and Baker, for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1478) recommending that S.R. No. 83 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1478 and S.R. No. 83, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RURAL HEALTH SCIENCE CENTER AT THE UNIVERSITY OF HAWAII AT HILO," was deferred until Thursday, April 10, 2003.

Senators Kawamoto and Chun Oakland, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1479) recommending that H.C.R. No. 28 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1479 and H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO FULLY FUND THE MILLENNIUM CHALLENGE ACCOUNT AND INVOLVE WOMEN AS FULL AND ACTIVE PARTICIPANTS IN ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS IN THEIR NATIONS," was deferred until Thursday, April 10, 2003.

Senators English and Inouye, for the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1480) recommending that S.C.R. No. 125, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FISH AND WILDLIFE SERVICE TO REPORT TO THE LEGISLATURE THE BASIS FOR THE CURRENT CRITICAL HABITAT DESIGNATIONS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators English and Inouye, for the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1481) recommending that S.R. No. 84, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FISH AND WILDLIFE SERVICE TO REPORT TO THE LEGISLATURE THE BASIS FOR THE CURRENT CRITICAL HABITAT DESIGNATIONS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1482) recommending that S.C.R. No. 153, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION ON THE STATE AND COUNTIES' LAND USE POLICIES WITH REGARD TO SOLID WASTE MANAGEMENT PROGRAMS," was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1483) recommending that S.C.R. No. 55, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A BIOPROSPECTING ADVISORY COMMISSION TO DEVELOP A COMPREHENSIVE PLAN FOR THE PRESERVATION AND USE OF THE BIOLOGICAL DIVERSITY AND BIOLOGICAL RESOURCES OF THE TRUST LANDS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1484) recommending that S.R. No. 35, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 35, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A BIOPROSPECTING ADVISORY COMMISSION TO DEVELOP A COMPREHENSIVE PLAN FOR THE PRESERVATION AND USE OF THE BIOLOGICAL

DIVERSITY AND BIOLOGICAL RESOURCES OF THE TRUST LANDS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1485) recommending that S.C.R. No. 186, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 186, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR ESTABLISH AN ADVISORY COMMISSION TO ADVISE THE KAHO'OLAWA ISLAND RESERVE COMMISSION REGARDING THE TRANSFER OF KAHO'OLAWA FROM THE UNITED STATES NAVY TO THE STATE OF HAWAII AND REQUESTING AN AUDIT OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kawamoto and Inouye, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1486) recommending that S.R. No. 132, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 132, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE GOVERNOR ESTABLISH AN ADVISORY COMMISSION TO ADVISE THE KAHO'OLAWA ISLAND RESERVE COMMISSION REGARDING THE TRANSFER OF KAHO'OLAWA FROM THE UNITED STATES NAVY TO THE STATE OF HAWAII AND REQUESTING AN AUDIT OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION," was referred to the Committee on Judiciary and Hawaiian Affairs.

HOUSE COMMUNICATION

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

H.C.R. No. 216 (Hse. Com. No. 344):

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was deferred until Thursday, April 10, 2003.

SENATE RESOLUTION

The following resolution (S.R. No. 145) was read by the Clerk and was deferred:

Senate Resolution

No. 145 "SENATE RESOLUTION AMENDING SENATE RULE 24(3) TO REQUIRE A CONFERENCE COMMITTEE TO REPORT ON A MEASURE WHEN A MAJORITY OF COMMITTEE MEMBERS OF BOTH CHAMBERS CONCUR IN THE REPORT."

Offered by: Senators Baker, Hogue, Ihara, Slom, Chun Oakland, Hemmings, Hooser, Trimble, Fukunaga, Ige, Whalen.

RECONSIDERATION OF ACTION TAKEN

S.B. No. 1353 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 3, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1353, seconded by Senator Taniguchi.

Senator Ihara rose and said:

"We are considering S.B. No. 1353 and it's not on the Order of the Day. I know I have a miscellaneous communication. Is this considered part of the Order of the Day?"

The President replied:

"It is considered part of the Supplemental Order of the Day."

Senator Ihara continued:

"Then could I request that it be stapled with the Order of the Day then?"

The President answered: "Yes."

The motion was put by the Chair and carried.

Senator Chun Oakland then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1353, seconded by Senator Taniguchi.

Senator Chun Oakland noted:

"Mr. President, S.B. No. 1353, H.D. 1, appropriates emergency funds for the medical assistance program for reimbursement to its health providers and pays for related prescription expenses for the fiscal year 2002-2003.

"The House amendments are technical and non-substantive in scope."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1353, and S.B. No. 1353, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," was placed on the calendar for Final Reading on Thursday, April 10, 2003.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.C.R. No. 107 and S.R. No. 75.

Senator Kawamoto noted:

"Mr. President, these resolutions request a study to find solutions to the algae growth in the Capitol pools. The waiver is being requested in order to meet the concurrent resolution crossover deadline on Friday."

The Chair then granted the waiver.

Senator Taniguchi, Chair of the Committee on Ways and Means, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

S.C.R. No. 9;
S.C.R. No. 36;
S.C.R. No. 49;
S.C.R. No. 61;
S.C.R. No. 81;
S.C.R. No. 84;
S.C.R. No. 95;
S.C.R. No. 103;
S.C.R. No. 114;
S.C.R. No. 131;
S.C.R. No. 144;
S.C.R. No. 149;
S.C.R. No. 153;
S.R. No. 23;
S.R. No. 28;
S.R. No. 57;
S.R. No. 71;
S.R. No. 96; and
S.R. No. 101,

and the Chair granted the waiver.

ADJOURNMENT

At 4:48 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., Thursday, April 10, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FORTY-NINTH DAY

Thursday, April 10, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:58 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Jack Nordgren, Hope Chapel, after which the Roll was called showing all Senators present.

The President deferred the approval of the Journal of the Forty-Eighth Day until Friday, April 11, 2003.

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

Senator Fukunaga recognized and honored Brad Smith and Peter Milano for their uplifting efforts in promoting healing for the Children of 9/11 through their "Voices of Inspiration-The Healing Power of Music" endeavors. Representing Mr. Milano was Taimani Gardner. Accompanying the honorees was television producer Rick Korn.

Senator Aduja recognized and commended Army Senior Master Sergeant Albert Chang for his contributions in helping to temper the brutality of war by providing hope and inspiration for peace. Accompanying Mr. Chang was his wife, Jackie; his son, Kalana; his son-in-law, Alika Naluai; and a friend, Dr. Ishmael Stagner.

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 334, informing the Senate that on April 7, 2003, she signed into law Senate Bill No. 554 as Act 10, entitled: "RELATING TO BROWN TREE SNAKES," was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 406 to 508) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 406, returning S.B. No. 16, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 16, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 407, returning S.B. No. 17, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 17, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 408, returning S.B. No. 58, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 58, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 409, returning S.B. No. 78, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 78, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 410, returning S.B. No. 88, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 88, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 411, returning S.B. No. 209, S.D. 3, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 209, S.D. 3, and requested a conference on the subject matter thereof.

Hse. Com. No. 412, returning S.B. No. 248, S.D. 3, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 248, S.D. 3, and requested a conference on the subject matter thereof.

Hse. Com. No. 413, returning S.B. No. 254, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 254, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 414, returning S.B. No. 299, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 299, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 415, returning S.B. No. 317, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1492, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 494, returning S.B. No. 1496, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1496, and requested a conference on the subject matter thereof.

Hse. Com. No. 495, returning S.B. No. 1505, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1505, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 496, returning S.B. No. 1519, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1519, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 497, returning S.B. No. 1594, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1594, and requested a conference on the subject matter thereof.

Hse. Com. No. 498, returning S.B. No. 1619, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1619, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 499, returning S.B. No. 1621, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1621, and requested a conference on the subject matter thereof.

Hse. Com. No. 500, returning S.B. No. 1629, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1629, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 501, returning S.B. No. 1647, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1647, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 502, returning S.B. No. 1661, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1661, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 503, returning S.B. No. 1675, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1675, and requested a conference on the subject matter thereof.

Hse. Com. No. 504, returning S.B. No. 1700, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1700, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 505, returning S.B. No. 44, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 44, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 506, returning S.B. No. 459, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 459, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 507, returning S.B. No. 1426, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2003, was placed on file.

Hse. Com. No. 508, informing the Senate that the amendments proposed by the Senate to H.B. No. 1307, H.D. 1, were agreed to by the House and H.B. No. 1307, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 8, 2003, was placed on file.

STANDING COMMITTEE REPORTS

Senators Sakamoto and Kanno, for the Committee on Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1487) recommending that S.C.R. No. 183, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was

adopted and S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND EVALUATE THE TOTAL ANNUAL COMPENSATION PACKAGE OF HAWAII PUBLIC SCHOOL TEACHERS," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1488) recommending that S.C.R. No. 30, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1488 and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW PUBLICATIONS DESIGNED TO INFORM PARENTS AND GUARDIANS ABOUT WHAT THEIR CHILDREN ARE LEARNING IN LANGUAGE ARTS/READING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FROM KINDERGARTEN THROUGH GRADE SIX, AND IDENTIFY PARTNERS TO OBTAIN AND DISTRIBUTE A SERIES OF SUCH PUBLICATIONS," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1489) recommending that S.R. No. 18, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1489 and S.R. No. 18, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW PUBLICATIONS DESIGNED TO INFORM PARENTS AND GUARDIANS ABOUT WHAT THEIR CHILDREN ARE LEARNING IN LANGUAGE ARTS/READING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FROM KINDERGARTEN THROUGH GRADE SIX, AND IDENTIFY PARTNERS TO OBTAIN AND DISTRIBUTE A SERIES OF SUCH PUBLICATIONS," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1490) recommending that S.C.R. No. 52, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1490 and S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A 2003 INTERIM JOINT LEGISLATIVE STUDY GROUP TO CONTINUE DIALOGUE ON PUBLIC SCHOOL REFORM ISSUES," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1491) recommending that S.R. No. 32, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1491 and S.R. No. 32, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A 2003 INTERIM LEGISLATIVE STUDY GROUP TO CONTINUE DIALOGUE ON PUBLIC SCHOOL REFORM ISSUES," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1492) recommending that S.C.R. No. 57, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1492 and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON THE COSTS OF AND REVENUES GENERATED FROM ADULT AND COMMUNITY EDUCATION PROGRAMS AND THE

STATUS OF THE ADOPTION OF STATE STANDARDS AND OUTCOME MEASURES FOR THESE PROGRAMS," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1493) recommending that S.R. No. 37, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1493 and S.R. No. 37, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON THE COSTS OF AND REVENUES GENERATED FROM ADULT AND COMMUNITY EDUCATION PROGRAMS AND THE STATUS OF THE ADOPTION OF STATE STANDARDS AND OUTCOME MEASURES FOR THESE PROGRAMS," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1494) recommending that S.C.R. No. 92, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1494 and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE GATHERING AND ANALYZING OF LONGITUDINAL DATA ON STUDENT ACHIEVEMENT AND THE SUBMISSION OF AN ANNUAL REPORT," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1495) recommending that S.R. No. 65, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1495 and S.R. No. 65, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE GATHERING AND ANALYZING OF LONGITUDINAL DATA ON STUDENT ACHIEVEMENT AND THE SUBMISSION OF AN ANNUAL REPORT," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1496) recommending that S.C.R. No. 146, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1496 and S.C.R. No. 146, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STRATEGIC PLAN TO ADDRESS THE FUTURE OF PUBLIC AND SCHOOL LIBRARIES," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1497) recommending that S.R. No. 98, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1497 and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A STRATEGIC PLAN TO ADDRESS THE FUTURE OF PUBLIC AND SCHOOL LIBRARIES," was deferred until Friday, April 11, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1498) recommending that S.C.R. No. 88 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1498 and S.C.R. No. 88, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE LEVEL OF LIGHT POLLUTION IN THE STATE OF HAWAII AND DEVELOP A STRATEGY FOR REDUCING THE AMOUNT OF ELECTRICITY BEING CONSUMED BY EXCESS ILLUMINATION," was deferred until Friday, April 11, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1499) recommending that S.R. No. 62 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1499 and S.R. No. 62, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE LEVEL OF LIGHT POLLUTION IN THE STATE OF HAWAII AND DEVELOP A STRATEGY FOR REDUCING THE AMOUNT OF ELECTRICITY BEING CONSUMED BY EXCESS ILLUMINATION," was deferred until Friday, April 11, 2003.

Senators English and Inouye, for the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1500) recommending that S.C.R. No. 157, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1500 and S.C.R. No. 157, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS," was deferred until Friday, April 11, 2003.

Senators English and Inouye, for the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1501) recommending that S.R. No. 106, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1501 and S.R. No. 106, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS," was deferred until Friday, April 11, 2003.

Senators English and Inouye, for the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1502) recommending that S.C.R. No. 166 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1502 and S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION URGING A JOINT EFFORT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STOP THE IMPORTATION OF ALIEN AQUATIC ORGANISMS THAT COULD BECOME INVASIVE," was deferred until Friday, April 11, 2003.

Senators English and Inouye, for the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1503) recommending that S.R. No. 115 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1503 and S.R. No. 115, entitled: "SENATE RESOLUTION URGING A JOINT EFFORT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STOP THE IMPORTATION OF ALIEN AQUATIC ORGANISMS THAT COULD BECOME INVASIVE," was deferred until Friday, April 11, 2003.

Senators English and Fukunaga, for the Committee on Energy and Environment and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1504) recommending that S.C.R. No. 205 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1504 and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR PROMOTING HAWAII AS A RESEARCH AND DEVELOPMENT CENTER FOR HYDROGEN FUEL CELL ENERGY," was deferred until Friday, April 11, 2003.

Senators Fukunaga and Inouye, for the Committee on Economic Development and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1505) recommending that S.C.R. No. 73, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1505 and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EXAMINATION OF THE FEASIBILITY OF DEDICATING A PORTION OF GENERAL EXCISE TAX REVENUES FROM OCEAN RECREATION BUSINESSES TO THE STATEWIDE BOATING PROGRAM," was deferred until Friday, April 11, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1506) recommending that S.C.R. No. 76, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1506 and S.C.R. No. 76, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS REGULATORY REVIEW BOARD TO DEVELOP AND FORMULATE A SMALL BUSINESS BILL OF RIGHTS FOR CONSIDERATION DURING THE 2004 LEGISLATURE," was deferred until Friday, April 11, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1507) recommending that S.R. No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1507 and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS REGULATORY REVIEW BOARD TO DEVELOP AND FORMULATE A SMALL BUSINESS BILL OF RIGHTS FOR CONSIDERATION DURING THE 2004 LEGISLATURE," was deferred until Friday, April 11, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1508)

recommending that S.C.R. No. 98, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1508 and S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING AN ECONOMIC SUMMIT," was deferred until Friday, April 11, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1509) recommending that S.R. No. 67, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1509 and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION CONVENING AN ECONOMIC SUMMIT," was deferred until Friday, April 11, 2003.

Senators Menor and Chun Oakland, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1510) recommending that S.C.R. No. 75, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1510 and S.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE STATE'S ACTION PLAN TO ADDRESS CHRONIC HOMELESSNESS IN HAWAII," was deferred until Friday, April 11, 2003.

Senators Baker and Ige, for the Committee on Health and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1511) recommending that S.C.R. No. 108 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1511 and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF AN INFORMATION TECHNOLOGY COLLABORATIVE TO SUPPORT THE INCREASED USE OF INFORMATION TECHNOLOGY BY HAWAII PHYSICIANS," was deferred until Friday, April 11, 2003.

Senators Ige and Sakamoto, for the Committee on Science, Arts, and Technology and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1512) recommending that S.C.R. No. 79 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1512 and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was deferred until Friday, April 11, 2003.

Senators Ige and Sakamoto, for the Committee on Science, Arts, and Technology and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1513) recommending that S.R. No. 54 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1513 and S.R. No. 54, entitled: "SENATE RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was deferred until Friday, April 11, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1514) recommending that S.C.R. No. 109, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1514 and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT ON THE CURRENT USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT AND THE ADOPTION OF A STATE POLICY SUPPORTING USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT OPERATIONS," was deferred until Friday, April 11, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1515) recommending that S.R. No. 76, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1515 and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE CURRENT USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT AND THE ADOPTION OF A STATE POLICY SUPPORTING USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT OPERATIONS," was deferred until Friday, April 11, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1516) recommending that S.C.R. No. 163, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1516 and S.C.R. No. 163, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A 'STATE CAPITOL WORKS OF ART BY STUDENTS' PROJECT TO DISPLAY STUDENT WORKS OF ART ON THE WALLS OF THE STATE CAPITOL," was deferred until Friday, April 11, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1517) recommending that S.R. No. 112, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1517 and S.R. No. 112, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A 'STATE CAPITOL WORKS OF ART BY STUDENTS' PROJECT TO DISPLAY STUDENT WORKS OF ART ON THE WALLS OF THE STATE CAPITOL," was deferred until Friday, April 11, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1518) recommending that S.C.R. No. 17 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1518 and S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A TASK FORCE TO RE-EVALUATE THE PLACEMENT OF THE OFFICE OF THE PUBLIC GUARDIAN," was deferred until Friday, April 11, 2003.

Senators Hanabusa and Inouye, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1519) recommending that S.C.R. No. 135, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1519 and S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE DEPARTMENT OF LAND AND NATURAL

RESOURCES REGARDING COMPLIANCE WITH ACT 150, SESSION LAWS OF HAWAII 1990," was deferred until Friday, April 11, 2003.

Senators Hanabusa and Inouye, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1520) recommending that S.R. No. 89, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1520 and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES REGARDING COMPLIANCE WITH ACT 150, SESSION LAWS OF HAWAII 1990," was deferred until Friday, April 11, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1521) recommending that S.C.R. No. 155, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1521 and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING ALTERNATIVE DISPUTE RESOLUTION TO COMPLETE THE ASSESSMENT AND SETTLEMENT OF NATIVE HAWAIIAN INDIVIDUAL TRUST CLAIMS," was deferred until Friday, April 11, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1522) recommending that S.R. No. 103, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1522 and S.R. No. 103, S.D. 1, entitled: "SENATE RESOLUTION URGING ALTERNATIVE DISPUTE RESOLUTION TO COMPLETE THE ASSESSMENT AND SETTLEMENT OF NATIVE HAWAIIAN INDIVIDUAL TRUST CLAIMS," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1523) recommending that S.C.R. No. 145, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1523 and S.C.R. No. 145, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CRITERIA FOR ALLOCATING ALL STAFF POSITIONS AND TO ALIGN VICE-PRINCIPAL AND OTHER STAFF RESOURCES TO SUPPORT COMPLEX-BASED MANAGEMENT," was deferred until Friday, April 11, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1524) recommending that S.R. No. 97, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1524 and S.R. No. 97, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CRITERIA FOR ALLOCATING ALL STAFF POSITIONS AND TO ALIGN VICE-PRINCIPAL AND OTHER STAFF RESOURCES TO SUPPORT COMPLEX-BASED MANAGEMENT," was deferred until Friday, April 11, 2003.

Senators Fukunaga and Kanno, for the Committee on Economic Development and the Committee on Labor, presented

a joint report of the majority of the Committees (Stand. Com. Rep. No. 1525) recommending that S.C.R. No. 6, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1525 and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," was deferred until Friday, April 11, 2003.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1526) recommending that S.C.R. No. 39, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1526 and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO IDENTIFY ALTERNATIVE FUNDING SOURCES FOR HAWAII FILMMAKERS," was deferred until Friday, April 11, 2003.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1527) recommending that S.R. No. 25, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1527 and S.R. No. 25, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO IDENTIFY ALTERNATIVE FUNDING SOURCES FOR HAWAII FILMMAKERS," was deferred until Friday, April 11, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1528) recommending that S.C.R. No. 196, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1528 and S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UPDATE ITS REPORT ON HAWAII'S FILM INDUSTRY, 'A ROAD MAP: THE FILM INDUSTRY'S POTENTIAL AND HOW TO GET THERE'," was deferred until Friday, April 11, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1529) recommending that S.R. No. 136, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1529 and S.R. No. 136, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UPDATE ITS REPORT ON HAWAII'S FILM INDUSTRY, 'A ROAD MAP: THE FILM INDUSTRY'S POTENTIAL AND HOW TO GET THERE'," was deferred until Friday, April 11, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1530) recommending that S.C.R. No. 56, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1530 and S.C.R. No. 56, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT," was deferred until Friday, April 11, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1531) recommending that S.R. No. 36, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1531 and S.R. No. 36, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT," was deferred until Friday, April 11, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1532) recommending that S.C.R. No. 105, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1532 and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ARMY, AIR FORCE, AND NAVY TO SELECT A CONTRACTOR WITH LOCAL PARTNERS AND A HISTORY OF DOING BUSINESS IN HAWAII FOR THE RESIDENTIAL COMMUNITIES INITIATIVE," was deferred until Friday, April 11, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1533) recommending that S.R. No. 73, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1533 and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES ARMY, AIR FORCE, AND NAVY TO SELECT A CONTRACTOR WITH LOCAL PARTNERS AND A HISTORY OF DOING BUSINESS IN HAWAII FOR THE RESIDENTIAL COMMUNITIES INITIATIVE," was deferred until Friday, April 11, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1534) recommending that S.C.R. No. 111, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1534 and S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE SUBMERGED AND TIDAL LANDS OF THE HONOKOHAU SMALL BOAT HARBOR THROUGH MANAGED COMPETITION FOR COMMERCIAL,

RECREATIONAL, EDUCATIONAL, AND RESEARCH PURPOSES," was deferred until Friday, April 11, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1535) recommending that S.C.R. No. 203 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1535 and S.C.R. No. 203, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WINDWARD AHUPUA`A ALLIANCE TO RESTORE, PRESERVE, AND PROMOTE ACCESS TO THE MAUKA LANDS ALONG THE KO`OLAU MOUNTAIN RANGE AND ITS KO`OLAU GREENBELT AND HERITAGE TRAILS SYSTEM," was deferred until Friday, April 11, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1536) recommending that S.R. No. 143 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1536 and S.R. No. 143, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WINDWARD AHUPUA`A ALLIANCE TO RESTORE, PRESERVE, AND PROMOTE ACCESS TO THE MAUKA LANDS ALONG THE KO`OLAU MOUNTAIN RANGE AND ITS KO`OLAU GREENBELT AND HERITAGE TRAILS SYSTEM," was deferred until Friday, April 11, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1537) recommending that S.C.R. No. 202 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1537 and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PERPETUATION OF THE AHUPUA`A DISTRICTS FOR GOVERNMENT-OWNED LANDS," was deferred until Friday, April 11, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1538) recommending that S.R. No. 142 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1538 and S.R. No. 142, entitled: "SENATE RESOLUTION REQUESTING THE PERPETUATION OF THE AHUPUA`A DISTRICTS FOR GOVERNMENT-OWNED LANDS," was deferred until Friday, April 11, 2003.

Senators Fukunaga and Baker, for the Committee on Economic Development and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1539) recommending that S.C.R. No. 41, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1539 and S.C.R. No. 41, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST IN THE ACCOMMODATION OF PLASMA FACILITIES IN THE STATE," was deferred until Friday, April 11, 2003.

Senators Sakamoto and Hanabusa, for the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1540) recommending that S.C.R. No. 184, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1540 and S.C.R. No. 184, S.D. 1, entitled: "SENATE

CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY DRUG TESTING IN SCHOOLS," was deferred until Friday, April 11, 2003.

Senators Sakamoto and Hanabusa, for the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1541) recommending that S.R. No. 130, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1541 and S.R. No. 130, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A TASK FORCE TO STUDY DRUG TESTING IN SCHOOLS," was deferred until Friday, April 11, 2003.

Senators Kawamoto and Sakamoto, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1542) recommending that S.C.R. No. 107, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1542 and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO FIND SOLUTIONS TO THE ALGAE GROWTH IN THE CAPITOL POOLS," was deferred until Friday, April 11, 2003.

Senators Kawamoto and Sakamoto, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1543) recommending that S.R. No. 75, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1543 and S.R. No. 75, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO FIND SOLUTIONS TO THE ALGAE GROWTH IN THE CAPITOL POOLS," was deferred until Friday, April 11, 2003.

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1544) recommending that S.C.R. No. 40, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1544 and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ESTABLISHING A PHOTO RED LIGHT ENFORCEMENT PILOT PROJECT TO ENHANCE PEDESTRIAN SAFETY," was deferred until Friday, April 11, 2003.

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1545) recommending that S.R. No. 26, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1545 and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ESTABLISHING A PHOTO RED LIGHT ENFORCEMENT PILOT PROJECT TO ENHANCE PEDESTRIAN SAFETY," was deferred until Friday, April 11, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1546) recommending that the Senate advise and consent to the nomination of JOHN F. PEYTON JR. as Director of the Department of Public Safety, in accordance with Gov. Msg. No. 227.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1546 and Gov. Msg. No. 227 was deferred until Friday, April 11, 2003.

ORDER OF THE DAY

APPROVAL OF JOURNAL

MATTER DEFERRED FROM TUESDAY, APRIL 8, 2003

The President deferred the approval of the Journal of the Senate of the Forty-Seventh Day until Friday, April 11, 2003.

HOUSE COMMUNICATION

MATTER DEFERRED FROM TUESDAY, APRIL 8, 2003

H.C.R. No. 216 (Hse. Com. No. 344):

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was deferred until Friday, April 11, 2003.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, APRIL 8, 2003

The President made the following committee assignments of House concurrent resolutions that were received on Tuesday, April 8, 2003:

House Concurrent Resolution	Referred to:
No. 29	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health
No. 32	Committee on Transportation, Military Affairs, and Government Operations
No. 63, H.D. 1	Committee on Transportation, Military Affairs, and Government Operations
No. 192, H.D. 1	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Tourism

THIRD READING

H.B. No. 133, H.D. 1, S.D. 3:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, H.B. No. 133, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1225, S.D. 2:

Senator Taniguchi moved that H.B. No. 1225, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Fukunaga rose to speak in opposition to the measure and said:

“Mr. President, I rise to speak in opposition to this bill.

“Colleagues, we talked a little bit about the impact of this bill as it related to the amendment that was put forward on Tuesday. I would like to point out one other thing that wasn’t covered in the floor discussions on Tuesday, and that is that Act 221 is very generous to R&D companies. Because the credit is refundable, businesses don’t even need a tax bill for the government to pay them 1/5 of their research credits. But the Governor has not made any kind of public attempt to weigh the benefits of trying to stimulate high tech research.

“Tech advocates have argued, with some logic on their side, that the money the government pays out in R&D credits could help generate additional high tech spending, therefore generating more income and perhaps even more excise taxes. These amounts may even be enough to break even on the research tax credit.

“At this point, we really don’t know. So, to wipe out something that potentially has such a potentially large impact in growing Hawaii’s business, seems to be really a very foolhardy step to take. Unfortunately, we don’t have the facts before us, and so, for those reasons, I urge you to vote ‘no’ on this measure.

“Thank you.”

Senator Trimble rose to speak in opposition and said:

“Mr. President, I also rise in opposition to this measure.

“The second point that needs to be considered is that when we adopt a policy, we should adopt and take a continuous position in support of that policy until we have sufficient time to let it run its course. When we adopted or (actually, it was before I was in this body) when you adopted Act 221, you set up an experiment that was designed to run five years. It has not run its course. I think it’s important that we continue the experiment before we walk away and say it’s not something we want to do.

“I really wanted to rise and speak against this bill twice and in favor of it once.

“The second reason for voting against this bill is the types of people that we want to attract to move to Hawaii and to continue living in Hawaii are the types of people that would look at this law and say, when we de-couple the inheritance tax of the state and the federal government and no longer continue forward, then you will be taxing people that are more affluent more than other states would do. These are the types of people that would seek to make the investments that Act 221 is seeking to encourage them to do.

“So, for those two reasons, I urge my colleagues to oppose this measure. Thank you.”

Senator Ige rose in opposition to the measure as follows:

“Mr. President, I also rise to speak in opposition to this measure.

“In addition to all of the other comments I’ve made, I’d just would like to reiterate that there are several significant portions of this measure that have not received a single public hearing in either the House or the Senate. And as you are aware, we are two-thirds way through the process and there are no opportunities for any more public hearings from this point on.

“So, if in fact these provisions are successful in being included in something that is presented for Final Reading, these significant tax changes will not have had a single public hearing in either the House or the Senate, and yet they will be adopted.

“For those reasons, I urge my colleagues to vote in opposition to this measure.”

Senator Taniguchi rose and said:

“Mr. President, I rise in favor of this bill with reservations and just wanted to note my reservations to parts of this bill. Thank you.”

Senator Hogue rose to speak in support of the measure with reservations and said:

“Mr. President, I rise, also, in support of this bill with reservations.

“I think that there are some good things about this particular bill because it closes a loophole. We’ve talked a lot about unintended consequences, and that is obviously what has happened here, that this body wanted the intended consequences of helping a part of our economy to stimulate that part of the economy, and it’s been well documented that there have been unintended consequences. This will close that particular loophole because the law will not be so liberally interpreted.

“My reservations have to do with the fact that it has been put forward in a particular bill which, although not onerous, is not a bill that I would have supported. I am dismayed that it has been put forward in this kind of a vehicle. So I will vote right now support with reservations.

“Thank you, Mr. President.”

Senator Espero rose and said:

“Mr. President, please note my vote with reservations. Thank you.”

The Chair so ordered.

Senators Menor, Aduja, Slom and Kokubun requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1225, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF TAXES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Baker, Chun Oakland, Fukunaga, Hooser, Ige, Ihara, Trimble, Whalen).

FINAL READING

S.B. No. 1353, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1353, and S.B. No. 1353, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADOPTION OF RESOLUTIONS**MATTERS DEFERRED FROM
TUESDAY, APRIL 8, 2003**

Stand. Com. Rep. No. 1440 (S.C.R. No. 35):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 35, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE COUNTY OF HAWAII, TO REVIEW THE CAUSES OF MOTOR VEHICLE COLLISIONS AT THE INTERSECTION OF HIGHWAY 11 AND THE ENTRY ROAD TO THE TOWN OF PAHALA AND MAKE ANY NECESSARY IMPROVEMENTS TO LESSEN THE RISK OF ACCIDENTS," was adopted.

Stand. Com. Rep. No. 1441 (S.R. No. 22):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 22, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION WITH THE COUNTY OF HAWAII, TO REVIEW THE CAUSES OF MOTOR VEHICLE COLLISIONS AT THE INTERSECTION OF HIGHWAY 11 AND THE ENTRY ROAD TO THE TOWN OF PAHALA AND MAKE ANY NECESSARY IMPROVEMENTS TO LESSEN THE RISK OF ACCIDENTS," was adopted.

Stand. Com. Rep. No. 1442 (S.C.R. No. 66):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was adopted.

Stand. Com. Rep. No. 1443 (S.C.R. No. 99):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TRAFFIC ADVISORY TASK FORCE TO STUDY OAHU TRAFFIC CONGESTION ISSUES AND RECOMMEND SOLUTIONS," was adopted.

Stand. Com. Rep. No. 1444 (S.R. No. 68):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TRAFFIC ADVISORY TASK FORCE TO STUDY OAHU TRAFFIC CONGESTION ISSUES AND RECOMMEND SOLUTIONS," was adopted.

Stand. Com. Rep. No. 1445 (S.C.R. No. 110, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLANDS OF HAWAII AND OAHU," was adopted.

Stand. Com. Rep. No. 1446 (S.R. No. 77, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 77, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLANDS OF HAWAII AND OAHU," was adopted.

Stand. Com. Rep. No. 1447 (S.C.R. No. 132, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO LAUNCH A RENEWED PUBLIC EDUCATIONAL CAMPAIGN ON THE DANGERS OF CRYSTAL METHAMPHETAMINE," was adopted.

Stand. Com. Rep. No. 1448 (S.R. No. 86, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO LAUNCH A RENEWED PUBLIC EDUCATIONAL CAMPAIGN ON THE DANGERS OF CRYSTAL METHAMPHETAMINE," was adopted.

Stand. Com. Rep. No. 1449 (S.C.R. No. 143, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 143, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE PACIFIC HEALTH CENTER MASTER PLAN," was adopted.

Stand. Com. Rep. No. 1450 (S.R. No. 95, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 95, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE PACIFIC HEALTH CENTER MASTER PLAN," was adopted.

Stand. Com. Rep. No. 1451 (S.C.R. No. 172):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 172, entitled: "SENATE

CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF A SELF-DETERMINATION DEMONSTRATION PROJECT USING CONSUMER-DIRECTED APPROACHES," was adopted.

Stand. Com. Rep. No. 1452 (S.R. No. 120):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 120, entitled: "SENATE RESOLUTION SUPPORTING THE DEVELOPMENT OF A SELF-DETERMINATION DEMONSTRATION PROJECT USING CONSUMER-DIRECTED APPROACHES," was adopted.

Stand. Com. Rep. No. 1453 (S.C.R. No. 175):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 175, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT BY THE PATIENT SAFETY TASK FORCE OF THE HEALTHCARE ASSOCIATION OF HAWAII," was adopted.

Stand. Com. Rep. No. 1454 (S.R. No. 123):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 123, entitled: "SENATE RESOLUTION REQUESTING A REPORT BY THE PATIENT SAFETY TASK FORCE OF THE HEALTHCARE ASSOCIATION OF HAWAII," was adopted.

Stand. Com. Rep. No. 1455 (S.C.R. No. 90):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF AND RECOMMENDATIONS ON POLICIES TO ALIGN WORKFORCE DEVELOPMENT EDUCATION TO RESPOND TO ECONOMIC AND WORKFORCE NEEDS," was adopted.

Stand. Com. Rep. No. 1456 (S.C.R. No. 78):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEMWIDE SENIOR CITIZEN VISITOR PROGRAM," was adopted.

Stand. Com. Rep. No. 1457 (S.R. No. 53):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEMWIDE SENIOR CITIZEN VISITOR PROGRAM," was adopted.

Stand. Com. Rep. No. 1458 (S.C.R. No. 45, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENDORSING THE GOOD BEGINNINGS INTERDEPARTMENTAL COUNCIL'S SCHOOL READINESS TASK FORCE'S HAWAII STATE PRESCHOOL CONTENT STANDARDS," was adopted.

Stand. Com. Rep. No. 1459 (S.C.R. No. 113):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ALLOCATION OF RESOURCES TO ENSURE MEANINGFUL LANGUAGE ACCESS FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY TO FEDERALLY-ASSISTED PROGRAMS AND SERVICES, AS REQUIRED BY FEDERAL LAW," was adopted.

Stand. Com. Rep. No. 1460 (S.C.R. No. 199):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONSIDERATION OF STRATEGIC PARTNERSHIPS WITH NON-PROFIT ENTITIES TO ENHANCE SELECTED PARK PROPERTIES WHILE APPLYING A COMMUNITY-BASED CULTURAL TOURISM MODEL," was adopted.

Stand. Com. Rep. No. 1461 (S.R. No. 139):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 139, entitled: "SENATE RESOLUTION REQUESTING THE CONSIDERATION OF STRATEGIC PARTNERSHIPS WITH NON-PROFIT ENTITIES TO ENHANCE SELECTED PARK PROPERTIES WHILE APPLYING A COMMUNITY-BASED CULTURAL TOURISM MODEL," was adopted.

Stand. Com. Rep. No. 1462 (S.C.R. No. 46, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 46, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT AN EDUCATIONAL BRIEFING ON HAWAII'S MARKETS FOR WOOD WASTE," was adopted.

Stand. Com. Rep. No. 1463 (S.C.R. No. 54):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION CREATING A WORKING GROUP OF REPRESENTATIVES FROM HAWAIIAN ORGANIZATIONS, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE DEPARTMENT OF HEALTH TO FORM A COALITION TO PROVIDE BETTER ACCESS TO STATE VITAL STATISTICS RECORDS," was adopted.

Stand. Com. Rep. No. 1464 (S.R. No. 34):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 34, entitled: "SENATE RESOLUTION CREATING A WORKING GROUP OF REPRESENTATIVES FROM HAWAIIAN ORGANIZATIONS, THE DEPARTMENT OF HAWAIIAN HOME LANDS, AND THE DEPARTMENT OF HEALTH TO FORM A COALITION TO PROVIDE BETTER ACCESS TO STATE VITAL STATISTICS RECORDS," was adopted.

Stand. Com. Rep. No. 1465 (S.C.R. No. 85):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 85, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE ANAHOLA HOMESTEADERS COUNCIL IN DEVELOPING THE PROJECT FAITH MULTI-PURPOSE COMMUNITY CENTER IN ANAHOLA, KAUA'I," was adopted.

Stand. Com. Rep. No. 1466 (S.R. No. 59):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 59, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE ANAHOLA HOMESTEADERS COUNCIL IN DEVELOPING THE PROJECT FAITH MULTI-PURPOSE COMMUNITY CENTER IN ANAHOLA, KAUA'I," was adopted.

Stand. Com. Rep. No. 1467 (S.C.R. No. 89, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 89, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON REAL PROPERTY LEASES," was adopted.

Stand. Com. Rep. No. 1468 (S.C.R. No. 20):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO DETERMINE THE COST-EFFECTIVENESS OF THEBUS AND A BUS RAPID TRANSIT SYSTEM," was adopted.

Stand. Com. Rep. No. 1469 (S.C.R. No. 101):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1470 (S.R. No. 70):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 70, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1471 (S.C.R. No. 100):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1472 (S.R. No. 69):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.R. No. 69, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1473 (S.C.R. No. 44):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES OF AMERICA TO ISSUE AN EXECUTIVE ORDER GRANTING FEDERAL VETERANS EQUITY BENEFITS AND SERVICES TO FILIPINO WORLD WAR II VETERANS, THEIR SPOUSES, AND THEIR CHILDREN," was adopted.

Stand. Com. Rep. No. 1474 (S.C.R. No. 195, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 195, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EXPLORATION OF THE FEASIBILITY OF CREATING PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE COST-EFFECTIVE HEALTH CARE SERVICES TO LOW INCOME AND MEDICAID-ELIGIBLE INDIVIDUALS AND GOVERNMENT EMPLOYEES," was adopted.

Stand. Com. Rep. No. 1475 (S.R. No. 135, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 135, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING EXPLORATION OF THE FEASIBILITY OF CREATING PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE COST-EFFECTIVE HEALTH CARE SERVICES TO LOW INCOME AND MEDICAID-ELIGIBLE INDIVIDUALS AND GOVERNMENT EMPLOYEES," was adopted.

Stand. Com. Rep. No. 1476 (S.C.R. No. 130, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 130, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING AN AWARDS PROGRAM TO RECOGNIZE BUSINESSES WITH PARENT-FRIENDLY POLICIES," was adopted.

Stand. Com. Rep. No. 1477 (S.C.R. No. 124):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 124, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RURAL HEALTH SCIENCE CENTER AT THE UNIVERSITY OF HAWAII AT HILO," was adopted.

Stand. Com. Rep. No. 1478 (S.R. No. 83):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 83, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RURAL HEALTH SCIENCE CENTER AT THE UNIVERSITY OF HAWAII AT HILO," was adopted.

Stand. Com. Rep. No. 1479 (H.C.R. No. 28):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO FULLY FUND THE MILLENNIUM CHALLENGE ACCOUNT AND INVOLVE WOMEN AS FULL AND ACTIVE PARTICIPANTS IN ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS IN THEIR NATIONS," was adopted.

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

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

Senate
Concurrent
Resolution Referred to:

No. 116, S.D. 1 Jointly to the Committee on Health and
the Committee on Human Services

ADOPTION OF RESOLUTION

**MATTER DEFERRED FROM
TUESDAY, APRIL 8, 2003**

S.R. No. 145:

Senator Baker moved that S.R. No. 145 be adopted, seconded by Senator Hogue.

At 12:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

Senator Baker rose at this time and said:

"May I ask that S.R. No. 145 be filed?"

The Chair so ordered.

By unanimous consent, S.R. No. 145, entitled: "SENATE RESOLUTION AMENDING SENATE RULE 24(3) TO REQUIRE A CONFERENCE COMMITTEE TO REPORT ON A MEASURE WHEN A MAJORITY OF COMMITTEE MEMBERS OF BOTH CHAMBERS CONCUR IN THE REPORT," was placed on file.

SENATE RESOLUTION

The following resolution (S.R. No. 146) was read by the Clerk and was deferred:

Senate Resolution

No. 146 "SENATE RESOLUTION AMENDING SENATE RULE 24(3) TO REQUIRE A CONFERENCE COMMITTEE TO REPORT ON A MEASURE WHEN A MAJORITY OF COMMITTEE MEMBERS OF BOTH CHAMBERS CONCUR IN THE REPORT."

Offered by: Senators Baker, Trimble, Hooser,
Fukunaga, Ige, Slom, Chun Oakland, Ihara, Hemmings,
Whalen.

RECONSIDERATION OF ACTIONS TAKEN

S.C.R. No. 55, S.D. 1:

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested that the referral of S.C.R. No. 55, S.D. 1, to the Committee on Judiciary and Hawaiian Affairs be waived, and the Chair granted the waiver.

Senator Inouye moved that the Senate reconsider its action taken on April 8, 2003, in adopting Stand. Com. Rep. No. 1483, seconded by Senator Ige and carried.

Senator Inouye moved that the Stand. Com. Rep. No. 1483 be received and placed on file, seconded by Senator Ige and carried.

By unanimous consent, S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A BIOPROSPECTING ADVISORY COMMISSION TO DEVELOP A COMPREHENSIVE PLAN FOR THE PRESERVATION AND USE OF THE BIOLOGICAL DIVERSITY AND BIOLOGICAL RESOURCES OF THE TRUST LANDS," was placed on the calendar for Adoption on Friday, April 11, 2003.

S.C.R. No. 125, S.D. 1:

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested that the referral of S.C.R. No. 125, S.D. 1, to the Committee on Judiciary and Hawaiian Affairs be waived, and the Chair granted the waiver.

Senator English moved that the Senate reconsider its action taken on April 8, 2003, in adopting Stand. Com. Rep. No. 1480, seconded by Senator Inouye and carried.

Senator English moved that Stand. Com. Rep. No. 1480 be received and placed on file, seconded by Senator Inouye and carried.

By unanimous consent, S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FISH AND WILDLIFE SERVICE TO REPORT TO THE LEGISLATURE THE BASIS FOR THE CURRENT CRITICAL HABITAT DESIGNATIONS," was placed on the calendar for Adoption on Friday, April 11, 2003.

S.B. No. 843, S.D. 1 (H.D. 2):

Senator English moved that the Senate reconsider its action taken on April 4, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 843, S.D. 1, seconded by Senator Hanabusa and carried.

Senator English moved that the Senate agree to the amendments proposed by the House to S.B. No. 843, S.D. 1, seconded by Senator Hanabusa.

Senator English noted:

"Mr. President, members, the House has included in this measure, which is the critical habitat measure, a tailored authorization of citizen suits against state and county agencies only. It has expanded the definition of landowner to include government owned lands, and changed the majority to a two-thirds majority that's needed to override the agency's decision of the Legislature."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No.

843, S.D. 1, and S.B. No. 843, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS," was placed on the calendar for Final Reading on Friday, April 11, 2003.

S.B. No. 1139, S.D. 1 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1139, S.D. 1, seconded by Senator Taniguchi and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1139, S.D. 1, seconded by Senator Taniguchi.

Senator Hanabusa noted:

"Mr. President, the amendments made by the House are basically technical in nature."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1139, S.D. 1, and S.B. No. 1139, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was placed on the calendar for Final Reading on Friday, April 11, 2003.

S.B. No. 1154 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1154, seconded by Senator Taniguchi and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1154, seconded by Senator Taniguchi.

Senator Hanabusa noted:

"Mr. President, this matter is really one that we heard in another form called the Hui Imi advisory council and this reauthorizes it. For that reason, the Committee on Judiciary and Hawaiian Affairs is withdrawing its disagreement."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1154, and S.B. No. 1154, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was placed on the calendar for Final Reading on Friday, April 11, 2003.

S.B. No. 1413, (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 4, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1413, seconded by Senator Taniguchi and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1413, seconded by Senator Taniguchi.

Senator Hanabusa noted:

"Mr. President, this is the infamous Kikala-Keokea bill. What we needed to do was to simply extend the time. The amendment, as I could tell, was really the placement of a

comma. So I believe that the Senate can withdraw its disagreement.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1413, and S.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," was placed on the calendar for Final Reading on Friday, April 11, 2003.

At 12:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:04 o'clock p.m.

At this time, the President stated:

"Before we start, I'd like to thank Senator Chun Oakland for going to the security class and knowing all the procedures of evacuating this building."

STANDING COMMITTEE REPORTS THIRD READING

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1547) recommending that H.B. No. 389, H.D. 2, pass Third Reading.

Senator Taniguchi moved that Stand. Com. Rep. No. 1547 be adopted and H.B. No. 389, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise from the rubble to oppose this bill.

"Again, this is a bill that puts mandates on employers where they have flexibility to take care of emergencies with families. There was no testimony in any of the Committees that indicated that in fact there was a problem, and if we're going to err, we should err on the side of flexibility and choice.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1547 was adopted and H.B. No. 389, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 6 (Hemmings, Hogue, Ige, Ihara, Slom, Trimble). Excused, 5 (English, Kim, Menor, Sakamoto, Whalen).

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1548) recommending that H.B. No. 78, H.D. 1, pass Third Reading.

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1548 was adopted and H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (English, Kim, Menor, Sakamoto, Whalen).

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1549) recommending that H.B. No. 772, pass Third Reading.

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1549 was adopted and H.B. No. 772, entitled: "A BILL FOR AN ACT RELATING TO BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (English, Kim, Menor, Sakamoto, Whalen).

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1550) recommending that H.B. No. 773, pass Third Reading.

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1550 was adopted and H.B. No. 773, entitled: "A BILL FOR AN ACT RELATING TO BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (English, Kim, Menor, Sakamoto, Whalen).

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1551) recommending that H.B. No. 754, pass Third Reading.

Senator Taniguchi moved that Stand. Com. Rep. No. 1551 be adopted and H.B. No. 754, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Colleagues, I think that we need to be concerned about this one. Just the appearance of the potential for fraud when it comes to elections by mail, that's why we don't have elections by mail in all of our elections at this time. I don't think that we should single out special elections. Just the appearance to the voters that some special interest group can get a handle on this thing and actually tip the election one way or the other . . . so I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1551 was adopted and H.B. No. 754, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 3 (Hemmings, Hogue, Slom). Excused, 5 (English, Kim, Menor, Sakamoto, Whalen).

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1552) recommending that H.B. No. 818, H.D. 1, pass Third Reading.

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1552 was adopted and H.B. No. 818, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE DRIVER'S LICENSE

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

Ayes, 20. Noes, none. Excused, 5 (English, Kim, Menor, Sakamoto, Whalen).

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 363, (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 363, seconded by Senator Kawamoto and carried.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 363, seconded by Senator Kawamoto.

Senator Kanno noted:

"Mr. President, the House made a couple of amendments. One is replacing the requirement that the director of the Board of Water Supply consult with employees and instead require that the director consult with the exclusive collective bargaining representative, and also requiring that the project comply with Chapter 89. The bill was also reformatted to a different section in the HRS."

Senator Ihara rose on a point of inquiry and said:

"Point of inquiry, Mr. President.

"I don't see this action we're about to take on the Order of the Day. Did it come in after the supplemental calendar was printed?"

The President replied:

"We didn't have the item under miscellaneous business, so we're taking it up under announcements."

Senator Ihara continued:

"I'd like to request that if we're going to take action on an agreed item, that we put it on the Order of the Day like the other reconsiderations were."

The President responded:

"We are also giving one day's notice for the actual Final Reading of this bill."

Senator Ihara then said:

"So, right now we are voting to agree . . . we are voting to accept the House's amendments to the Senate bill and I would appreciate some notice so that I can get the bills so that I can decide whether to vote for or against agreeing to what the House did to the . . . especially if it's a gut and replace. It's probably not a gut and replace bill but . . ."

The President interjected:

"If you wish, you may vote 'no' on this particular item."

Senator Ihara responded:

"No, I would like to see the bill so that I can determine whether I can vote 'no' or not, but at least as a compromise, if we can get it on the Order of the Day since the Order of the Day

was printed and if we knew at the time, then at least then I can't be faulted."

The Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 363, and S.B. No. 363, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY," was placed on the calendar for Final Reading on Friday, April 11, 2003.

At 4:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:14 o'clock p.m.

Senator Baker, Chair of the Committee on Health, requested that the joint referral of S.C.R. No. 116, S.D. 1, to the Committee on Health and the Committee on Human Services be waived.

Senator Baker noted:

"Mr. President, this resolution was heard and reported out of your Committees on Health and Human Services, but it was inadvertently re-referred back to our Committees. So we're requesting this waiver so we can move the resolution to the Floor for adoption."

The Chair then granted the waiver.

By unanimous consent, S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ACTUARIAL STUDY ON HEALTH INSURANCE PARITY FOR THE TREATMENT OF ALCOHOL DEPENDENCY AND DRUG DEPENDENCY," was placed on the calendar for Adoption on Friday, April 11, 2003.

ADJOURNMENT

At 4:17 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, April 11, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTIETH DAY

Friday, April 11, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Elwin Ahu and Chaplain Roy Yamamoto, New Hope Christian Fellowship, after which the Roll was called showing all Senators present with the exception of Senator Whalen who was excused.

The President deferred the approval of the Journal of the Forty-Ninth Day until Monday, April 14, 2003.

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

Senator Inouye commended Macy's in Hawaii for its generous donations to local charities through the "More Community" Campaign in Hawaii, and recognized Macy's for their community sensitivity and philanthropy. Representing the various Macy's stores in Hawaii were Stephen Aune, Joy Higa, Wendy Kurosaki, Wanda Okita, Deena Nichols, Jane Sinnott and Brian Blue.

Senator Taniguchi congratulated the Iolani School Boys' Varsity Team for capturing the 2003 Hawaii State Basketball Championship and introduced the following representatives of the team: Athletic Directors, Carl Schroers and Judith Hiramoto; and team members, Bobby Nash and Derrick Low.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 509 to 515) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 509, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 10, H.D. 2 (S.D. 1);
 H.B. No. 21, H.D. 1 (S.D. 2);
 H.B. No. 29, H.D. 1 (S.D. 1);
 H.B. No. 32, H.D. 2 (S.D. 2);
 H.B. No. 50, H.D. 2 (S.D. 1);
 H.B. No. 73 (S.D. 1);
 H.B. No. 75, H.D. 2 (S.D. 1);
 H.B. No. 96, H.D. 1 (S.D. 1);
 H.B. No. 122 (S.D. 2);
 H.B. No. 123, H.D. 1 (S.D. 1);
 H.B. No. 127, H.D. 1 (S.D. 1);
 H.B. No. 129, H.D. 1 (S.D. 1);
 H.B. No. 130, H.D. 1 (S.D. 2);
 H.B. No. 135, H.D. 1 (S.D. 1);
 H.B. No. 139, H.D. 1 (S.D. 1);
 H.B. No. 140, H.D. 1 (S.D. 1);
 H.B. No. 155, H.D. 2 (S.D. 2);
 H.B. No. 176, H.D. 1 (S.D. 2);
 H.B. No. 200, H.D. 1 (S.D. 1);
 H.B. No. 248, H.D. 1 (S.D. 1);
 H.B. No. 281, H.D. 1 (S.D. 2);
 H.B. No. 282, H.D. 2 (S.D. 1);

H.B. No. 287, H.D. 3 (S.D. 2);
 H.B. No. 289, H.D. 2 (S.D. 2);
 H.B. No. 290, H.D. 2 (S.D. 1);
 H.B. No. 292, H.D. 2 (S.D. 2);
 H.B. No. 293, H.D. 1 (S.D. 2);
 H.B. No. 294 (S.D. 1);
 H.B. No. 295, H.D. 1 (S.D. 2);
 H.B. No. 297, H.D. 2 (S.D. 2);
 H.B. No. 298, H.D. 2 (S.D. 2);
 H.B. No. 314, H.D. 1 (S.D. 2);
 H.B. No. 317, H.D. 2 (S.D. 2);
 H.B. No. 320, H.D. 2 (S.D. 1);
 H.B. No. 377, H.D. 1 (S.D. 1);
 H.B. No. 384, H.D. 1 (S.D. 1);
 H.B. No. 391, H.D. 2 (S.D. 2);
 H.B. No. 418, H.D. 1 (S.D. 2);
 H.B. No. 422, H.D. 2 (S.D. 2);
 H.B. No. 426, H.D. 1 (S.D. 2);
 H.B. No. 433 (S.D. 1);
 H.B. No. 473, H.D. 2 (S.D. 2);
 H.B. No. 500, H.D. 1 (S.D. 1);
 H.B. No. 507, H.D. 3 (S.D. 1);
 H.B. No. 510, H.D. 2 (S.D. 2);
 H.B. No. 512, H.D. 1 (S.D. 2);
 H.B. No. 531 (S.D. 1);
 H.B. No. 548, H.D. 2 (S.D. 1);
 H.B. No. 595, H.D. 1 (S.D. 1);
 H.B. No. 620, H.D. 1 (S.D. 1);
 H.B. No. 638, H.D. 1 (S.D. 2);
 H.B. No. 640, H.D. 1 (S.D. 2);
 H.B. No. 662, H.D. 2 (S.D. 2);
 H.B. No. 668 (S.D. 2);
 H.B. No. 704, H.D. 1 (S.D. 2);
 H.B. No. 714, H.D. 1 (S.D. 2);
 H.B. No. 730 (S.D. 1);
 H.B. No. 735, H.D. 1 (S.D. 2);
 H.B. No. 736, H.D. 1 (S.D. 2);
 H.B. No. 807, H.D. 2 (S.D. 2);
 H.B. No. 808, H.D. 1 (S.D. 2);
 H.B. No. 851, H.D. 1 (S.D. 1);
 H.B. No. 857 (S.D. 2);
 H.B. No. 968, H.D. 1 (S.D. 1);
 H.B. No. 986, H.D. 2 (S.D. 2);
 H.B. No. 993 (S.D. 1);
 H.B. No. 1003, H.D. 1 (S.D. 2);
 H.B. No. 1010, H.D. 1 (S.D. 2);
 H.B. No. 1013, H.D. 3 (S.D. 2);
 H.B. No. 1021, H.D. 1 (S.D. 2);
 H.B. No. 1041 (S.D. 1);
 H.B. No. 1042 (S.D. 1);
 H.B. No. 1043 (S.D. 1);
 H.B. No. 1044 (S.D. 1);
 H.B. No. 1045 (S.D. 1);
 H.B. No. 1046 (S.D. 1);
 H.B. No. 1047 (S.D. 1);
 H.B. No. 1111, H.D. 2 (S.D. 2);
 H.B. No. 1116, H.D. 1 (S.D. 2);
 H.B. No. 1152, H.D. 1 (S.D. 1);
 H.B. No. 1154, H.D. 1 (S.D. 2);
 H.B. No. 1155, H.D. 1 (S.D. 1);
 H.B. No. 1157 (S.D. 2);
 H.B. No. 1160, H.D. 1 (S.D. 1);
 H.B. No. 1163 (S.D. 1);
 H.B. No. 1164, H.D. 1 (S.D. 1);
 H.B. No. 1165, H.D. 2 (S.D. 1);
 H.B. No. 1175, H.D. 2 (S.D. 1);
 H.B. No. 1176, H.D. 1 (S.D. 1);
 H.B. No. 1181, H.D. 1 (S.D. 2);

H.B. No. 1182, H.D. 2 (S.D. 2);
 H.B. No. 1212, H.D. 1 (S.D. 1);
 H.B. No. 1214, H.D. 2 (S.D. 2);
 H.B. No. 1230, H.D. 1 (S.D. 2);
 H.B. No. 1247 (S.D. 1);
 H.B. No. 1253, H.D. 1 (S.D. 1);
 H.B. No. 1255 (S.D. 2);
 H.B. No. 1285, H.D. 1 (S.D. 1);
 H.B. No. 1294 (S.D. 1);
 H.B. No. 1300, H.D. 2 (S.D. 2);
 H.B. No. 1303 (S.D. 1);
 H.B. No. 1328, H.D. 1 (S.D. 1);
 H.B. No. 1342, H.D. 1 (S.D. 1);
 H.B. No. 1361, H.D. 2 (S.D. 1);
 H.B. No. 1362 (S.D. 1);
 H.B. No. 1363, H.D. 1 (S.D. 2);
 H.B. No. 1400, H.D. 1 (S.D. 2);
 H.B. No. 1405, H.D. 1 (S.D. 2);
 H.B. No. 1412, H.D. 2 (S.D. 2);
 H.B. No. 1430, H.D. 2 (S.D. 2);
 H.B. No. 1456, H.D. 1 (S.D. 1);
 H.B. No. 1465, H.D. 2 (S.D. 2);
 H.B. No. 1506, H.D. 1 (S.D. 1);
 H.B. No. 1509, H.D. 2 (S.D. 2);
 H.B. No. 1532, H.D. 2 (S.D. 2);
 H.B. No. 1554, H.D. 1 (S.D. 2);
 H.B. No. 1579, H.D. 1 (S.D. 2);
 H.B. No. 1594, H.D. 1 (S.D. 1);
 H.B. No. 1613, H.D. 2 (S.D. 1);
 H.B. No. 1616, H.D. 1 (S.D. 2);
 H.B. No. 1628, H.D. 1 (S.D. 2); and
 H.B. No. 1652 (S.D. 1),

was placed on file.

Hse. Com. No. 510, transmitting H.C.R. No. 54, which was adopted by the House of Representatives on April 10, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was deferred until Monday, April 14, 2003.

Hse. Com. No. 511, transmitting H.C.R. No. 65, which was adopted by the House of Representatives on April 10, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE GLAXOSMITHKLINE CORPORATION TO IMMEDIATELY RESUME PRESCRIPTION DRUG DELIVERIES TO CANADIAN-BASED MAIL-ORDER PHARMACIES," was deferred until Monday, April 14, 2003.

Hse. Com. No. 512, transmitting H.C.R. No. 76, which was adopted by the House of Representatives on April 10, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Monday, April 14, 2003.

Hse. Com. No. 513, transmitting H.C.R. No. 77, which was adopted by the House of Representatives on April 10, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Monday, April 14, 2003.

Hse. Com. No. 514, transmitting H.C.R. No. 82, H.D. 1, which was adopted by the House of Representatives on April 10, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 82, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION AND ST. FRANCIS HEALTHCARE SYSTEM TO CONTINUE THEIR PARTNERSHIP IN SERVING THE NEEDS OF DIALYSIS PATIENTS IN HAWAII," was deferred until Monday, April 14, 2003.

Hse. Com. No. 515, transmitting H.C.R. No. 219, H.D. 1, which was adopted by the House of Representatives on April 10, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 219, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RESTORATION AND MAINTENANCE OF THE SANJU PAGODA IN NUUANU VALLEY," was deferred until Monday, April 14, 2003.

STANDING COMMITTEE REPORTS ADOPTION OF RESOLUTIONS

Senators English and Hanabusa, for the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1553) recommending that S.C.R. No. 53, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ESTABLISHING AN ENVIRONMENTAL COURT," was adopted with Senators Hemmings, Slom and Trimble voting "No."

Senators English and Hanabusa, for the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1554) recommending that S.R. No. 33, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 33, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ESTABLISHING AN ENVIRONMENTAL COURT," was adopted with Senators Hemmings, Slom and Trimble voting "No."

Senators English, Baker and Kawamoto, for the Committee on Energy and Environment, the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1555) recommending that S.C.R. No. 164, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 164, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF AN EMISSIONS WORKING GROUP TO MEASURE THE STATE'S POWER PLANT AND MOTOR VEHICLE EMISSIONS AND DEVELOP COMPREHENSIVE STRATEGIES TO REDUCE EMISSIONS," was adopted.

Senators English, Baker and Kawamoto, for the Committee on Energy and Environment, the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1556) recommending that S.R. No. 113, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF AN EMISSIONS WORKING GROUP TO MEASURE THE STATE'S POWER PLANT AND MOTOR VEHICLE EMISSIONS AND DEVELOP COMPREHENSIVE STRATEGIES TO REDUCE EMISSIONS," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1557) recommending that S.C.R. No. 9 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR EXAMINATION FOR SEXUALLY TRANSMITTED DISEASES," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1558) recommending that S.C.R. No. 36, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 36, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STADIUM AUTHORITY TO DESIGNATE THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM AS THE STATE FAIRGROUNDS," was adopted with Senators Hemmings and Hogue voting "No."

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1559) recommending that S.C.R. No. 49, S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 49, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING THE ESTABLISHMENT OF AN OFFICE OF INTERNATIONAL AFFAIRS IN STATE GOVERNMENT," was adopted with Senators Hemmings, Hogue and Slom voting "No."

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1560) recommending that S.C.R. No. 61 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE FOR HEARING AID DEVICES AND SERVICES," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1561) recommending that S.C.R. No. 81 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1562) recommending that S.C.R. No. 84, S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE STUDY ON HEALTH INSURANCE MARKET CONDITIONS," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1563) recommending that S.C.R. No. 95 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW CONCERNING THE REGULATION AND LICENSURE REQUIREMENTS OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1564) recommending that S.C.R. No. 103 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1565) recommending that S.C.R. No. 114 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RESEARCH OPTIONS FOR ESTABLISHING A DEDICATED FUNDING MECHANISM TO IMPLEMENT THE PUBLIC PURPOSE AND RESPONSIBILITIES AS SPECIFIED IN ACT 77, SESSION LAWS OF HAWAII 1997, RELATING TO EARLY CHILDHOOD EDUCATION AND CARE," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1566) recommending that S.C.R. No. 131 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE IMPACT OF MANDATED GROUP HEALTH INSURANCE COVERAGE FOR INFERTILITY," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1567) recommending that S.C.R. No. 144, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 144, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A WIRELESS ENHANCED 911 INTERIM WORKING GROUP," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1568) recommending that S.C.R. No. 149 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 149, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS," was adopted with Senator Hemmings voting "No."

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1569) recommending that S.C.R. No. 153, S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION ON THE STATE AND COUNTIES' LAND USE POLICIES WITH REGARD TO SOLID WASTE MANAGEMENT PROGRAMS," was adopted.

ORDER OF THE DAY

APPROVAL OF JOURNALS

MATTERS DEFERRED FROM THURSDAY, APRIL 10, 2003

The President deferred the approval of the Journals of the Senate for the Forty-Seventh Day and the Forty-Eighth Day until Monday, April 14, 2003.

At 12:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

MATTER DEFERRED FROM THURSDAY, APRIL 10, 2003

The President made the following committee assignment of a House concurrent resolution that was received on Thursday, April 3, 2003:

House Concurrent Resolution	Referred to:
No. 216	Committee on Water, Land, and Agriculture

ADVISE AND CONSENT

Stand. Com. Rep. No. 1546 (Gov. Msg. No. 227):

Senator Hanabusa moved that Stand. Com. Rep. No. 1546 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of JOHN F. PEYTON JR. as Director of the Department of Public Safety, term to expire December 4, 2006, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 227, submitting for consideration and confirmation as Director of the Department of Public Safety, gubernatorial nominee John F. Peyton, Jr.

"Mr. President, first, on behalf of Mr. Peyton, I would like to thank yourself and the members of this Senate for the accommodation. As we all know, Mr. Peyton flew in from Bosnia for this confirmation hearing and it was only with the assistance of everyone that we were able to move his confirmation so that he is before us today. So, on his behalf, I'd like to express his gratitude.

"Mr. President, I don't know whether it's the temperature or what, but the Judiciary Committee has been having rather interesting and exciting confirmation hearings, and Mr. Peyton was no exception. Mr. Peyton comes very qualified. His juris doctorate is from the University of Cincinnati with an LLM in law from the George Washington University. His resume is what should have fascinated everyone. He has things like military intelligence, war college, chief litigation, division head for the CIA, member of the Senior Intelligence Service. In other words, Mr. Peyton would be James Bond's lawyer if he needed one. (Laughter.)

"From 1981 to the present, for 22 years, Mr. Peyton served and the US Attorney in the United States Department of Justice. The last two years he has been on loan, I guess, for lack of a better description, to Bosnia. He has served as the legal advisor for the Organized Crime and Anti-Fraud Department of the High Representative. He's the vice president of the High Judicial and Prosecutorial Councils.

"What he basically does is he advises the ambassador, and he's been involved in drafting of laws, including the criminal code, criminal procedure, and witness protection. They are really tasked with the implementation of the Dayton Peace Agreement, which, in essence, ended the war in Bosnia.

"Mr. President, members, he is before us for confirmation as the Director of the Department of Public Safety. This is probably one of the departments that is the most troubled in this State. We have just gotten out of a consent decree with the justice department. We had a prison breakout in his honor

because he came back. (Laughter) But before he leaves, of course, we have caught all of them. There are concerns over divisions. We've passed out of Ways and Means a resolution to look at one of his divisions. There's just a whole bunch of problems, especially one where we have most of our prison population of state. And it looks like that's the trend that we're going to follow.

"So when we look at a department like that, Mr. President, we must look at the characteristics of the person that we need – we need a leader; we need somebody who is competent; we need somebody who is obviously intelligent; but we need someone who is straight forward, no nonsense, and hardworking. All of these adjectives describe Mr. Peyton, and the person who said that was the attorney general, Mark Bennett. The attorney general came to testify. He had a standard type of testimony but he sat before the Committee and gave a very heartwarming story. He said, the night before, he was sitting at his desk looking at all of these settlements that he has to review, many of them with the Department of Public Safety. And he said he knew as he sat before us that day that if John Peyton were the head of the Department of Public Safety, none of that would happen.

"Dan Bent came before us. He's like a proud father this Session. Dan Bent has got three US Attorneys that may all be part or will also be part, we hope, of the Lingle Administration, and he takes full credit in recruiting all of them. So he comes forward and tells us how he found each and every one of them.

"Then, there's a gentleman who comes every time, and I think I have to mention him, and that's Sumner Howard of GET. He just wanted to come forward and tell us that what you need is an outsider, and that's why he was there to support Mr. Peyton.

"There is one testimony that came all the way from Germany, and that's Dr. Manfred Dulster, presiding judge at the Regional Court of Munich. He was the former head of the anti-fraud department of the Office of the High Representative in Bosnia. Let me share with you what he said. I don't know if he writes English this well or it was translated for him, but he said, 'As John Peyton has a native political instinct, he was and is able to assess the risk of each of the projects he was involved with. The capacity was of significant help in downsizing over-ambitious projects of the international community and thereby enabling them to be implemented. I personally experienced Mr. Peyton as a loyal colleague who was always at my disposal when case-related discussions required this or legal reform processes needed through brainstorming. Another part of his character shall be pointed out. If senior authorities made a decision, he loyally implements and defends it regardless of criticism. In this context, he could show necessary professional aggression, but never forget the requirements of political and social conduct. Whenever required, he was available during weekends. He was always available when needed.' With the state of Halawa prison, he will probably be called upon again to be available at all hours.

"For us in Hawaii, drugs is what we are most concerned with. The Judiciary Committee has seen almost every conceivable form of legislation. Here, in Mr. Peyton, we have the person who's credited with the institution of the weed portion of 'weed and seed' and HIDTA project.

"The person that I thought was an interesting addition to our testifier list was Lowell Kalapa. He did not submit testimony because, as you know, Lowell Kalapa can only comment. And it's easy for him because all he comments usually is 'no, you can't do it.' But he came forward and he said that with all due respect to the attorney general, he believes that Mr. Peyton will

be the best of the Lingle Administration. He said that Mr. Peyton is as straightforward as he is. But I hope Mr. Peyton just doesn't say 'no' like Lowell Kalapa does for us. (Laughter.)

"For me, we have someone here in Mr. Peyton who is without a doubt overly qualified, maybe, for this position. When he was asked the difficult question about what does he feel is the view of the future if, for example, PSD were to be separated into law enforcement and corrections, without hesitation he said, 'we must begin by first asking the necessary questions. We must say, how are we going to professionalize the department? We must defy what law enforcement, on the state level, should be.' And interestingly, he added, 'we've got to understand what we can afford.' Now that's a practical person.

"Mr. President, I'm sure my good colleague from Hawaii Kai, where Mr. Peyton lives, is going to be stepping forth very shortly to voice his support. I think the most difficult thing that he will have to deal with is that Mr. Peyton is a lawyer, but he will be unable to disagree with me that Mr. Peyton represents the honesty, the integrity, the talent, and all that we need to head the Department of Public Safety.

"Mr. President, I ask that you and my colleagues join with me to advise and consent to Mr. Peyton as the Director of Public Safety. Thank you very much."

Senator Slom rose to speak in support of the nominee as follows:

"Mr. President, on behalf of your loyal, energetic, and hardworking Minority, we are very happy to support the Governor's nomination of Mr. John Peyton.

"I couldn't have said it any better than the Judiciary Chair. She's gotten so much smarter, I noticed, in the last year-and-a-half. (Laughter.)

"You know, just when we thought that we had the best and the brightest in terms of appointees, they keep getting better and brighter all along the way. And what a pleasure it is for us in the Senate, who have to advise and consent, and what a great treat it is for the people in the community to say, 'wow, that person is better than the last person; that person is fantastic.' And that's what we have in John Peyton.

"We have a big man for a big job. There is no bigger job and no more important responsibility of government than public safety. And as was alluded to by the Judiciary Chair, we have problems in that area, a multitude of problems. But we can't think of any one individual who is capable of tackling those problems and, more importantly, solving them, than the Governor's nominee.

"As was said, his credentials were impeccable and truly remarkable and outstanding, particularly during this Session when we've been discussing the possibility of pay raises for everyone under the sun. And the question always comes up and people always say, 'well, you only get what you pay for.' Gee, in this case, we're getting five bonuses. We couldn't afford to hire a man or a woman with the capabilities and the experience – the proven experience – of John Peyton.

"I asked him why would he do this? And he said, 'because of public service, because of the challenge, because the people of Hawaii are worth it.'

"Mr. President, we have great expectations and great demands of this individual, but we know that he's going to

fulfill each and every one of them. He's going to succeed. My gosh, if you can succeed in Bosnia, you surely should be able to succeed in Hawaii.

"We know that, as the Judiciary Chair said, sometimes it's important to be able to say 'no' after you have listened. And John Peyton is a good listener, but he's got an analytical mind and his experience is in corrections and in public safety. We know that we expect a lot of this nominee, but we know that he will deliver and we're proud to support him.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At this time, Senator Hanabusa introduced Mr. Peyton to the members of the Senate. (Mr. Peyton, who was seated in the gallery, rose to be recognized.)

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

FINAL READING

S.B. No. 363, H.D. 1:

On motion by Senator Kanno, seconded by Senator Kawamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 363, and S.B. No. 363, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 843, S.D. 1, H.D. 2:

On motion by Senator English, seconded by Senator Hanabusa and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 843, S.D. 1, and S.B. No. 843, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1139, S.D. 1, H.D. 1:

Senator Hanabusa moved that S.B. No. 1139, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"I have several problems with the bill. One is that this fee, the surcharge, used to be voluntary, and now it's going to be mandatory. The fee also is being increased. In the past, the fee was split equally between the parties. At one point it was given to just one party. Now it's given to the discretion of the judge, but still does not allow for the splitting of the fee.

"I think a number of people have had questions of the effectiveness of the parent education program within family court, so I'll be registering a 'no' vote.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1139, S.D. 1, and S.B. No. 1139, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Whalen).

S.B. No. 1154, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1154, and S.B. No. 1154, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1413, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1413, and S.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 10, 2003

Stand. Com. Rep. No. 1488 (S.C.R. No. 30, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW PUBLICATIONS DESIGNED TO INFORM PARENTS AND GUARDIANS ABOUT WHAT THEIR CHILDREN ARE LEARNING IN LANGUAGE ARTS/READING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FROM KINDERGARTEN THROUGH GRADE SIX, AND IDENTIFY PARTNERS TO OBTAIN AND DISTRIBUTE A SERIES OF SUCH PUBLICATIONS," was adopted.

Stand. Com. Rep. No. 1489 (S.R. No. 18, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 18, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW PUBLICATIONS DESIGNED TO INFORM PARENTS AND GUARDIANS ABOUT WHAT THEIR CHILDREN ARE LEARNING IN LANGUAGE ARTS/READING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FROM KINDERGARTEN THROUGH

GRADE SIX, AND IDENTIFY PARTNERS TO OBTAIN AND DISTRIBUTE A SERIES OF SUCH PUBLICATIONS," was adopted.

Stand. Com. Rep. No. 1490 (S.C.R. No. 52, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A 2003 INTERIM JOINT LEGISLATIVE STUDY GROUP TO CONTINUE DIALOGUE ON PUBLIC SCHOOL REFORM ISSUES," was adopted.

Stand. Com. Rep. No. 1491 (S.R. No. 32, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 32, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A 2003 INTERIM LEGISLATIVE STUDY GROUP TO CONTINUE DIALOGUE ON PUBLIC SCHOOL REFORM ISSUES," was adopted.

Stand. Com. Rep. No. 1492 (S.C.R. No. 57, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON THE COSTS OF AND REVENUES GENERATED FROM ADULT AND COMMUNITY EDUCATION PROGRAMS AND THE STATUS OF THE ADOPTION OF STATE STANDARDS AND OUTCOME MEASURES FOR THESE PROGRAMS," was adopted.

Stand. Com. Rep. No. 1493 (S.R. No. 37, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 37, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON THE COSTS OF AND REVENUES GENERATED FROM ADULT AND COMMUNITY EDUCATION PROGRAMS AND THE STATUS OF THE ADOPTION OF STATE STANDARDS AND OUTCOME MEASURES FOR THESE PROGRAMS," was adopted.

Stand. Com. Rep. No. 1494 (S.C.R. No. 92, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE GATHERING AND ANALYZING OF LONGITUDINAL DATA ON STUDENT ACHIEVEMENT AND THE SUBMISSION OF AN ANNUAL REPORT," was adopted.

Stand. Com. Rep. No. 1495 (S.R. No. 65, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 65, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE GATHERING AND ANALYZING OF LONGITUDINAL DATA ON STUDENT ACHIEVEMENT AND THE SUBMISSION OF AN ANNUAL REPORT," was adopted.

Stand. Com. Rep. No. 1496 (S.C.R. No. 146, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 146, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STRATEGIC PLAN TO ADDRESS THE FUTURE OF PUBLIC AND SCHOOL LIBRARIES," was adopted.

Stand. Com. Rep. No. 1497 (S.R. No. 98, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A STRATEGIC PLAN TO ADDRESS THE FUTURE OF PUBLIC AND SCHOOL LIBRARIES," was adopted.

Stand. Com. Rep. No. 1498 (S.C.R. No. 88):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 88, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE LEVEL OF LIGHT POLLUTION IN THE STATE OF HAWAII AND DEVELOP A STRATEGY FOR REDUCING THE AMOUNT OF ELECTRICITY BEING CONSUMED BY EXCESS ILLUMINATION," was adopted.

Stand. Com. Rep. No. 1499 (S.R. No. 62):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 62, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE LEVEL OF LIGHT POLLUTION IN THE STATE OF HAWAII AND DEVELOP A STRATEGY FOR REDUCING THE AMOUNT OF ELECTRICITY BEING CONSUMED BY EXCESS ILLUMINATION," was adopted.

Stand. Com. Rep. No. 1500 (S.C.R. No. 157, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 157, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS," was adopted.

Stand. Com. Rep. No. 1501 (S.R. No. 106, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 106, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS," was adopted.

Stand. Com. Rep. No. 1502 (S.C.R. No. 166):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION URGING A JOINT EFFORT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STOP THE IMPORTATION OF ALIEN AQUATIC ORGANISMS THAT COULD BECOME INVASIVE," was adopted.

Stand. Com. Rep. No. 1503 (S.R. No. 115):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 115, entitled: "SENATE RESOLUTION URGING A JOINT EFFORT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STOP THE IMPORTATION OF ALIEN AQUATIC ORGANISMS THAT COULD BECOME INVASIVE," was adopted.

Stand. Com. Rep. No. 1504 (S.C.R. No. 205):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR PROMOTING HAWAII AS A RESEARCH AND DEVELOPMENT CENTER FOR HYDROGEN FUEL CELL ENERGY," was adopted.

Stand. Com. Rep. No. 1505 (S.C.R. No. 73, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EXAMINATION OF THE FEASIBILITY OF DEDICATING A PORTION OF GENERAL EXCISE TAX REVENUES FROM OCEAN RECREATION BUSINESSES TO THE STATEWIDE BOATING PROGRAM," was adopted.

Stand. Com. Rep. No. 1506 (S.C.R. No. 76, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 76, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS REGULATORY REVIEW BOARD TO DEVELOP AND FORMULATE A SMALL BUSINESS BILL OF RIGHTS FOR CONSIDERATION DURING THE 2004 LEGISLATURE," was adopted.

Stand. Com. Rep. No. 1507 (S.R. No. 51, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS REGULATORY REVIEW BOARD TO DEVELOP AND FORMULATE A SMALL BUSINESS BILL OF RIGHTS FOR CONSIDERATION DURING THE 2004 LEGISLATURE," was adopted.

Stand. Com. Rep. No. 1508 (S.C.R. No. 98, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING AN ECONOMIC SUMMIT," was adopted.

Stand. Com. Rep. No. 1509 (S.R. No. 67, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION CONVENING AN ECONOMIC SUMMIT," was adopted.

Stand. Com. Rep. No. 1510 (S.C.R. No. 75, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE STATE'S ACTION PLAN TO ADDRESS CHRONIC HOMELESSNESS IN HAWAII," was adopted.

Stand. Com. Rep. No. 1511 (S.C.R. No. 108):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF AN INFORMATION TECHNOLOGY COLLABORATIVE TO SUPPORT THE INCREASED USE OF INFORMATION TECHNOLOGY BY HAWAII PHYSICIANS," was adopted.

Stand. Com. Rep. No. 1512 (S.C.R. No. 79):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was adopted.

Stand. Com. Rep. No. 1513 (S.R. No. 54):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 54, entitled: "SENATE RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was adopted.

Stand. Com. Rep. No. 1514 (S.C.R. No. 109, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT ON THE CURRENT USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT AND THE ADOPTION OF A STATE POLICY SUPPORTING USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT OPERATIONS," was adopted.

Stand. Com. Rep. No. 1515 (S.R. No. 76, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE CURRENT USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT AND THE ADOPTION OF A STATE POLICY SUPPORTING USE OF OPEN SOURCE SOFTWARE IN STATE GOVERNMENT OPERATIONS," was adopted.

Stand. Com. Rep. No. 1516 (S.C.R. No. 163, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 163, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A 'STATE CAPITOL WORKS OF ART BY STUDENTS' PROJECT TO DISPLAY STUDENT WORKS OF ART ON THE WALLS OF THE STATE CAPITOL," was adopted.

Stand. Com. Rep. No. 1517 (S.R. No. 112, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 112, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A 'STATE CAPITOL WORKS OF ART BY STUDENTS' PROJECT TO DISPLAY STUDENT WORKS OF ART ON THE WALLS OF THE STATE CAPITOL," was adopted.

Stand. Com. Rep. No. 1518 (S.C.R. No. 17):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A TASK FORCE TO RE-EVALUATE THE PLACEMENT OF THE OFFICE OF THE PUBLIC GUARDIAN," was adopted.

Stand. Com. Rep. No. 1519 (S.C.R. No. 135, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES REGARDING COMPLIANCE WITH ACT 150, SESSION LAWS OF HAWAII 1990," was adopted.

Stand. Com. Rep. No. 1520 (S.R. No. 89, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES REGARDING COMPLIANCE WITH ACT 150, SESSION LAWS OF HAWAII 1990," was adopted.

Stand. Com. Rep. No. 1521 (S.C.R. No. 155, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING ALTERNATIVE DISPUTE RESOLUTION TO COMPLETE THE ASSESSMENT AND SETTLEMENT OF NATIVE HAWAIIAN INDIVIDUAL TRUST CLAIMS," was adopted.

Stand. Com. Rep. No. 1522 (S.R. No. 103, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 103, S.D. 1, entitled: "SENATE RESOLUTION URGING ALTERNATIVE DISPUTE RESOLUTION TO COMPLETE THE ASSESSMENT AND SETTLEMENT OF

NATIVE HAWAIIAN INDIVIDUAL TRUST CLAIMS," was adopted.

Stand. Com. Rep. No. 1523 (S.C.R. No. 145, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 145, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CRITERIA FOR ALLOCATING ALL STAFF POSITIONS AND TO ALIGN VICE-PRINCIPAL AND OTHER STAFF RESOURCES TO SUPPORT COMPLEX-BASED MANAGEMENT," was adopted.

Stand. Com. Rep. No. 1524 (S.R. No. 97, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 97, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CRITERIA FOR ALLOCATING ALL STAFF POSITIONS AND TO ALIGN VICE-PRINCIPAL AND OTHER STAFF RESOURCES TO SUPPORT COMPLEX-BASED MANAGEMENT," was adopted.

Stand. Com. Rep. No. 1525 (S.C.R. No. 6, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," was adopted with Senators Hemmings, Hogue and Slom voting "No."

Stand. Com. Rep. No. 1526 (S.C.R. No. 39, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO IDENTIFY ALTERNATIVE FUNDING SOURCES FOR HAWAII FILMMAKERS," was adopted.

Stand. Com. Rep. No. 1527 (S.R. No. 25, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 25, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO IDENTIFY ALTERNATIVE FUNDING SOURCES FOR HAWAII FILMMAKERS," was adopted.

Stand. Com. Rep. No. 1528 (S.C.R. No. 196, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UPDATE ITS REPORT ON HAWAII'S FILM INDUSTRY, 'A ROAD MAP: THE FILM INDUSTRY'S POTENTIAL AND HOW TO GET THERE,'" was adopted.

Stand. Com. Rep. No. 1529 (S.R. No. 136, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 136, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UPDATE ITS REPORT ON HAWAII'S FILM INDUSTRY, 'A ROAD MAP: THE FILM INDUSTRY'S POTENTIAL AND HOW TO GET THERE,'" was adopted.

Stand. Com. Rep. No. 1530 (S.C.R. No. 56, S.D. 2):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 56, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT," was adopted.

Stand. Com. Rep. No. 1531 (S.R. No. 36, S.D. 2):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 36, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AN ANY NEWLY RENEGOTIATED COMPACT," was adopted.

Stand. Com. Rep. No. 1532 (S.C.R. No. 105, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ARMY, AIR FORCE, AND NAVY TO SELECT A CONTRACTOR WITH LOCAL PARTNERS AND A HISTORY OF DOING BUSINESS IN HAWAII FOR THE RESIDENTIAL COMMUNITIES INITIATIVE," was adopted.

Stand. Com. Rep. No. 1533 (S.R. No. 73, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES ARMY, AIR FORCE, AND NAVY TO SELECT A CONTRACTOR WITH LOCAL PARTNERS AND A HISTORY OF DOING BUSINESS IN HAWAII FOR THE RESIDENTIAL COMMUNITIES INITIATIVE," was adopted.

Stand. Com. Rep. No. 1534 (S.C.R. No. 111, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE SUBMERGED AND TIDAL LANDS OF THE

HONOKOHAU SMALL BOAT HARBOR THROUGH MANAGED COMPETITION FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, AND RESEARCH PURPOSES," was adopted with Senators English, Hooser, Ihara and Kokubun voting "No."

Stand. Com. Rep. No. 1535 (S.C.R. No. 203):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 203, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WINDWARD AHUPUA`A ALLIANCE TO RESTORE, PRESERVE, AND PROMOTE ACCESS TO THE MAUKA LANDS ALONG THE KO`OLAUI MOUNTAIN RANGE AND ITS KO`OLAUI GREENBELT AND HERITAGE TRAILS SYSTEM," was adopted.

Stand. Com. Rep. No. 1536 (S.R. No. 143):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 143, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WINDWARD AHUPUA`A ALLIANCE TO RESTORE, PRESERVE, AND PROMOTE ACCESS TO THE MAUKA LANDS ALONG THE KO`OLAUI MOUNTAIN RANGE AND ITS KO`OLAUI GREENBELT AND HERITAGE TRAILS SYSTEM," was adopted.

Stand. Com. Rep. No. 1537 (S.C.R. No. 202):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PERPETUATION OF THE AHUPUA`A DISTRICTS FOR GOVERNMENT-OWNED LANDS," was adopted.

Stand. Com. Rep. No. 1538 (S.R. No. 142):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 142, entitled: "SENATE RESOLUTION REQUESTING THE PERPETUATION OF THE AHUPUA`A DISTRICTS FOR GOVERNMENT-OWNED LANDS," was adopted.

Stand. Com. Rep. No. 1539 (S.C.R. No. 41, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 41, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST IN THE ACCOMMODATION OF PLASMA FACILITIES IN THE STATE," was adopted.

Stand. Com. Rep. No. 1540 (S.C.R. No. 184, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 184, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY DRUG TESTING IN SCHOOLS," was adopted.

Stand. Com. Rep. No. 1541 (S.R. No. 130, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 130, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A TASK FORCE TO STUDY DRUG TESTING IN SCHOOLS," was adopted.

Stand. Com. Rep. No. 1542 (S.C.R. No. 107, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO FIND SOLUTIONS TO THE ALGAE GROWTH IN THE CAPITOL POOLS," was adopted with Senators Hogue and Slom voting "No."

Stand. Com. Rep. No. 1543 (S.R. No. 75, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 75, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO FIND SOLUTIONS TO THE ALGAE GROWTH IN THE CAPITOL POOLS," was adopted with Senators Hogue and Slom voting "No."

Stand. Com. Rep. No. 1544 (S.C.R. No. 40, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ESTABLISHING A PHOTO RED LIGHT ENFORCEMENT PILOT PROJECT TO ENHANCE PEDESTRIAN SAFETY," was adopted with Senators English, Hemmings, Hogue and Slom voting "No."

Stand. Com. Rep. No. 1545 (S.R. No. 26, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ESTABLISHING A PHOTO RED LIGHT ENFORCEMENT PILOT PROJECT TO ENHANCE PEDESTRIAN SAFETY," was adopted with Senators English, Hemmings, Hogue and Slom voting "No."

ADOPTION OF RESOLUTIONS

S.C.R. No. 55, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A BIOPROSPECTING ADVISORY COMMISSION TO DEVELOP A COMPREHENSIVE PLAN FOR THE PRESERVATION AND USE OF THE BIOLOGICAL DIVERSITY AND BIOLOGICAL RESOURCES OF THE TRUST LANDS," was adopted.

S.C.R. No. 116, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ACTUARIAL STUDY ON HEALTH INSURANCE PARITY

FOR THE TREATMENT OF ALCOHOL DEPENDENCY AND DRUG DEPENDENCY," was adopted.

S.C.R. No. 125, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FISH AND WILDLIFE SERVICE TO REPORT TO THE LEGISLATURE THE BASIS FOR THE CURRENT CRITICAL HABITAT DESIGNATIONS," was adopted.

S.R. No. 146:

Senator Baker moved that S.R. No. 146 be adopted, seconded by Senator Trimble.

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I rise to speak in support of this measure

"Colleagues, the measure before us asks us to amend the process we use to determine the fate of bills in Conference. In the old days, only the Committee Chairs had any real say. Over the years through procedural reforms, first in the House and then in the Senate, we've brought about a more democratic process – a fairer, more just, deliberative Committee process.

"The adoption of this resolution will return us to a democratic process for Conference Committee decision making, ensuring that all votes on the Committee, Chair and member alike, count and are equal. Perhaps it seems strange that someone who is a Committee Chair, and has and will manage bills in Conference for the Majority, who's been a part of leadership, and I suppose, by virtue of my Chairmanship, is still a part of extended leadership, would support a process that some might assume would diminish my power as a Chair. I guess I don't see it that way.

"I've been a student of this institution, the legislative deliberative body, for more years than I've been in office. It's the rules of procedure which govern us that ensure that our deliberative process will be open, fair, and inclusive of a wide range of opinion. Our rules must enable us to problem-solve and address issues before us in the best possible way, ultimately doing the people's business.

"Ours is a democratic process in which the majority decision is the decision that moves forward. Our work is largely done in Committee and the majority principle is our guiding principle for Committee deliberations. We have procedures to discharge the Committee if the majority doesn't agree with the actions of the Chair, and we've seen measures move out of Committee even when the Chair disagreed with the majority and ultimately voted no.

"Conference Committees are simply another level of committee work. The Chairs are there to convene the discussions, guide the negotiations, advocate for the Senate position, craft agreements, if that's possible, but not to block or subvert the will of the majority.

"Mason's Manual, which is our parliamentary authority, notes that conference committees are not a joint committee, but rather a joint meeting of two separate committees.

"I would hope the House would concur with this resolution and the policy it represents. But even if they don't, we should pass this resolution to amend our policy, simply because it is the right thing to do.

“Mr. President, we are all duly elected representatives of our constituents – a body of equals. When it comes to Final Reading, each of our votes is counted the same – chair, non-chair, Republican, Democrat. The process leading to those final votes, the Conference Committee, must have the same principle of equality imbedded in it.

“I urge my colleagues to vote ‘yes’ on this measure. Thank you.”

Senator Hooser also rose to support the measure as follows:

“Mr. President, I rise in support.

“To me, this boils down to being about principle. It’s a simple, fundamental principle of democracy that the leader of a group, speaking and/or acting on behalf of the group, should do so only with concurrence approval and vote of that group. It seems a pretty basic principle of democracy. The leader of the group – the Committee Chair – should not be able to make major decisions unilaterally. It seems so basic a principle it is hard for me to understand the resistance to the measure.

“In my brief experience here at the Senate, it is clear that the Committee members almost always support their Chairs anyway. In addition, the selection of the Committee members is basically determined by leadership, by the Chairs, by the President, so the reality is that there’s very tight control of the process and would be highly unusual and highly unlikely for Committee members to override or vote contrary to the recommendation of the Chair.

“However, we all know the history of the Legislature does include more examples than we would all like to admit, of strong Committee Chairs whose exercise of power does not always reflect the will or desire of the members, the body, or the community at large. It is therefore the responsibility of Committee members to guard against this type of abuse. But without the authority to exercise the majority vote, Committee members are, in effect, powerless to stop a veto.

“The principle seems pretty basic – majority rules. All actions of the Committee Chairs must be sanctioned, authorized, and voted upon by the Committee members. To me, this is the basic principle, which in my opinion, this resolution is a strong positive step in that direction of a more democratic process. Yes, it may reduce the power of Committee Chairs, but 90 percent of the time, it won’t matter because the Chairs will, 95 percent of the time, only be making decisions with the Committee’s concurrence anyway. It is the other 5 percent of the time that this measure will affect, and this is why we need it – that, and because it is the right thing to do.

“Why would we not want to pass this resolution? I’ve given it a lot of thought, and there’s only two reasons I can think of not to pass it. One is because it will give up power, and quite honestly, I can’t really think that that’s the reason, knowing the people that I’ve worked with here at this Legislature. I don’t really think that is the reason. Perhaps it’s 5 percent of the reason, but it’s not the 95 percent. The other reason that I could come to a conclusion is that some might think that this principle of majority rule is a good one, but yet it’s going to get in the way of our relationship with the House; it’s going to impede the Conference Committee process; it’s going to jam things up at this final important time period that we’re approaching.

“But after looking at it and talking to various members, it’s my conclusion that this would not do that, that basically, even if the House doesn’t agree, we should be able and empowered to set our own rules for the Senate. So, if our Senate Chairs

follow the majority rule and only act under the vote of the membership, then that is separate from what the House does. We would hope the House would concur, but if they did not, it would not stop the system or jam it up, in my opinion.

“So, for these reasons, and many others, I’m supporting this. We’re talking about agreeing as Senators that we will operate by democratic principles and our Chairs will not act unilaterally. What the House does, in my opinion again, will have no effect on the process. So, for these reasons again, I respectfully request that this body unanimously embrace these principles and vote in support.

“Thank you.”

Senator Hanabusa rose to speak in opposition to the measure as follows:

“Mr. President, I rise to speak in opposition to S.R. No. 146.

“Mr. President, when I originally looked at S.R. No. 145 and S.R. No. 146, I was struck by the fact that either the near majority, or probably the majority of my Judiciary Committee has signed on to this resolution. Mr. President, I must say that the Judiciary Committee has been a wonderful Committee for me to Chair, so I take it very seriously when I see most of the members who have come and religiously attended all my hearings and voted on this resolution. So, I looked upon it with a very careful eye.

“Mr. President, the Judiciary Committee has really looked to open government. We have established our own sort of rules as to how we operated to make sure that everyone, including the public, was part of our process. In addition, we made it a point to hear open government types of legislation. So I looked upon this as if it was one of those that would come before us.

“The reason that I cannot support this, originally, was because of the fact that the Ways and Means and Finance Committee did not have what I call the ‘trumping’ powers. S.R. No. 146 takes care of it. But, Mr. President, you hear in the discussions here today about the concept of vote. Look at S.R. No. 146 and look at what it intends to amend. It amends Rule 24(3) of the Senate Rules, and that of course refers to committee reports.

“Mr. President, there’s no question, when you look at the Organic Act, Section 20; the Constitution of the State of Hawaii, Article III, Section 12; you look at the doctrine set forward in the case of *Schwab v Ariyoshi*, our Rules take precedent as long as we do not violate the Constitution. So when we look to amending our Rules, it is done correctly. Because when we amend the Rules, then no subsequent agreement, whether it’s Conference Committee rules or whatever, can violate our Senate Rules.

“But look at what we are saying in this resolution. We are saying, ‘a Conference Committee shall report upon the matter referred when a majority of the members of each house, appointed by their respective presiding officers, have concurred in the report. Any Conference Committee procedure that adds or detracts from this requirement shall be void.’

“Mr. President, it brought back an interesting thing for me. As many of you know, I am presently in the Supreme Court on an issue of a constitutional read, and the one thing that I will share with everyone is that when you look at the constitution, you look at our Rules, you must give it as plain, ordinary reading. You must also look at the document in totality if you have any questions about any parts of it.

“Mr. President, Rule 22 refers to decision making by committee, Rule 24 refers to committee reports, and Rule 25 speaks to what are the fact finding and contents of the report. Twenty-four is committee reports. This brought back thoughts about when I was first elected, and this is in the 1999 and 2000 Legislative Session, and I took out all those rules. I only have three because that’s the only time frame that I’ve been here. I can tell you that Rule 20, what was then Rule 23, subsection 3, is identical in 1999 and 2000, and the 2001-2002 Session. It says basically the same thing. And it’s almost the same in this year’s Rules, except that we talk about presiding officers versus the president.

“What it brings back, or should bring back memories for everyone, is the fact that what you’re talking about when you talk about reports, remember the mad rush right before that infamous 12:00 deadline when we’re going around getting our reports signed – not voting, getting reports signed.

“Now, this Senate resolution amends the report. It says a conference committee shall report upon the matter referred when a majority of the members of each house appointed by their respective presiding officer has concurred in the report. No other conference committee can detract from that or no other rule can detract from that. When you read Rule 25 – the report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter. A report on a bill . . . and it goes on. And what I’m saying is that if you are looking at a document and you’re trying to interpret what the intent is, that is what you’re talking about. When you amend Rule 24(3) about a conference committee and you refer to a report and you look at what is defined as a report in our Rules, we’re back to going around with these little pieces of paper, some of us holding on to it for dear life because we know how reports disappeared in the old days.

“We talk about the ability of one committee chair having then the right to simply over-vote for everybody. What you do with this is you potentially give one, any individual the right to do that when you go back to the report system.

“More importantly than that, let me share with you when an issue came before our Committee, the Judiciary Committee, and this was a proposal that was supported by our Clerk, as well as the Clerk of the House, and it was the ability to recall, once a bill is enrolled with the Governor, the ability to recall it by the Legislature. My recommendation to my Committee was to hold that. And the reason why was, I thought it was best stated in a case called *King v Cuomo*, a 1993 New York Supreme Court case, and this applies here. They said the recall provision really works completely against open government. And I think that’s the reason why I am objecting to these for the same reasons. It’s because it affords interest groups another opportunity to amend or kill certain bills. It shields from the public scrutiny, which accompanies the initial consideration of passage of the bill. This does not promote public confidence in the Legislature as an institution because of the fact that it gives you a second bite of the apple.

“You’re talking here about amending a process. If you’re talking about a vote, and the majority of the vote, then Mr. President, amend decision making. But when you amend the report section and you make that section take precedence over everything else, you are not talking about open voting. To me, you’re talking about going back to 1999 and 2000. You are giving people who may say, ‘yeah, I think we can agree to that,’ the opportunity to then say, ‘oh, I changed my mind,’ or not even have the nerve to say you changed your mind by simply not being around so we can’t get your signature.

“Mr. President, that is a total affront to what we have move towards. We have moved towards open government. We have moved so that everybody votes in public. By making the report take precedence, you are moving towards the ability for people to change their mind, nothing being final until possibly 12:00. And what happens if Ways and Means and Finance doesn’t agree? We’re not going to be able to get that. Remember the days of being down in the Chambers or being in 309 and everyone with their bills hoping, God, I hope everybody is here. That is how decision making is going to be. This is what this Rule provides. It does not talk about decision making.

“If you’re going to talk about decision making, you’re going to talk about voting, then please amend the right Rule, the right Senate Rule. And this is not it.

“For this reason, Mr. President, and with all due respect to the members of my Committee who have been great to work with, I cannot support their effort because I think we are going to go backwards, not forward.

“Thank you, Mr. President.”

At 12:50 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:54 o’clock p.m.

Senator Hemmings rose in favor of the measure and stated:

“Mr. President, I rise to speak in favor of the resolution.

“In spite of the very erudite, yet extremely circuitous leaps of logic of the prior speaker, the good Senator from Waianae, I’d like to submit to this body that this is not as complicated as some would have it be. Simply put, what we’re trying to do is, in Committee, in Conference, a decision in the will of the majority will prevail over one Committee Chair. It’s just not that complicated.

“And I would suggest to the opponents to this measure that this Legislature in the last several years has made great strides to having a more open and honest process, and this is another logical step in that direction.

“I guess you could circle the wagons around business as usual, but I think the people of Hawaii, quite frankly, are sick and tired of it. I’m hoping that this Session this Senate will see the wisdom of amending these Rules so that decisions are made by the majority, rather than one recalcitrant individual.

“Thank you, Mr. President.”

Senator Ihara rose to speak in favor and said:

“Mr. President, I rise in favor of S.R. No. 146.

“Mr. President, first, I’d like to thank you for allowing Senator Baker to request a filing of S.R. No. 145 so that we can take up S.R. No. 146.

“As you know, four paragraphs were added to this resolution. The Judiciary Chair mentioned that it resolves the issue regarding allowing the continuation of the veto power of the Ways and Means Chair. And the other paragraphs that were added, I should note, says in the sixth whereas, ‘WHEREAS, it is the purpose of this Resolution to withdraw Senate support for the chair veto power as provided in Rule 8-b of the Joint Conference Procedures.’ And the purpose also is to have Senate Committees, as the Minority Leader said, to conduct our

Senate Conference Committees' decision making by majority vote.

"The seventh whereas, also, I'll read it because it's pretty straight forward and it's saying that, 'WHEREAS, adoption of this resolution would result in conference committee procedures comparable to those used in the 2000 Legislative Session.' Some people have thought that this Chair veto rule was in effect for a long time. We conducted our 2000 Legislative Session without this Chair veto rule, and in fact, the 2001 Conference Committee Procedures, when they were adopted and signed by the President and the Speaker, did not include the Chair veto rule for the 2001 Legislative Session. Only after the 2001 procedures were adopted, did a request come in from the Senate requesting that the House agree to an amendment. And on April 12, 2001, the Speaker approved the amendment, and from that day forward, April 12, 2001, the Legislature, including the Senate, started the veto power by vote.

"I'll address the Judiciary Chair's argument later, but I want to first explain why this is a veto. It doesn't really say in the conference procedures that it's an actual veto, but I'll explain why it's a veto. It's because the Rule allows the Chair to only stop, has the super powers to stop legislation. A Chair does not have a super power to pass legislation. The Chair only has a super power to stop legislation. That's similar to a veto.

"Also, the Chair's voting power expands with the size of the Committee. For example, let's say we are all one Conference Committee, which is theoretically possible, and there are two Chairs. One Chair of the two Chairs could be opposed to a conference bill, and all 24 of us could vote 'yes.' With this Chair veto, that one Senator's vote is equal to 24 votes. Now, in the House, one Chair's vote is equal to 50 votes. That illustrates, I think, the reason why this is truly a veto.

"Mr. President, I believe that constituents in each and every Senate district are entitled to equal representation at the table, and in this case, at the Conference Committee table. Standing Committee Chair's do not have this veto power. This veto power is conferred only on Conference Committee Chairs.

"There have been instances where a Chair, let's say, of two Committees, one voted 'no,' but that Chair's vote did not veto the legislation when all the other members of the Committee or a majority of the Committee voted for a particular legislation.

"So when the vote comes at the table, I believe no one Senator should be given greater powers than others. Mason's Manual of Legislative Procedure, which is the rules, supplemental rules of the House and Senate, says in section 52, and I quote, 'In public bodies, the equality of members if presumed. It would seem that, for any democratic group to be able to operate, acceptance of the principle of equality of members is essential. Equality seems essential also to secure the acceptance of good faith of decisions of the group.'

"The Chair veto issue, this issue, I think, is a symbol of what people believe is wrong with the Legislature, which is basically unfair treatment of citizens' rights in the legislative process.

"A consumer advocate sent me a letter, and I quote, 'I and other ordinary citizens invest dozens of hours of our time to provide testimony on matters we think are important. If this testimony has been convincing enough that bills go into conference committee, then those bills have survived plenty of scrutiny. The job of the conference committee is to iron out differences between House and Senate versions, not to overturn the work of countless concerned citizens through a veto power.'

"A Windward resident wrote to me and said about the Chair veto rule, 'This is the kind of rule that allows people to accuse Legislators of all kinds of acts, which are acts that are not in the interest of the voters.'

"Mr. President, I believe we need to take Senate action to stop the Chair veto rule because I don't believe that there'll be examples, or if there will be, there'll be very few examples of a situation where a committee would actually vote and have the veto exercise as a vote. The reason I say that is that if there are two Chairs, one Chair can say we will not agree, the House and Senate will not agree, in fact does not agree because I carry all the votes in this Committee to kill a bill. And that would be true. No matter what the size that a Conference Committee is, and there are two Chairs, one Chair can speak to oppose a bill in Conference and could accurately, and by Rule, say that I represent all the no votes, in fact I am all the no votes in this Conference Committee. And therefore, if you do not agree to what I want, the bill is dead, and in fact, the bill would be dead.

"As the consumer advocate said in what I quoted earlier, the Conference Committee's purpose is to resolve differences, and I believe the Conference Chair veto rule would undermine that purpose.

"The situations and the kind of legislation that I am most concerned about that could be affected by the Chair veto rule are those types of legislation where you have broad public support. One Senator or House member, for that matter, has a contrary position and that happens from time to time. So if you can imagine those pieces of legislation where there's broad based support, one Senator's views could prevail over the public's views and the views of the entire Senate by killing a bill in Conference and therefore not letting it get to the Senate Floor.

"There was a question about whether conference rules will be voided. I think it was addressed by saying, not necessarily because Conference Committees in the House and Senate meet separately. In fact, I understand that years ago there were no joint conference committee rules because it is the prerogative of each body to determine how it will come to agreement on differences of legislation in Conference Committee. So it really is not the business of the Senate to dictate to the House how it shall make its decisions in Conference Committee and vice versa.

"If this resolution were to pass, I believe a way to proceed might be for the President to inform the House that Senate Conference Committee Chairs will not be utilizing the Chair veto powers. Although, I think the preferable way would be to simply amend the Joint Conference Rules.

"Regarding the Judiciary Chair's argument, which I think effectively confuses a lot of people, my response is that the current rule as it stands today, as it stood last year, and as it stood the year before, says that a conference committee shall not report upon a matter unless a majority of members of each house, and of the Chairs as well, have concurred in the report. It is established that concurrence in a report has to be done . . . concurrence as decision making concurrence . . . when we're talking about concurrence, we're saying you concur as a matter of decision making. And it is established that all decision making must be made in public and committee reports cannot be used for the purpose of decision making because the constitution specifically requires that decision making, in committees in particular, must be made in public.

"When, now Congressman Ed Case and I were both Majority Leaders, we unfortunately had to disagree with our presiding officers and called for public voting in Conference Committees.

And unfortunately, one of the political parties, unfortunately not my party, but one of the political parties had to file suit to require the Legislature to comply with the constitution 22 years after its adoption in 1978 that required explicitly that Conference Committee decisions must be made in public. So it took quite a while and we finally did comply in the year 2000.

“So, in the use of the word concurrence, it’s a concurrence that’s made in public. You cannot use a committee report to concur and it is concurrence in the report. That really means with the report, not inside of the report and not by vote.

“Connected to that – I’m not sure how many Senators caught it last year, I didn’t – last year for the first time, the Joint Conference Committee Rules were added and added this language: that no conference committee report concerning the measure with fiscal implications shall be reported out of a Conference Committee without the signatures of the Chairs or designees of the fiscal committees of each chamber. What this does, I believe, is violate the constitution because it allows a decision making act by refusing to sign a conference committee report. A fiscal Chair can essentially veto by taking a decision making action that would kill a bill, not in public but in private.

“I am in support of the Ways and Means and the fiscal Chair’s ability to veto fiscal bills and I believe it is necessary because that Chair is responsible for presenting a balanced budget to the Senate, and that, as the Judiciary Chair mentioned, is not an issue in this resolution because we are, in this resolution, explicitly saying that the Chair may continue its long practice of utilizing a veto power. And for the freshman Senators, I should note that past practice is a rule. The Senate Rule says that past practice is a rule, so whatever we’ve done in the past, that in effect is an unwritten rule and it is a rule.

“So, I am saying that there is a section of Rule 8(b) in conference committee procedures that I believe is unconstitutional and it somehow slipped in last year while we were seeking to again stop the use of the Chair veto rule. This is the third year that a Chair veto rule has been sought and the third year that pro-democracy Legislators have attempted to stop the use of Chair vetoes.

“As many of you know, last year I had not planned to return to the Senate. In fact, it was not until about a week before the filing deadline did I decide to seek election to the Senate. And in deciding to return to the Senate, I made a promise that I would devote part of my four-year Senate term to advance the cause of democracy in the Legislature. So I can tell you, speaking for myself, that I will continue to fight the use of the Chair veto as long as I’m a Senator, and you can count that as a promise. And this does not in any way mean – I don’t mean to add disrespect to those who will be voting against this resolution. I think that there is an honest difference of opinion and I know that this resolution may have made some Senators a little uncomfortable. I think that is unfortunate and I respect that everyone and all Senators in this Chamber today will vote the way that they believe they must vote in their own integrity as a Senator.

“Thank you, Mr. President.”

Senator Kawamoto rose to speak against the measure as follows:

“Mr. President, I rise to speak against this resolution.

“Mr. President, I’m just a simple man. I take my job very seriously. My job is, as Chair, to forward any Senate positions we have that we have the process. We have the process of committees. We have the process of public hearings. We have

the process of voting. We have the process of testimony. We have the process.

“Once a bill passes this Senate body, this is the Senate’s position. We have to do whatever we can to pass the Senate’s position, because this is how we feel and this is why we support the bills we send over to the House. Some bills don’t go over because the Senate doesn’t want that bill. That’s the time to stop that bill. Now we’re in Conference. It’s a new game. It’s overtime, and you’ve got to strategize with the House.

“I believe, with this resolution, we’re going to tie one or two hands behind our backs and we’re going to try to compete with the House. They’re as smart as we are. If we tie our hands behind our backs to go into Conference, it’s like playing golf without your sticks. How can you play golf without a stick? You can throw the ball over there, but you’re going to be highly disadvantaged.

“So, I urge my colleagues, if we want to forward Senate positions, do not tie the Chairs’ hands to do whatever they can to provide the Senate position. This resolution would take away some of the tools that you need to forward Senate positions.

“Thank you.”

Senator Hemmings rose and said:

“Roll Call vote, Mr. President.”

The Chair so ordered.

The motion was put by the Chair and, Roll Call vote having been requested, S.R. No. 146, entitled: “SENATE RESOLUTION AMENDING SENATE RULE 24(3) TO REQUIRE A CONFERENCE COMMITTEE TO REPORT ON A MEASURE WHEN A MAJORITY OF COMMITTEE MEMBERS OF BOTH CHAMBERS CONCUR IN THE REPORT,” failed to be adopted on the following showing of Ayes and Noes:

Ayes, 10. Noes, 13 (Aduja, Bunda, English, Espero, Hanabusa, Inouye, Kanno, Kawamoto, Kokubun, Menor, Sakamoto, Taniguchi, Tsutsui). Excused, 2 (Kim, Whalen).

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 1237, S.D. 1, H.D. 2 Committee on Education, then to the Committee on Ways and Means

No. 1462, H.D. 2 Committee on Tourism, then to the Committee on Ways and Means

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1405 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 8, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1405, seconded by Senator Espero and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1405, seconded by Senator Espero.

Senator Kawamoto noted:

"Mr. President, the changes made by the House were not substantive and there were just unnecessary words that they removed from the bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1405, and S.B. No. 1405, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was placed on the calendar for Final Reading on Monday, April 14, 2003.

APPOINTMENT OF CONFEREES

S.B. No. 295, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 295, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 374, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 374, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 394 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 394, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 611, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 611, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; Chun Oakland, Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 678, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 678, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Kanno, co-chair; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 870, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 870, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Menor, Taniguchi, co-chairs; Inouye, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1049, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1049, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1058, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1058, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Ige, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1200, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1200, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Ige, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1306 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1306, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1589, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1589, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1630 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1630, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 200, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 200, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Aduja, English, Espero, Hooser, Inouye, Kanno, Kawamoto, Kim, Kokubun, Sakamoto, Tsutsui, Hemmings, Slom, Trimble as managers on the part of the Senate at such conference.

H.B. No. 808, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 808, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Hanabusa, co-chair; Aduja, English, Espero, Hooser, Inouye, Kanno, Kawamoto, Kim, Kokubun, Sakamoto, Tsutsui, Hemmings, Slom, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1300, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1300, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Hanabusa, co-chair; Aduja, English, Espero, Hooser, Inouye, Kanno, Kawamoto, Kim, Kokubun, Sakamoto, Tsutsui, Hemmings, Slom, Trimble as managers on the part of the Senate at such conference.

Senator Trimble rose on a point of personal privilege as follows:

“Mr. President, I rise for my first point of personal privilege.

“Last Tuesday, we were discussing H.B. No. 73. I thought it was important. We have the rights of the individual. We have the powers of the State, and the relationship between the two is important. I thought that our Floor debate on H.B. No. 73 would last for hours. It didn’t. And when it was over and I sat down, I suddenly realized, you know, when there’s a forest and a tree falls, and if no one is there to hear it, does it make a noise? And I remembered that. And the Session went on for about three or four more hours and then my esteemed colleague, the Senator from Kauai, got up and said, ‘since you guys all voted for the giveaways and the tax credits, it’s only appropriate that we raise the general excise tax by half a percent.’

“I take umbrage at that remark because I voted ‘no’ against every special interest piece of legislation. I voted ‘no’ against every tax increase. I voted ‘no’ against everything that would increase the cost and size of government. But sometimes, mere words do not seem to make an impression.

“Most of us think in terms of ‘gimmies’ instead of give backs. So, in a symbolic gesture, I will be returning this afternoon my laptop computer, not because it is not useful to me, but I think it is of symbolic importance.

“Thank you.”

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

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

“I would like to elaborate on some of the comments just made by the good Senator from Downtown, particularly as it relates to the computers.

“You know, we have so many symbols in our legislative duties, and we may perceive them in one way and yet our constituents and the public perceive them in an entirely different way. Some of us who have been voting ‘no’ on increased taxes over the years, voting ‘no’ on increased compensation and pay, voting ‘no’ on increased benefits, and voting ‘no’ on those bills and those acts that further separate us or public employees or other classes from those people that pay for everything that we do here, that support us, that create different classes and divisions, those of us that vote ‘no’ have to in fact be consistent in everything that we do.

“Several weeks ago, nearly all of us received these computers as did, I think, all members of the House of Representatives. And while the intent certainly is good – to move us all along in terms of technology to make things easier – I think there have been some problems with that, the first of which is that the computers are not fully functional in terms of what they allow us to do within the system itself here in the Legislature. Hopefully, we’ll be moving to the day when we have truly electronic voting and we can do that, but at the present time, we’re not able to do that.

“And for the public, they see a symbol again of us gifting ourselves with expensive technology. They come to our offices, particularly those in small business who are struggling with used copy machines and maybe a computer that is four generations old, and they see that we have the most up-to-date copiers, the most up-to-date faxes, the most up-to-date computers. They come through our halls and they see lines and lines of former equipment that would be brand new and technologically advanced to them, but we just getting yet another upgrade for us. If all this technology produced better legislation and more of a response to the public, that would be a good thing, but many people, including myself, do not perceive that as such.

“In addition, when we received these computers, the instructions were that the computers were for our use entirely and alone. We could not allow our staff to use them. If we had a constituent that came in, the constituent couldn’t use them. If we had a school in our area or a nonprofit organization that might have been able to benefit from the use of these computers – which are paid for entirely by the taxpayers – they could not use them, as well.

“And so, as was said earlier on another subject, actually not utilizing these computers and giving them back at this time, particularly when we’re hassling over budgets and pay raises and the cost of things, is really the right thing to do. And so, I join my colleague from Waikiki and I encourage other colleagues to do the same. We’d like to give back our laptop computers. We’ll give it to the custody of the Clerk to see what he would like to do with them.

“Thank you, Mr. President.”

The President stated:

“Thank you, Senator Slom, and please give it to us right away. Thank you.”

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

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

“Some people find it easy to vote a certain way – ‘no taxes for anything,’ whether it’s meritorious or not – and that’s fine. People can choose to do that. Other people choose to say what is more meritorious, and what, perhaps, is worthy in spite of fear of people in their electorate saying bad idea. But I think we’re judged here based on what we do on balance, not on formula, not on ‘no taxes for anything’ whether it’s good, bad or uncertain.

“I think, Mr. President, we’re here and the laptops are an example, actually, a good example of efficiency in government, Mr. President. At a certain point when we talked about public input, with the public wanting instant input, I think the laptops provide an excellent example of how we’re attempting to get public input.

“And in my case, Mr. President, I apologize to those who were e-mailing me yesterday and the day before because there was so much input that I reached my maximum, Mr. President. So, perhaps we can do something about that for some of us who have more in our e-mail than the system is able to hold.

“I think part of the efficiency in government is in fact moving ahead with some things that cost money, some things like technology, because at the end of the day, these things will save money. It’s disappointing that government hasn’t been able to spend money to save money.

Senator Hemmings also rose on a point of personal privilege and stated:

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

“Mr. President and colleagues, your loyal Minority is not unified in this effort. I’m keeping my computer and I want to share some reasons why in order for my constituents to understand why I’m keeping it.

“First, we have to look at the context of the Senate and House budget. What it costs to operate the Legislature, I think, is the first bill we pass. I’m quite proud that the growth of the operating budget of the State Legislature has been rather modest, if anything at all. We are an incredibly efficient organization.

“Secondly, Mr. President, I don’t do things for the sake of public perception. Hopefully, we make decisions based on what is right. What a mess we’d be in if we did things for the sake of public perception. That’s exactly why we have a republic.

“Third, I want to echo the sentiments of the good Senator from Moanalua. This is about productivity. I wasn’t given a gift, Mr. President. I was given a tool. It’s like giving a laborer a shovel. This is a tool that’s going to increase the productivity of everyone who chooses to use it. It’s especially going to be a tool that’s going to be most beneficial to the neighbor island legislators who work extra hard, who commute, and oftentimes have to take their work home with them.

“Mr. President, Majority Party members, I recognize this is a sincere effort on the part of you to bring this body into the twenty-first century with technology. I recognize that efforts like this take time. I recognize in the future that we will be voting electronically, that we will have access to the Internet and information here on the Floor, and that ultimately this will save money and ultimately this may even save trees because we won’t have to deal with the mounds of paper that we now deal with.

“So Mr. President, I thought it was important for me to stand up and state the position that I share along with Republican colleagues in the House of Representatives who likewise are using their computers for the benefit of the people who elected us.

“Thank you, Mr. President.”

Senator Hogue rose on a point of personal privilege and added:

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

“I really respect our Minority Leader and, Mr. President, I respect you as well and I realize that that there are a lot of difficult decisions that have to be made down here at the Legislature. But colleagues, I maintain that this body has a credibility problem and it is because there is a perception that Legislators get something, that we receive some perks. Of course, all of us that live on this very scanty salary know that there’s not much of a perk going on there. Unfortunately, the laptops represent a perk. It’s a perceived perk that we are so special that we are going to get this special piece of equipment.

“There was some discussion the other day from the good Senator from Kauai about people having a Lexus. Well, I can’t afford a Lexus and I also can’t afford a laptop, and I am going to join some of my other colleagues in turning this laptop back in. I realize that it is a symbolic gesture. I really do believe that

I represent my constituents. I want to bring the credibility back to this body to prove to them that we are working very hard for them and to give them the perception that we don’t receive something special just because we are legislators. That’s why I also will be voting against a salary increase when the salary commission actually comes forward.

“I couldn’t live with myself knowing that I was put in office, knowing that it was public service, and feeling that somehow I could vote myself a raise. So, I am saying, symbolically, ‘no’ to the laptop, ‘no’ to the raises, and I’ll take a little further step, ‘no’ to new taxes as well.

“Thank you very much, Mr. President.”

Senator English rose on a point of personal privilege as follows:

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

“Mr. President, this is a rather fascinating debate here and I just have to say that I’ve not received a new computer. So now that we have three coming back, may I please have one.” (Laughter.)

President Bunda answered: “Yes, you can. (Laughter.) You can have an extra one if you want it, as well.” (More laughter.)

Senator English continued:

“Thank you. Because, Mr. President, my office operates on Windows 95 and Windows 97. The productivity that I need to communicate with my constituents on Moloka’i, Lana’i, and Maui, I cannot do it with that technology. I am bouncing back e-mails continually to people in my district, who then call and say, ‘you know, we’re getting a bounceback that you cannot receive our e-mails.’ I do 80 percent of my communications electronically. I need this technology so that my constituents can better work with me so that I can respond to them.

“Frankly, Mr. President, the good Senator from Kaneohe hit it right on the head – the average salary for our people here is about \$3.00 an hour if you add up the hours that we put in and the amount of remuneration we get. Now, for us to then reduce the amount of the ability that we have to effectively streamline the amount of hours that we put into work by reducing the amount of paperwork, by communicating with mass communications on e-mail, by being able to produce documents in our offices using current technology, you know, at \$3.00 an hour, Mr. President, it’s not worth it. But I have to say that if I have a machine that can help me make that work easier and save me a few hours, I want it. Because in the end, it helps me more effectively be a legislator and it helps me more effectively communicate with my constituents.

“Now, Mr. President, you know that the neighbor island members have to fly, and those computers get checked every single time we go through. In fact, I tell the guys at the security, ‘please, if you’re going to wipe one spot, wipe the whole thing down and clean it for me.’ So, we have the extra burden of carrying another 20 pounds back home with us so that we can continue to work on the weekends, in the nights, as we fly, as we travel because the workload is so great.

“Now, frankly, the symbols – or what is trying to be painted here – is that there’s something that we shouldn’t get. But in the end, Mr. President, I think that this is not a symbol of excess. It is actually a prudent move to make sure that the legislators have the ability to do their work in a timely fashion and to respond and to communicate with their constituents.

“So please, Mr. President, may I have one of those computers. Thank you.”

The Chair responded:

“You may.”

ADJOURNMENT

At 1:37 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., Monday, April 14, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-FIRST DAY

Monday, April 14, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Larry Kelly, Halawa Heights Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Hogue who was excused.

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

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

Senator Chun Oakland, with the assistance of Senators Hooser, Hanabusa and Tsutsui, introduced and congratulated the following recipients of the 2002 Niu Volunteer Awards: Mayla Blakley; Denise Hurchanik; Stuart Ragan; Perry Confalone; Renee Yoshimura, representing the Law Firm of Stirling and Kleintop; and Frank O'Brien.

Senator Kim honored E.K. Fernandez Shows on its 100th anniversary and introduced Linda Fernandez and her son, Scott.

Senator Kawamoto then introduced and welcomed General William J. Begert, Commander, Pacific Air Forces, and Air Component Commander for the Commander in Chief, US Pacific Command, Hickam Air Force Base. Accompanying General Begert was Chief Master Sergeant David W. Pope of the Pacific Air Forces Command.

At this time, President Bunda invited General Begert to the podium to address the members of the Senate.

General Begert addressed the members of the Senate as follows:

"Mr. President, Senators, distinguished ladies and gentlemen – aloha and mahalo for this great honor. Chief Pope and I are shocked and awed to be here this morning with you.

"We represent the men and women of the United States Air Force, the Pacific Air Forces, and most especially, the men and women in uniform who live and work in Hawaii, and their families. Especially in this time of war, it's nice to be remembered by our political leadership, and we very much appreciate your service and your support for us.

"We are proud members of the Hawaii community. We go to your churches and schools. We're part of your civic organizations, charitable organizations, and we are proud members of the Hawaii community.

"Thank you all very much for honoring us this morning. Thank you."

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

The Senate reconvened at 12:08 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 516 to 564) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 516, transmitting H.C.R. No. 10, H.D. 2, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 10, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE INDIGENOUS HAWAIIAN PEOPLE," was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 517, transmitting H.C.R. No. 12, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 12, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE PUBLIC GUARDIAN TO CONVENE A TASK FORCE TO RE-EVALUATE THE PLACEMENT OF THE OFFICE OF THE PUBLIC GUARDIAN," was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 518, transmitting H.C.R. No. 17, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 17, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF ILOCOS NORTE OF THE REPUBLIC OF THE PHILIPPINES," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 519, transmitting H.C.R. No. 19, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF A RURAL HEALTH CARE CENTER AT THE UNIVERSITY OF HAWAII AT HILO," was referred jointly to the Committee on Education and the Committee on Health.

Hse. Com. No. 520, transmitting H.C.R. No. 95, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO STUDY THE FEASIBILITY OF A DEFERRED RETIREMENT OPTION PLAN BENEFIT FOR FIRE FIGHTERS AND POLICE OFFICERS," was referred to the Committee on Labor.

Hse. Com. No. 521, transmitting H.C.R. No. 97, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 97, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO CONDUCT A STUDY ON THE FEASIBILITY OF A HYBRID RETIREMENT PLAN," was referred to the Committee on Labor.

Hse. Com. No. 522, transmitting H.C.R. No. 109, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REVIEW ITS INVESTMENT PRACTICES, DETERMINE WHETHER ANY INVESTMENTS ARE BEING MADE WITH COMPANIES BASED IN COUNTRIES THAT SUPPORT TERRORISM, AND RETHINK ITS INVESTMENT POLICIES REGARDING THESE COMPANIES," was referred to the Committee on Labor.

Hse. Com. No. 523, transmitting H.C.R. No. 117, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION AGREEMENT FOR A NEW ELEMENTARY SCHOOL IN KAHULUI, MAUI," was referred to the Committee on Education.

Hse. Com. No. 524, transmitting H.C.R. No. 120, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE OF HAWAII PURSUE A WIRELESS E911 INTERIM WORKING GROUP," was referred jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Science, Arts, and Technology.

Hse. Com. No. 525, transmitting H.C.R. No. 128, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 128, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING TELECOMMUNICATIONS AND CALL CENTERS TO INITIATE CUSTOMER RIGHT TO KNOW PROCEDURES REGARDING ALL INBOUND AND OUTBOUND COMMUNICATIONS," was referred to the Committee on Economic Development.

Hse. Com. No. 526, transmitting H.C.R. No. 131, H.D. 2, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 131, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII'S FEDERAL SECTION 8 VOUCHER PROGRAM," was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means.

Hse. Com. No. 527, transmitting H.C.R. No. 134, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE JUDICIARY, DIVISION OF DRIVER EDUCATION," was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Hse. Com. No. 528, transmitting H.C.R. No. 135, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO ESTABLISH A TASK FORCE TO DEVELOP AN EMERGENCY ACTION PLAN TO ASSIST AND EMPOWER THE WAI'ANA'E COMMUNITY AND OTHER COMMUNITIES AROUND THE STATE TO FOSTER GREATER SELF-SUFFICIENCY," was referred to the Committee on Economic Development.

Hse. Com. No. 529, transmitting H.C.R. No. 137, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 137, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECOMMENDATIONS FOR PUBLIC ASSISTANCE," was referred to the Committee on Human Services.

Hse. Com. No. 530, transmitting H.C.R. No. 142, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 142, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY PREDATORY HOME LENDING PRACTICES AND LAWS," was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 531, transmitting H.C.R. No. 143, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES PRESIDENT TO SUBMIT THE KYOTO PROTOCOL TO THE UNITED STATES SENATE FOR RATIFICATION," was referred jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Energy and Environment.

Hse. Com. No. 532, transmitting H.C.R. No. 147, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 147, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION TO CONSIDER DECLINING ANY FURTHER PARTICIPATION IN THE 'NO CHILD LEFT BEHIND ACT OF 2001' AND TO RETURN ALL FEDERAL FUNDS CONDITIONED ON THE IMPLEMENTATION OF THE ACT BY THE STATE OF HAWAII, UNLESS

CONGRESS FULLY FUNDS THE ACT,” was referred to the Committee on Education.

Hse. Com. No. 533, transmitting H.C.R. No. 151, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 151, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM TASK FORCE ON UNIVERSAL HEALTH CARE,” was referred jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 534, transmitting H.C.R. No. 157, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 157, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION FORMALIZING THE ONGOING EFFORTS OF THE AGRICULTURE WORKING GROUP IN ADDRESSING THE MANDATE OF ARTICLE XI, SECTION 3 OF THE STATE CONSTITUTION AND RELATED AGRICULTURAL AND LAND ISSUES,” was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 535, transmitting H.C.R. No. 158, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 158, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF LAND AND NATURAL RESOURCES TO UPDATE AND REPORT TO THE LEGISLATURE ON THEIR EFFORTS TO MONITOR AND RESTRICT THE IMPORTATION OF INVASIVE ALIEN AQUATIC ORGANISMS AND THEIR EFFORTS TO ERADICATE THESE ORGANISMS,” was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment.

Hse. Com. No. 536, transmitting H.C.R. No. 162, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 162, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF PROVIDERS OF DEATH CARE SERVICES,” was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 537, transmitting H.C.R. No. 165, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 165, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE KALAUPAPA SETTLEMENT OPERATIONS AND EXPENDITURES,” was jointly referred to the Committee on Health and the Committee on Ways and Means.

Hse. Com. No. 538, transmitting H.C.R. No. 172, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 172, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO FORM AN AD HOC

ADVISORY GROUP TO INVESTIGATE AND MAKE RECOMMENDATIONS REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF STANDARD OFFER CONTRACTS AND STANDARDIZED INTERCONNECTION AGREEMENTS TO REDUCE THE APPROVAL PROCESS TIME FOR THE IMPLEMENTATION OF RENEWABLE ENERGY SYSTEMS; AND FACILITATE THE PURCHASE OF ELECTRICITY FROM RENEWABLE ENERGY PRODUCERS IN HAWAII,” was referred to the Committee on Energy and Environment, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 539, transmitting H.C.R. No. 179, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 179, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND HAWAII’S U.S. PUBLIC HEALTH OFFICE TO FURTHER IMPLEMENT THEIR EPIDEMIC PREVENTION PROGRAM TO PREVENT THE POTENTIAL ENTRY OF COMMUNICABLE DISEASE VECTORS THAT MAY CAUSE AN EPIDEMIC IN HAWAII,” was referred to the Committee on Health.

Hse. Com. No. 540, transmitting H.C.R. No. 182, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 182, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF LABOR AND INDUSTRIAL RELATIONS AND HEALTH TO CONDUCT A STUDY RELATING TO THE OCCUPATIONAL AND HEALTH RISKS OF COUNTY REFUSE COLLECTION WORKERS,” was referred jointly to the Committee on Health and the Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 541, transmitting H.C.R. No. 183, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 183, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO CONDUCT AN ANALYSIS OF ITS CURRENT EFFORTS TO DETERMINE TO WHAT EXTENT IT IS UTILIZING PROMISING ENERGY EFFICIENCY AND RENEWABLE ENERGY TECHNOLOGIES IN ITS DEVELOPMENT DISTRICTS,” was referred jointly to the Committee on Energy and Environment and the Committee on Water, Land, and Agriculture.

Hse. Com. No. 542, transmitting H.C.R. No. 185, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 185, entitled: “HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT CAREER PATHWAYS AS A PART OF A SCHOOL REFORM MODEL TO INCLUDE THE REDESIGN OF CAREER AND TECHNICAL EDUCATION THAT IS REFLECTIVE OF ECONOMIC DEVELOPMENT INITIATIVES AND PRIORITIES,” was referred to the Committee on Education.

Hse. Com. No. 543, transmitting H.C.R. No. 186, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 186, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALLICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was referred to the Committee on Education.

Hse. Com. No. 544, transmitting H.C.R. No. 188, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF ESTABLISHING FLYER STOPS WITHIN THE RIGHT-OF-WAY OF OAHU'S H-2 FREEWAY AND CONNECTING TO PARK-AND-RIDE FACILITIES," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 545, transmitting H.C.R. No. 197, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 197, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO DETERMINE THE FEASIBILITY OF CONSTRUCTING A MULTI-USE PATH ALONG THE WAIANAE COAST FROM MAILI BEACH PARK TO MAKAHA SURFING BEACH," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 546, transmitting H.C.R. No. 201, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 201, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION ON THE STATE AND COUNTIES' LAND USE POLICIES WITH REGARD TO SOLID WASTE MANAGEMENT PROGRAMS," was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 547, transmitting H.C.R. No. 223, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING CERTAIN PUBLIC LEASES," was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 548, transmitting H.C.R. No. 225, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 225, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO TAKE SPECIFIC ACTIONS TO HELP THE AIRLINES SERVING THE STATE OF HAWAII IN THE EVENT OF A WAR," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 549, transmitting H.C.R. No. 226, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO EXPAND ITS BRUNCH ON THE BEACH AND SUNSET ON THE BEACH PROGRAM TO ACTIVELY WELCOME AND INCLUDE THE PARTICIPATION OF MILITARY FAMILIES," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 550, transmitting H.C.R. No. 227, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 227, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO DEVELOP AND IMPLEMENT A PROGRAM TO PROVIDE MILITARY FAMILIES STATIONED IN HAWAII WITH AN AFFORDABLE OPPORTUNITY TO SEE THE STATE," was referred jointly to the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 551, transmitting H.C.R. No. 228, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 228, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PROGRAMS TO DEMONSTRATE TO THE CHILDREN OF ARMED SERVICES MEMBERS THAT THE PEOPLE OF HAWAII VALUE AND APPRECIATE THE SACRIFICES OF THE ARMED SERVICES MEMBER AND THEIR FAMILIES," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 552, transmitting H.C.R. No. 229, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 229, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII TOURISM AUTHORITY, IN CONJUNCTION WITH THE AIRLINE AND HOTEL INDUSTRY, TO IMPLEMENT A PROGRAM WHICH GIVES REDUCED PRICES FOR AIRFARE AND HOTEL ACCOMMODATIONS TO VISITING RELATIVES AND FAMILIES OF MILITARY PERSONNEL TO SHOW OUR ALOHA FOR THEIR SACRIFICE," was referred jointly to the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 553, transmitting H.C.R. No. 230, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO CONSIDER THE LIMITED RESOURCES OF HAWAII CONTRACTORS IN ITS PROCUREMENT PROCEDURES FOR GOODS, SERVICES, AND CONSTRUCTION IN HAWAII," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 554, transmitting H.C.R. No. 41, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 41, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ESTABLISH AN INTERGOVERNMENTAL-COMMUNITY TASK FORCE TO PLAN FOR THE DEVELOPMENT OF AN ALTERNATIVE ACCESS ROAD TO KAILUA HIGH SCHOOL IN KAILUA, O'AHU," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 555, transmitting H.C.R. No. 47, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 47, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING THE ESTABLISHMENT OF AN OFFICE OF INTERNATIONAL AFFAIRS IN STATE GOVERNMENT," was referred jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Ways and Means.

Hse. Com. No. 556, transmitting H.C.R. No. 51, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY ESTABLISH A PACIFIC OCEANIC ADMINISTRATIVE REGION WITHIN THE DEPARTMENT OF HOMELAND SECURITY TO BE HEADQUARTERED IN HONOLULU," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 557, transmitting H.C.R. No. 55, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 55, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM BUSINESS ACTION CENTER TO COORDINATE AND FACILITATE THE PROJECT REVIEW AND PERMITTING PROCESS OF A PLASMA-ARC TORCH FACILITY IN THE STATE," was referred jointly to the Committee on Economic Development and the Committee on Health.

Hse. Com. No. 558, transmitting H.C.R. No. 68, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 68, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO EXPLORE THE LEASING OF UNUTILIZED FAST AND SUBMERGED LANDS AT KEEHI LAGOON FOR THE PRIVATE DEVELOPMENT OF BOATING AND OCEAN RECREATIONAL FACILITIES," was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 559, transmitting H.C.R. No. 80, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 80, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE PRESERVATION OF OUR STATE BEACHES AND SHORELINES," was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations.

Hse. Com. No. 560, transmitting H.C.R. No. 85, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 85, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROGRAM AUDIT AND INVESTIGATION OF THE VARIOUS AGENCIES INVOLVED IN THE CHILD PROTECTIVE SERVICES SYSTEM," was referred jointly to the Committee on Human Services and the Committee on Ways and Means.

Hse. Com. No. 561, transmitting H.C.R. No. 92, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, IN CONJUNCTION WITH HAWAII'S HEALTH PLANS, TO EXPLORE OPTIONS FOR PROVIDING MEDICAL SAVINGS ACCOUNTS AND HIGH DEDUCTIBLE HEALTH PLANS TO HAWAII'S BUSINESSES UNDER HAWAII'S PREPAID HEALTH CARE ACT," was referred to the Committee on Labor.

Hse. Com. No. 562, transmitting H.C.R. No. 93, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MEDICAL SAVINGS ACCOUNTS," was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 563, transmitting H.C.R. No. 94, H.D. 1, which was adopted by the House of Representatives on April 11, 2003, was placed on file.

By unanimous consent, H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO SUBMIT REPORTS ON EXEMPT EMPLOYEES AS REQUIRED BY ACT 253, SESSION LAWS OF HAWAII 2000," was referred to the Committee on Labor.

Hse. Com. No. 564, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 133, H.D. 1 (S.D. 3); and
H.B. No. 1225 (S.D. 2),

was placed on file.

ORDER OF THE DAY

APPROVAL OF JOURNALS

MATTERS DEFERRED FROM FRIDAY, APRIL 11, 2003

The President deferred the approval of the Journal of the Senate of the Forty-Seventh Day until Thursday, April 17, 2003.

The President announced that he had read and approved the Journals of the Forty-Eighth and Forty-Ninth Days.

**REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM
FRIDAY, APRIL 11, 2003**

The President made the following committee assignments of House concurrent resolutions that were received on Friday, April 11, 2003:

House Concurrent Resolution	Referred to:
No. 54	Committee on Transportation, Military Affairs, and Government Operations
No. 65	Committee on Health
No. 76	Committee on Transportation, Military Affairs, and Government Operations
No. 82, H.D. 1	Committee on Health
No. 219, H.D. 1	Committee on Science, Arts, and Technology

HOUSE COMMUNICATION

**MATTER DEFERRED FROM
FRIDAY, APRIL 11, 2003**

H.C.R. No. 77 (Hse. Com. No. 513):

By unanimous consent, action on H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Wednesday, April 16, 2003.

FINAL READING

S.B. No. 1405, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1405, and S.B. No. 1405, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

RE-REFERRAL OF HOUSE BILL

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

House Bill	Referred to:
No. 391, H.D. 2, S.D. 2	Jointly to the Committee on Transportation, Military Affairs, and Government Operations

and the Committee on Labor, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 687, S.D. 1, H.D. 1	Committee on Labor, then to the Committee on Ways and Means

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 42, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 8, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 42, S.D. 1, seconded by Senator Fukunaga and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 42, S.D. 1, seconded by Senator Fukunaga.

Senator Kawamoto noted:

"Mr. President, the House just added on a section on the penalty phase, which would refer back to Section 200-25 on fines and penalties for violating thrill craft."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 42, S.D. 1, and S.B. No. 42, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERCRAFT," was placed on the calendar for Final Reading on Wednesday, April 16, 2003.

S.B. No. 1075, S.D. 1 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1075, S.D. 1, seconded by Senator Chun Oakland and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1075, S.D. 1, seconded by Senator Chun Oakland.

Senator Hanabusa noted:

"Mr. President, there are about four differences in the bill. Three of them are just more technical and drafting in matter. The major difference is found in the fact that the Senate version said, 'an agency may require the parties' and the House version says, 'an agency may encourage the party.'"

"The testimony that we received, people did not want to have a mandatory mediation. However, they wanted to have it as a tool, therefore, I believe that we can concur with the House version.

"Thank you."

Senator Ihara rose and said:

"Mr. President, could I have a 'no' vote cast on this vote for me."

The President so ordered.

The motion was then put by the Chair and carried with Senator Ihara voting "No," the Senate agreed to the amendments proposed by the House to S.B. No. 1075, S.D. 1, and S.B. No. 1075, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTED CASES," was placed on the calendar for Final Reading on Wednesday, April 16, 2003.

S.B. No. 1156 (H.D. 2):

Senator Hanabusa moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1156, seconded by Senator Taniguchi and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1156, seconded by Senator Taniguchi.

Senator Hanabusa noted:

"Mr. President, the difference between the Senate version and the House version is whether islands, under Hawaiian Islands, the 'i' should be capitalized or not."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1156, and S.B. No. 1156, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was placed on the calendar for Final Reading on Wednesday, April 16, 2003.

S.B. No. 1107, S.D. 1 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 8, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1107, S.D. 1, seconded by Senator Chun Oakland and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1107, S.D. 1, seconded by Senator Chun Oakland.

Senator Hanabusa noted:

"Mr. President, in this case, the House amendments are better. What happened is that the definition that the Senate Committee struggled with regarding definition of undergarments – this is the infamous escalator voyeur bill – they moved it into the definition section and we agree that that's probably where it should be.

"There's also a comma and there's also the insertion of the word covertly, before record and broadcast.

"Mr. President, we believe that we can agree to those changes.

"Thank you."

Senator Ihara rose and said:

"Mr. President, are we on S.B. No. 1361?"

The President answered:

"No, S.B. No. 1107."

Senator Ihara then said:

"Okay, we're taking it out of order then. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1107, S.D. 1, and S.B. No. 1107, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES," was placed on the calendar for Final Reading on Wednesday, April 16, 2003.

S.B. No. 1361, S.D. 2 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1361, S.D. 2, seconded by Senator Menor and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1361, S.D. 2, seconded by Senator Menor.

Senator Baker noted:

"Mr. President, the amendments made by the House are largely technical and nonsubstantive. However, they did make one amendment made at the request of both the Department of Health and DHS that the Committees on Health and Consumer Protection and Housing support that merely insures that the state law does not override federal statute with regard to Medicaid. We couldn't do it anyway, so it seemed like a worthy amendment."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1361, S.D. 2, and S.B. No. 1361, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was placed on the calendar for Final Reading on Wednesday, April 16, 2003.

At this time, Senator Kim, on behalf of the Senate, extended happy birthday wishes to Senator Kawamoto.

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 16, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-SECOND DAY

Wednesday, April 16, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Steve Murphy, Olivet Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Ihara and Whalen who were excused.

The President announced that he had read and approved the Journal of the Fifty-First Day.

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

Senator Aduja, with the assistance of Senators Kawamoto and Menor, recognized the film "An Untold Triumph" for its honorable recount of the contributions of Filipino-Americans during World War II, and introduced the following members of the 1st and 2nd Filipino Infantry Regiment: Peter Aduja, Domingo Los Banos, former Chief Justice William Richardson, retired General Herbert Wolffe, and Simeon Amor.

Senator Kim commended the Kamehameha Warrior Varsity Blue Cheerleading Team on becoming the 2003 National and State High School Cheerleading Champions and introduced the following representatives of the team: Head Coach Dolly Wong, Assistant Coach Melissa Beimes, Athletic Director Erv Kau, and team members Kanaikahaku Dang, Giselle-Anne Kim, Roelle Hooihuli, and Kamaile Maldonado.

Senator Ige introduced and congratulated the Queen of the 51st Annual Cherry Blossom Festival, Heather Suehiro, and her court: First Princess Lisa Kitagawa, Princess Lyndsey Haraguchi, Princess Stacie Sato, and Miss Congeniality Ayja Nakasone. Also recognized were Princess Alana Anderson and Miss Popularity Kristin Ross who were not present.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 335 to 426) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 335, dated March 28, 2003, transmitting the Annual Report on the Status of the Program for Environmentally-Themed Products to Support the Environment Established Under HRS Section 195D-5.5, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-5.5, HRS, was placed on file.

Gov. Msg. No. 336, dated March 28, 2003, transmitting the Progress Report on the Implementation of A.R.T.S. First: Hawaii's Arts Education Strategic Plan 2001-2006, prepared by the State Foundation on Culture and the Arts on behalf of the Hawaii Arts Education Partners pursuant to Act 306, SLH 2001, was placed on file.

Gov. Msg. No. 337, dated April 11, 2003, transmitting the following reports prepared by the University of Hawaii:

Annual Report on Transfer of Appropriated Funds and Positions, pursuant to Section 37-74, HRS; Annual Report on Special and Revolving Fund Expenditures in Excess of Each Fund's Appropriation Approved by the President of the University of Hawaii, pursuant to Section 304-7.8, HRS; and Annual Report of the Salaries Paid to All University of Hawaii Executive, Managerial, and Faculty Members Including the President, pursuant to Section 304-13.5, HRS, was placed on file.

Gov. Msg. No. 338, dated April 4, 2003, transmitting the Hawaii Small Business Regulatory Review Board Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 168, SLH 1998, was placed on file.

Gov. Msg. No. 339, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of LINDA D. HAMILTON, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 340, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of REBECCA S. WILLIAMS, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 341, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of GARY K. SAITO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 342, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of MIKE HASHIMOTO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 343, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of DEBORAH M. LIM, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 344, submitting for consideration and confirmation to the Hawai'i Community Development Authority (HCDA), the nomination of WILLIAM J. AILA JR., term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 345, submitting for consideration and confirmation to the Hawai'i Community Development Authority (HCDA), the nomination of PAUL K. KIMURA, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 346, submitting for consideration and confirmation to the Hawai'i Community Development Authority (HCDA), the nomination of EVELYN E. SOUZA, term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 347, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of ELAINE L. HOGUE, term to expire June 30, 2007, was referred to the Committee on Economic Development.

Gov. Msg. No. 348, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of ANNA MARIE SPRINGER, term to expire June 30, 2007, was referred to the Committee on Economic Development.

Gov. Msg. No. 349, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of CLARICE CORNETT, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 350, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of RHODA FEINBERG PH.D., term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 351, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of THEODORE G.M. JUNG, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 352, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of WAYLEN K.K. TOMA, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 353, submitting for consideration and confirmation to the Defender Council, the nomination of JULIE KAI BARRETO, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 354, submitting for consideration and confirmation to the Defender Council, the nomination of MICHELLE L. DREWYER, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 355, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of GLENN M.L. PANG MD, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 356, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of KEVIN H.M. CHONG KEE, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 357, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of PETER T. DYER, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 358, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of RANDALL M. HASHIMOTO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 359, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of SHAWN USHIJIMA, term to expire June 30, 2007, was

referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 360, submitting for consideration and confirmation to the Environmental Council, the nomination of DAVID S. BYLUND, term to expire June 30, 2007, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 361, submitting for consideration and confirmation to the Board of Health, the nomination of PAULA A.Y. ARCENA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 362, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of HERBERT K.W. CHINN JR., term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 363, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of GEORGE A. WESSBERG DDS, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 364, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of PATRICIA L. CHINN MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 365, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of DAVID EASA MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 366, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of JAY M. FIDELL, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 367, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of BRIAN J. GOLDSTEIN, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 368, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of SHARON M. WONG, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 369, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of JEFF GOLDSMITH, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 370, submitting for consideration and confirmation to the Statewide Independent Living Council, the nomination of KENNETH TERUYA AKINAKA MRA, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 371, submitting for consideration and confirmation to the Statewide Independent Living Council, the nomination of PATRICIA LOCKWOOD, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 372, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of JOYCE CASSEN MD, term to expire June 30, 2006, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 373, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of WENDELL K.S. FOO MD, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 374, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of RONALD H. KIENITZ DO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 375, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of PETER A. MATSUURA MD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 376, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of JOHN T. MCDONNELL MD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 377, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of MARIA BRUSCA PATTEN DO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 378, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of DAVID D.S. CHUN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 379, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of SHERYL L. THOMPSON, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 380, submitting for consideration and confirmation to the State Board of Nursing, the nomination of THERESA SAKAI RN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 381, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of BARBARA A. BROOKS PH.D., term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 382, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of RONALD F.L. MAU, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 383, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of DULCE TOMI ONAGA, term to expire June 30, 2007, was

referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 384, submitting for consideration and confirmation to the Board of Psychology, the nomination of LAURA E. OZAK RN JD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 385, submitting for consideration and confirmation to the Board of Psychology, the nomination of ROSALIE K. TATSUGUCHI PH.D., term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 386, submitting for consideration and confirmation to the Real Estate Commission, the nomination of TRUDY I. NISHIHARA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 387, submitting for consideration and confirmation to the Board of Registration of the Islands of Kauai and Niihau, the nomination of RON AGOR, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 388, submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kaho`olawe, the nomination of KATHRYN GHEAN, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 389, submitting for consideration and confirmation to the Board of Registration of the Island of Oahu, the nomination of ROBERTA CHONG KEE, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 390, submitting for consideration and confirmation to the Reproductive Rights Protection Committee, the nomination of KRISTINE M. ALTWIES NICHOLSON, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 391, submitting for consideration and confirmation to the Reproductive Rights Protection Committee, the nomination of VALERIE MARIE WANG MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 392, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of DAVID G. RIETOW, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 393, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of LYNNE E. WOODS, term to expire June 30, 2006, was referred to the Committee on Economic Development.

Gov. Msg. No. 394, submitting for consideration and confirmation to the Board of Directors of the Hawai`i Strategic Development Corporation, the nomination of PHILIP M. JOHNSON PH.D., term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 395, submitting for consideration and confirmation to the Board of Directors of the Hawai`i Strategic Development Corporation, the nomination of WILLIAM M.

MCKILLOP, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 396, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, the nomination of STEVE B. METTER, term to expire June 30, 2006, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 397, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, the nomination of DAVID A. OKA, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 398, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, the nomination of GLENN S. YAMADA, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 399, submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District (Oahu), the nomination of MANOJ SAMARANAYAKE CPA, term to expire June 30, 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 400, submitting for consideration and confirmation to the Board of Taxation Review, 4th Taxation District (Kauai), the nomination of MATT H. TAKATA, term to expire June 30, 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 401, submitting for consideration and confirmation to the Advisory Board on Veterans Services, the nomination of FRANK A. CRUZ, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 402, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of ROGER M. KONDO DVM, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 403, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of MICHAEL H. FURUKAWA, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 404, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of STEPHANIE A. WHALEN, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 405, submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, the nomination of ANNE T. ZANE, term to expire June 30, 2004, was referred to the Committee on Health.

Gov. Msg. No. 406, submitting for consideration and confirmation to the State Boxing Commission of Hawai'i, the nomination of DELLA K. MARTIN (YOUNG), term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 407, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of WAYNETTE HO-

KWON, term to expire June 30, 2007, was referred to the Committee on Economic Development.

Gov. Msg. No. 408, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of JAMES T. WEST PH.D., term to expire June 30, 2007, was referred to the Committee on Economic Development.

Gov. Msg. No. 409, submitting for consideration and confirmation to the Endangered Species Recovery Committee, the nomination of KAREN A. POIANI, term to expire June 30, 2007, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 410, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of JENNY L. STONE MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 411, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of CAROL H. MCNAMEE, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 412, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of BRYAN S. WAUKE, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 413, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of JAN N. WIEDMAN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 414, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of KARL H. MIYAMOTO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 415, submitting for consideration and confirmation to the Board of Psychology, the nomination of WILLIAM C. REZENTES III PH.D., term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 416, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of RENE BERTHIAUME, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 417, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of GENE R. DESCALZI, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 418, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of NANCY G. KINGHORN, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 419, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of RICHARD W. SMITH, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 420, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of VIRGINIA G. TOMPKINS, term to expire June 30, 2004, was referred to the Committee on Human Services.

Gov. Msg. No. 421, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of BARBARA J. WARD, term to expire June 30, 2004, was referred to the Committee on Human Services.

Gov. Msg. No. 422, submitting for consideration and confirmation to the Commission of Transportation, the nomination of JOHN ROMANOWSKI, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 423, submitting for consideration and confirmation as the Director for the Office of Environmental Quality Control, the nomination of GENEVIEVE SALMONSON, term to expire May 9, 2006, was referred to the Committee on Energy and Environment.

Gov. Msg. No. 424, submitting for consideration and confirmation to the Hawai'i Community Development Authority (HCDA), the nomination of MAEDA C. TIMSON, term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 425, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of KEN HIDESHI TAKAYAMA, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 426, submitting for consideration and consent, the nomination of JAMES E. DUFFY JR. to the office of Associate Justice, State Supreme Court, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary and Hawaiian Affairs.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 30, from the Department of Health dated April 7, 2003, transmitting the 2002 Primary Care Needs Assessment Databook, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 565 and 566) were read by the Clerk and were placed on file:

Hse. Com. No. 565, informing the Senate that the Speaker on April 14, 2003, appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 16, S.D. 2 (H.D. 2):

Representatives Takumi, Takai, Waters, co-chairs; Evans, Ontai.

S.B. No. 17, S.D. 1 (H.D. 1):

Representatives Takumi, Karamatsu, co-chairs; Evans, Ontai.

S.B. No. 38 (H.D. 2):

Representatives Chang, Hamakawa, Karamatsu, co-chairs; Ontai.

S.B. No. 41 (H.D. 1):

Representatives Chang, Hamakawa, Karamatsu, co-chairs; Pendleton.

S.B. No. 44, S.D. 2 (H.D. 2):

Representatives Souki, Takamine, co-chairs; Caldwell, Pendleton.

S.B. No. 58, S.D. 1 (H.D. 2):

Representatives Takumi, Waters, co-chairs; Evans, Ontai.

S.B. No. 69, S.D. 1 (H.D. 1):

Representatives Takumi, chair; Evans, Schatz, Leong.

S.B. No. 78, S.D. 2 (H.D. 1):

Representatives Kahikina, Arakaki, B. Oshiro, co-chairs; Hamakawa, Marumoto.

S.B. No. 88, S.D. 1 (H.D. 1):

Representatives Ito, Souki, Hiraki, co-chairs; Thielen.

S.B. No. 205, S.D. 3 (H.D. 2):

Representatives M. Oshiro, Nakasone, co-chairs; Mindo, Blundell.

S.B. No. 209, S.D. 3 (H.D. 1):

Representatives M. Oshiro, Nakasone, co-chairs; Mindo, Blundell.

S.B. No. 248, S.D. 3 (H.D. 1):

Representatives Chang, Takamine, co-chairs; Tamayo, Marumoto.

S.B. No. 255, S.D. 2 (H.D. 1):

Representatives Abinsay, Kanoho, B. Oshiro, co-chairs; Caldwell, Finnegan.

S.B. No. 295, S.D. 1 (H.D. 1):

Representatives Souki, chair; Caldwell, Ito, Blundell.

S.B. No. 299, S.D. 1 (H.D. 1):

Representatives Hamakawa, chair; Caldwell, B. Oshiro, Finnegan.

S.B. No. 317, S.D. 2 (H.D. 1):

Representatives Hale, Shimabukuro, co-chairs; Kaho`ohalahala, Moses.

S.B. No. 319, S.D. 2 (H.D. 1):

Representatives Morita, Magaoay, co-chairs; Kaho`ohalahala, Bukoski.

S.B. No. 325 (H.D. 1):

Representatives Arakaki, Nishimoto, co-chairs; Kawakami, Ching.

S.B. No. 337, S.D. 1 (H.D. 1):

Representatives Takumi, Karamatsu, co-chairs; Evans, Leong.

S.B. No. 345, S.D. 1 (H.D. 2):

Representatives Souki, Hiraki, co-chairs; Caldwell, Finnegan.

S.B. No. 354, S.D. 2 (H.D. 2):

Representatives Morita, Takamine, co-chairs; Nakasone, Thielen.

S.B. No. 359, S.D. 2 (H.D. 2):

Representatives Chang, Schatz, Takamine, co-chairs; Marumoto.

S.B. No. 373, S.D. 1 (H.D. 2):

Representatives Hiraki, B. Oshiro, co-chairs; Hamakawa, Finnegan.

S.B. No. 374, S.D. 1 (H.D. 1):

Representatives Hiraki, chair; Herkes, Sonson, Stonebraker.

S.B. No. 377, S.D. 1 (H.D. 2):

Representatives Chang, Schatz, Takamine, co-chairs; Meyer.

S.B. No. 394 (H.D. 1):

Representatives Hiraki, chair; Herkes, Sonson, Marumoto.

S.B. No. 402, S.D. 2 (H.D. 2):

Representatives Takai, Arakaki, Nishimoto, co-chairs; Ching.

S.B. No. 420, S.D. 1 (H.D. 1):

Representatives Takamine, chair; Kawakami, Nakasone, Meyer.

S.B. No. 426, S.D. 1 (H.D. 1):

Representatives Schatz, Wakai, co-chairs; Waters, Leong.

S.B. No. 457, S.D. 1 (H.D. 1):

Representatives Nishimoto, chair; Karamatsu, Wakai, Moses.

S.B. No. 459, S.D. 1 (H.D. 1):

Representatives Hamakawa, chair; Caldwell, B. Oshiro, Bukoski.

S.B. No. 464, S.D. 2 (H.D. 2):

Representatives Souki, Takamine, co-chairs; Caldwell, Pendleton.

S.B. No. 474, S.D. 2 (H.D. 1):

Representatives Magaoay, Hamakawa, Kawakami, co-chairs; Marumoto.

S.B. No. 506 (H.D. 2):

Representatives Morita, Magaoay, co-chairs; Evans, Jernigan.

S.B. No. 528, S.D. 2 (H.D. 1):

Representatives Kanoho, Kaho`ohalahala, co-chairs; Magaoay, Meyer.

S.B. No. 534, S.D. 2 (H.D. 1):

Representatives Takai, Wakai, co-chairs; Tamayo, Ching.

S.B. No. 538, S.D. 1 (H.D. 1):

Representatives Abinsay, Kanoho, Kaho`ohalahala, co-chairs; Halford.

S.B. No. 540, S.D. 1 (H.D. 2):

Representatives Abinsay, Magaoay, co-chairs; Sonson, Ontai.

S.B. No. 552, S.D. 2 (H.D. 2):

Representatives Kanoho, Morita, B. Oshiro, co-chairs; Thielen.

S.B. No. 574, S.D. 1 (H.D. 2):

Representatives Hiraki, Magaoay, co-chairs; Herkes, Stonebraker.

S.B. No. 576 (H.D. 2):

Representatives Takai, Wakai, co-chairs; Tamayo, Ontai.

S.B. No. 579, S.D. 1 (H.D. 1):

Representatives Magaoay, chair; Shimabukuro, Waters, Jernigan.

S.B. No. 582 (H.D. 1):

Representatives Takamine, chair; Kaho`ohalahala, Karamatsu, Kawakami, Magaoay, Mindo, Nakasone, Nishimoto, Shimabukuro, Wakai, Waters, Bukoski, Jernigan, Meyer, Moses.

S.B. No. 585, S.D. 1 (H.D. 1):

Representatives Kahikina, Arakaki, Takamine, co-chairs; Finnegan.

S.B. No. 611, S.D. 1 (H.D. 2):

Representatives Hamakawa, Wakai, co-chairs; B. Oshiro, Pendleton.

S.B. No. 614, S.D. 1 (H.D. 1):

Representatives B. Oshiro, Waters, co-chairs; Hamakawa, Pendleton.

S.B. No. 635, S.D. 2 (H.D. 2):

Representatives Hamakawa, Waters, co-chairs; B. Oshiro.

S.B. No. 637 (H.D. 2):

Representatives Hamakawa, Shimabukuro, co-chairs; B. Oshiro, Marumoto.

S.B. No. 658, S.D. 1 (H.D. 3):

Representatives Arakaki, Hamakawa, Wakai, co-chairs; Thielen.

S.B. No. 665, S.D. 1 (H.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Herkes, Finnegan.

S.B. No. 678, S.D. 1 (H.D. 1):

Representatives M. Oshiro, Hiraki, co-chairs; Lee, Blundell.

S.B. No. 687, S.D. 1 (H.D. 1):

Representatives M. Oshiro, chair; Ito, Mindo, Blundell.

S.B. No. 740 (H.D. 2):

Representatives Arakaki, Nishimoto, co-chairs; Hale, Meyer.

S.B. No. 745, S.D. 2 (H.D. 2):

Representatives Arakaki, Takamine, co-chairs; Karamatsu, Bukoski.

S.B. No. 748, S.D. 2 (H.D. 2):

Representatives Takai, Wakai, co-chairs; Tamayo, Ching.

S.B. No. 768, S.D. 1 (H.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Bukoski.

S.B. No. 773 (H.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Blundell.

S.B. No. 789, S.D. 1 (H.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Blundell.

S.B. No. 830, S.D. 1 (H.D. 3):

Representatives M. Oshiro, Hamakawa, Shimabukuro, co-chairs; Pendleton.

S.B. No. 837, S.D. 1 (H.D. 2):

Representatives Schatz, M. Oshiro, Wakai, co-chairs; Leong.

S.B. No. 855, S.D. 1 (H.D. 3):

Representatives Schatz, Morita, Takamine, co-chairs; Thielen.

S.B. No. 870, S.D. 2 (H.D. 1):

Representatives Kahikina, Shimabukuro, co-chairs; Kawakami, Stonebraker.

S.B. No. 880 (H.D. 2):

Representatives Magaoay, Karamatsu, co-chairs; Luke, Jernigan.

S.B. No. 919, S.D. 1 (H.D. 2):

Representatives Takai, Wakai, co-chairs; Tamayo, Ching.

S.B. No. 931, S.D. 2 (H.D. 2):

Representatives M. Oshiro, Nakasone, co-chairs; Caldwell, Pendleton.

S.B. No. 933, S.D. 1 (H.D. 1):

Representatives Hamakawa, chair; Lee, B. Oshiro, Finnegan.

S.B. No. 945, S.D. 1 (H.D. 1):

Representatives Kahikina, Arakaki, Takumi, Takamine, co-chairs; Stonebraker.

S.B. No. 946 (H.D. 2):

Representatives Kahikina, Hamakawa, co-chairs; B. Oshiro, Ching.

S.B. No. 975 (H.D. 1):

Representatives Chang, B. Oshiro, Karamatsu, co-chairs; Thielen.

S.B. No. 1034, S.D. 1 (H.D. 2):

Representatives Abinsay, Kanoho, Kaho`ohalahala, co-chairs; Halford.

S.B. No. 1040, S.D. 1 (H.D. 1):

Representatives Chang, Kanoho, Takamine, co-chairs; Ontai.

S.B. No. 1049, S.D. 1 (H.D. 1):

Representatives Hiraki, chair; Herkes, Sonson, Stonebraker.

S.B. No. 1050, S.D. 2 (H.D. 2):

Representatives Ito, Mindo, co-chairs; Magaoay, Pendleton.

S.B. No. 1051 (H.D. 2):

Representatives Souki, Hamakawa, co-chairs; B. Oshiro, Moses.

S.B. No. 1055, S.D. 1 (H.D. 1):

Representatives Hiraki, Takamine, co-chairs; Herkes, Bukoski.

S.B. No. 1058, S.D. 1 (H.D. 1):

Representatives Hiraki, chair; Caldwell, Herkes, Marumoto.

S.B. No. 1068, S.D. 1 (H.D. 2):

Representatives Kahikina, Shimabukuro, co-chairs; Magaoay, Moses.

S.B. No. 1070 (H.D. 1):

Representatives M. Oshiro, Hiraki, Nakasone, co-chairs; Pendleton.

S.B. No. 1077, S.D. 1 (H.D. 1):

Representatives Hiraki, Karamatsu, co-chairs; Herkes, Meyer.

S.B. No. 1088, S.D. 2 (H.D. 2):

Representatives Arakaki, Kahikina, Takamine, co-chairs.

- S.B. No. 1134, S.D. 1 (H.D. 1):
Representatives Hamakawa, Nishimoto, co-chairs; B. Oshiro, Pendleton.
- S.B. No. 1135, S.D. 1 (H.D. 1):
Representatives Hamakawa, Nishimoto, co-chairs; B. Oshiro, Bukoski.
- S.B. No. 1172, S.D. 2 (H.D. 2):
Representatives Souki, Schatz, Wakai, co-chairs; Caldwell, Leong.
- S.B. No. 1200, S.D. 1 (H.D. 1):
Representatives Hiraki, chair; Herkes, Sonson, Marumoto.
- S.B. No. 1201, S.D. 2 (H.D. 1):
Representatives Hiraki, Hamakawa, co-chairs; B. Oshiro, Finnegan.
- S.B. No. 1234, S.D. 2 (H.D. 1):
Representatives Hamakawa, chair; Caldwell, B. Oshiro, Marumoto.
- S.B. No. 1237, S.D. 1 (H.D. 2):
Representatives Takumi, Waters, co-chairs; Evans, Ontai.
- S.B. No. 1239, S.D. 1 (H.D. 2):
Representatives Morita, Souki, Kawakami, co-chairs; Thielen.
- S.B. No. 1241 (H.D. 2):
Representatives Arakaki, Nishimoto, co-chairs; Hale, Ching.
- S.B. No. 1255, S.D. 2 (H.D. 1):
Representatives Abinsay, Karamatsu, co-chairs; Sonson, Halford.
- S.B. No. 1258, S.D. 1 (H.D. 1):
Representatives Abinsay, Karamatsu, co-chairs; Sonson, Meyer.
- S.B. No. 1261 (H.D. 2):
Representatives Hiraki, Magaoay, co-chairs; Herkes, Moses.
- S.B. No. 1262, S.D. 1 (H.D. 1):
Representatives Hiraki, Magaoay, co-chairs; Herkes, Meyer.
- S.B. No. 1267 (H.D. 2):
Representatives Hiraki, B. Oshiro, co-chairs; Hamakawa, Stonebraker.
- S.B. No. 1274, S.D. 1 (H.D. 1):
Representatives Hamakawa, chair; Caldwell, B. Oshiro, Pendleton.
- S.B. No. 1279, S.D. 2 (H.D. 2):
Representatives B. Oshiro, Waters, co-chairs; Hamakawa, Moses.
- S.B. No. 1281, S.D. 1 (H.D. 1):
Representatives Schatz, Wakai, co-chairs; Tamayo, Leong.
- S.B. No. 1286, S.D. 1 (H.D. 2):
Representatives Schatz, Kahikina, M. Oshiro, Nakasone, co-chairs; Ontai.
- S.B. No. 1305, S.D. 1 (H.D. 1):
Representatives Takamine, chair; Kawakami, Waters, Moses.
- S.B. No. 1306 (H.D. 1):
Representatives Hiraki, Magaoay, co-chairs; Herkes, Jernigan.
- S.B. No. 1309, S.D. 2 (H.D. 2):
Representatives M. Oshiro, Nakasone, co-chairs; Mindo, Blundell.
- S.B. No. 1311, S.D. 1 (H.D. 1):
Representatives Takamine, chair; Kawakami, Wakai, Jernigan.
- S.B. No. 1312, S.D. 1 (H.D. 2):
Representatives M. Oshiro, Nakasone, co-chairs; Ito, Blundell.
- S.B. No. 1319, S.D. 1 (H.D. 3):
Representatives Hiraki, B. Oshiro, Karamatsu, co-chairs; Finnegan.
- S.B. No. 1321 (H.D. 2):
Representatives Arakaki, Hiraki, Nishimoto, co-chairs; Thielen.
- S.B. No. 1324, S.D. 1 (H.D. 2):
Representatives Hiraki, B. Oshiro, co-chairs; Hamakawa, Stonebraker.
- S.B. No. 1326, S.D. 1 (H.D. 1):
Representatives Takumi, Waters, co-chairs; Evans, Meyer.
- S.B. No. 1332, S.D. 2 (H.D. 2):
Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Bukoski.
- S.B. No. 1333, S.D. 1 (H.D. 2):
Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Jernigan.
- S.B. No. 1334 (H.D. 1):
Representatives Magaoay, chair; Nishimoto, Waters, Meyer.
- S.B. No. 1352, S.D. 1 (H.D. 2):
Representatives Kahikina, Hamakawa, Shimabukuro, co-chairs; Ching.
- S.B. No. 1373, S.D. 1 (H.D. 1):

- Representatives M. Oshiro, Nakasone, co-chairs; Ito, Blundell.
S.B. No. 1381, S.D. 1 (H.D. 2):
- Representatives Takumi, Takamine, co-chairs; Evans, Mindo, Ontai
S.B. No. 1393, S.D. 2 (H.D. 1):
- Representatives Ito, M. Oshiro, Hamakawa, Takamine, co-chairs; Pendleton.
S.B. No. 1394, S.D. 2 (H.D. 1):
- Representatives Kawakami, chair; Karamatsu, Waters, Bukoski.
S.B. No. 1395, S.D. 1 (H.D. 1):
- Representatives Kawakami, chair; Karamatsu, Waters, Jernigan.
S.B. No. 1397, S.D. 1 (H.D. 2):
- Representatives Schatz, Wakai, co-chairs; Tamayo, Ontai.
S.B. No. 1399, S.D. 2 (H.D. 2):
- Representatives Kahikina, Arakaki, Takamine, co-chairs; Ching.
S.B. No. 1400, S.D. 1 (H.D. 1):
- Representatives Kawakami, chair; Karamatsu, Waters, Meyer.
S.B. No. 1403 (H.D. 1):
- Representatives Souki, Kawakami, co-chairs; Caldwell, Moses.
S.B. No. 1410, S.D. 1 (H.D. 1):
- Representatives Takai, Wakai, co-chairs; Tamayo, Leong.
S.B. No. 1423, S.D. 2 (H.D. 2):
- Representatives Kahikina, Shimabukuro, co-chairs; Wakai, Finnegan.
S.B. No. 1425, S.D. 2 (H.D. 1):
- Representatives Schatz, M. Oshiro, Wakai, co-chairs; Leong.
S.B. No. 1432, S.D. 2 (H.D. 2):
- Representatives Abinsay, Karamatsu, co-chairs; Sonson, Halford.
S.B. No. 1438 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Bukoski.
S.B. No. 1439 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Meyer.
S.B. No. 1440 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Moses.
S.B. No. 1441 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Bukoski.
S.B. No. 1442 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Meyer.
S.B. No. 1443 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Moses.
S.B. No. 1444 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Bukoski.
S.B. No. 1445 (H.D. 1):
- Representatives M. Oshiro, Takamine, co-chairs; Mindo, Jernigan.
S.B. No. 1446, S.D. 2 (H.D. 1):
- Representatives Schatz, Arakaki, Wakai, co-chairs; Leong.
S.B. No. 1460, S.D. 1 (H.D. 2):
- Representatives Chang, Karamatsu, co-chairs; Herkes, Ontai.
S.B. No. 1462 (H.D. 2):
- Representatives Chang, Karamatsu, co-chairs; Herkes, Ontai.
S.B. No. 1492, S.D. 1 (H.D. 2):
- Representatives Arakaki, Kahikina, Hiraki, co-chairs; Stonebraker.
S.B. No. 1495, S.D. 1 (H.D. 1):
- Representatives Kanoho, Kaho`ohalahala, co-chairs; Wakai, Thielen.
S.B. No. 1496 (H.D. 1):
- Representatives Abinsay, Karamatsu, co-chairs; Sonson, Jernigan.
S.B. No. 1505, S.D. 1 (H.D. 2):
- Representatives Morita, Abinsay, Karamatsu, co-chairs; Halford.
S.B. No. 1519, S.D. 1 (H.D. 2):
- Representatives Arakaki, Nishimoto, co-chairs; Nakasone, Stonebraker.
S.B. No. 1589, S.D. 1 (H.D. 1):
- Representatives Hiraki, chair; Caldwell, Herkes, Marumoto.
S.B. No. 1594 (H.D. 1):
- Representatives Kanoho, B. Oshiro, co-chairs; Hamakawa, Finnegan.

S.B. No. 1619, S.D. 2 (H.D. 2):

Representatives Kanohe, Ito, Chang, Takamine, co-chairs; Leong.

S.B. No. 1621 (H.D. 1):

Representatives Takamine, chair; Kawakami, Nakasone, Meyer.

S.B. No. 1629, S.D. 1 (H.D. 2):

Representatives Chang, Hiraki, Takamine, co-chairs; Leong.

S.B. No. 1630 (H.D. 1):

Representatives Hiraki, chair; Caldwell, Herkes, Marumoto.

S.B. No. 1647, S.D. 2 (H.D. 2):

Representatives Kahikina, Hiraki, Shimabukuro, co-chairs; Ching.

S.B. No. 1661, S.D. 2 (H.D. 1):

Representatives Kahikina, Shimabukuro, co-chairs; Hale, Stonebraker.

S.B. No. 1675 (H.D. 3):

Representatives Arakaki, Hamakawa, Nishimoto, co-chairs; Pendleton.

S.B. No. 1700, S.D. 1 (H.D. 2):

Representatives Takumi, Waters, co-chairs; Evans, Ontai.

Hse. Com. No. 566, informing the Senate that the Speaker on April 14, 2003, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 10, H.D. 2 (S.D. 1):

Representatives Morita, Hiraki, co-chairs; Herkes, Thielen.

H.B. No. 21, H.D. 1 (S.D. 2):

Representatives Schatz, M. Oshiro, Nakasone, co-chairs; Pendleton.

In accordance therewith, the President appointed Senators Fukunaga, Kawamoto, Taniguchi, co-chairs; Aduja, Ige, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 29, H.D. 1 (S.D. 1):

Representatives M. Oshiro, Nakasone, co-chairs; Ito, Blundell.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 32, H.D. 2 (S.D. 2):

Representatives Takumi, Mindo, co-chairs; Evans, Ching.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Chun Oakland, Hooser, Hogue as managers on the part of the Senate at such conference.

H.B. No. 50, H.D. 2 (S.D. 1):

Representatives M. Oshiro, Nakasone, co-chairs; Ito, Bukoski.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 73 (S.D. 1):

Representatives Hamakawa, Nishimoto, co-chairs; Karamatsu, Wakai, Moses.

In accordance therewith, the President appointed Senators Kawamoto, chair; Hanabusa, co-chair; Aduja, Fukunaga as managers on the part of the Senate at such conference.

H.B. No. 75, H.D. 2 (S.D. 1):

Representatives Hiraki, Wakai, co-chairs; Herkes, Marumoto.

In accordance therewith, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 96, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Caldwell, Herkes, Finnegan.

In accordance therewith, the President appointed Senators Menor, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 122 (S.D. 2):

Representatives Kahikina, Arakaki, Shimabukuro, co-chairs; Hale, Meyer.

In accordance therewith, the President appointed Senators Chun Oakland, chair; Baker, Taniguchi, co-chairs; Aduja, Inouye as managers on the part of the Senate at such conference.

H.B. No. 123, H.D. 1 (S.D. 1):

Representatives Arakaki, Hiraki, co-chairs; Lee, Finnegan.

H.B. No. 127, H.D. 1 (S.D. 1):

Representatives Kahikina, Shimabukuro, co-chairs; Hale, Stonebraker.

In accordance therewith, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Fukunaga, Hooser, Inouye, Kokubun, Trimble as managers on the part of the Senate at such conference.

H.B. No. 129, H.D. 1 (S.D. 1):

Representatives Kahikina, M. Oshiro, Takai, Shimabukuro, co-chairs; Leong.

In accordance therewith, the President appointed Senators Chun Oakland, chair; Sakamoto, Taniguchi, co-chairs; Inouye, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 130, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Nakasone, co-chairs; Ito, Moses.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 133, H.D. 1 (S.D. 3):

Representatives Hamakawa, Ito, co-chairs; B. Oshiro, Finnegan.

In accordance therewith, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Hooser, Inouye, Trimble as managers on the part of the Senate at such conference.

H.B. No. 135, H.D. 1 (S.D. 1):

Representatives Hamakawa, chair; Lee, B. Oshiro, Thielen.

In accordance therewith, the President appointed Senators Menor, chair; Hanabusa, co-chair; Baker, Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 139, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Caldwell, Herkes.

H.B. No. 140, H.D. 1 (S.D. 1):

Representatives Hiraki, Nakasone, co-chairs; Herkes, Marumoto.

In accordance therewith, the President appointed Senators Menor, chair; Kawamoto, co-chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 155, H.D. 2 (S.D. 2):

Representatives Abinsay, Karamatsu, co-chairs; Sonson, Halford.

In accordance therewith, the President appointed Senators Inouye, Espero, Kokubun, co-chairs; English, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 176, H.D. 1 (S.D. 2):

Representatives Hamakawa, Ito, Mindo, co-chairs; Shimabukuro, Thielen.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Fukunaga, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 192, H.D. 1 (S.D. 1):

Representatives Kanoho, B. Oshiro, co-chairs; Kaho`ohalahala, Bukoski.

In accordance therewith, the President appointed Senators Inouye, Hanabusa, co-chairs; English, Espero, Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 200, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Kaho`ohalahala, Karamatsu, Kawakami, Magaoay, Mindo, Nakasone, Nishimoto, Shimabukuro, Wakai, Waters, Bukoski, Jernigan, Meyer, Moses.

H.B. No. 248, H.D. 1 (S.D. 1):

Representatives Takumi, Arakaki, M. Oshiro, co-chairs; Ching.

In accordance therewith, the President appointed Senators Kanno, Sakamoto, co-chairs; Chun Oakland, Hooser, Kawamoto, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 281, H.D. 1 (S.D. 2):

Representatives Takumi, Kawakami, co-chairs; Evans, Ontai.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Kawamoto, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 282, H.D. 2 (S.D. 1):

Representatives Magaoay, Nakasone, co-chairs; Luke, Halford.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 285, H.D. 1 (S.D. 2):

Representatives Schatz, B. Oshiro, co-chairs; Herkes, Ontai.

In accordance therewith, the President appointed Senators Kawamoto, chair; Hanabusa, co-chair; Aduja, Chun Oakland, Espero as managers on the part of the Senate at such conference.

H.B. No. 287, H.D. 3 (S.D. 2):

Representatives M. Oshiro, B. Oshiro, Nakasone, co-chairs; Pendleton.

In accordance therewith, the President appointed Senators Kanno, chair; Hanabusa, co-chair; Kawamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 289, H.D. 2 (S.D. 2):

Representatives Takumi, Takamine, co-chairs; Kawakami, Ching.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kawamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 290, H.D. 2 (S.D. 1):

Representatives M. Oshiro, Nakasone, co-chairs; Ito, Blundell.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 292, H.D. 2 (S.D. 2):

Representatives Takumi, Shimabukuro, co-chairs; Evans, Leong.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kawamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 293, H.D. 1 (S.D. 2):

Representatives Abinsay, Karamatsu, co-chairs; Sonson, Jernigan.

In accordance therewith, the President appointed Senators Inouye, Espero, Kokubun, co-chairs; Aduja, English, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 294 (S.D. 1):

Representatives M. Oshiro, Nakasone, co-chairs; Ito, Meyer.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 295, H.D. 1 (S.D. 2):

Representatives Kanoho, Kaho`ohalahala, co-chairs; Mindo, Bukoski.

In accordance therewith, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; English, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 297, H.D. 2 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairs; B. Oshiro, Pendleton.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 298, H.D. 2 (S.D. 2):

Representatives Ito, Mindo, co-chairs; Caldwell, Bukoski.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; English, Kokubun, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 314, H.D. 1 (S.D. 2):

Representatives Takumi, Waters, co-chairs; Evans, Blundell.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Kawamoto, Menor, Hogue as managers on the part of the Senate at such conference.

H.B. No. 317, H.D. 2 (S.D. 2):

Representatives Takai, M. Oshiro, Nakasone, co-chairs; Ontai.

In accordance therewith, the President appointed Senators Kanno, Sakamoto, Taniguchi, co-chairs; Kawamoto, Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 320, H.D. 2 (S.D. 1):

Representatives Takai, Hamakawa, Karamatsu, co-chairs; Tamayo, Leong.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Tsutsui as managers on the part of the Senate at such conference.

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

Representatives Hamakawa, chair; B. Oshiro, Sonson, Marumoto.

In accordance therewith, the President appointed Senators Kawamoto, chair; Aduja, Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 373, H.D. 2 (S.D. 1):

Representatives Hiraki, B. Oshiro, co-chairs; Hamakawa, Pendleton.

In accordance therewith, the President appointed Senators Kawamoto, chair; Hanabusa, co-chair; Aduja, Espero as managers on the part of the Senate at such conference.

H.B. No. 377, H.D. 1 (S.D. 1):

Representatives Arakaki, Nishimoto, co-chairs; Hale, Finnegan.

In accordance therewith, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, Kawamoto, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 384, H.D. 1 (S.D. 1):

Representatives Arakaki, Nishimoto, co-chairs; Hale, Finnegan.

In accordance therewith, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, Kawamoto, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 385, H.D. 2 (S.D. 2):

Representatives M. Oshiro, B. Oshiro, co-chairs; Lee, Blundell.

In accordance therewith, the President appointed Senators Kanno, chair; Hanabusa, co-chair; Kawamoto, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 391, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Ito, Bukoski.

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

Representatives Hamakawa, chair; B. Oshiro, Caldwell, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, chair; Ihara, Hogue as managers on the part of the Senate at such conference.

H.B. No. 418, H.D. 1 (S.D. 2):

Representatives Takai, Karamatsu, co-chairs; Tamayo, Leong.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 422, H.D. 2 (S.D. 2):

Representatives Takai, Arakaki, Nishimoto, co-chairs; Ching.

In accordance therewith, the President appointed Senators Baker, Sakamoto, Taniguchi, co-chairs; Chun Oakland,

Kokubun as managers on the part of the Senate at such conference.

H.B. No. 426, H.D. 1 (S.D. 2):

Representatives Kanoho, Takamine, co-chairs; Magaoay, Thielen.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Aduja, Espero, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 433 (S.D. 1):

Representatives Takamine, chair; Kaho`ohalahala, Karamatsu, Kawakami, Magaoay, Mindo, Nakasone, Nishimoto, Shimabukuro, Wakai, Waters, Bukoski, Jernigan, Meyer, Moses.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 473, H.D. 2 (S.D. 2):

Representatives Morita, Hiraki, Kaho`ohalahala, co-chairs; Thielen.

H.B. No. 500, H.D. 1 (S.D. 1):

Representatives Hamakawa, Magaoay, co-chairs; B. Oshiro, Pendleton.

In accordance therewith, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; English, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 507, H.D. 3 (S.D. 1):

Representatives Arakaki, M. Oshiro, Nishimoto, co-chairs; Stonebraker.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 512, H.D. 1 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairs; Nakasone.

In accordance therewith, the President appointed Senators Baker, Taniguchi, co-chairs; Chun Oakland, Kokubun, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 531 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Jernigan.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 548, H.D. 2 (S.D. 1):

Representatives Arakaki, Hiraki, Hamakawa, Nishimoto, co-chairs; Stonebraker.

In accordance therewith, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, Inouye, Hogue as managers on the part of the Senate at such conference.

H.B. No. 562 (S.D. 1):

Representatives B. Oshiro, chair; Hamakawa, Lee, Finnegan.

In accordance therewith, the President appointed Senators Hanabusa, chair; English, Fukunaga, Hogue as managers on the part of the Senate at such conference.

H.B. No. 564 (S.D. 1):

Representatives Hamakawa, chair; Ito, B. Oshiro, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, chair; Chun Oakland, Fukunaga, Hogue as managers on the part of the Senate at such conference.

H.B. No. 595, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Lee, Stonebraker.

In accordance therewith, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 638, H.D. 1 (S.D. 2):

Representatives Takumi, Magaoay, co-chairs; Evans, Moses.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Chun Oakland, Kawamoto, Whalen as managers on the part of the Senate at such conference.

H.B. No. 640, H.D. 1 (S.D. 2):

Representatives Wakai, chair; Karamatsu, Nishimoto, Meyer.

H.B. No. 651, H.D. 2 (S.D. 1):

Representatives Arakaki, B. Oshiro, co-chairs; Hamakawa, Thielen.

In accordance therewith, the President appointed Senators Baker, Hanabusa, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

H.B. No. 662, H.D. 2 (S.D. 2):

Representatives Chang, Karamatsu, co-chairs; Tamayo, Moses.

In accordance therewith, the President appointed Senators Kim, chair; Fukunaga, Taniguchi, co-chairs; Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 704, H.D. 1 (S.D. 2):

Representatives Schatz, Magaoay, co-chairs; Wakai, Ontai.

In accordance therewith, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Aduja, Espero, Kokubun, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 730 (S.D. 1):

Representatives Arakaki, Hiraki, co-chairs; Herkes, Ching.

In accordance therewith, the President appointed Senators Menor, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 731, H.D. 1 (S.D. 1):

Representatives Arakaki, Hiraki, co-chairs; Herkes, Ching.

In accordance therewith, the President appointed Senators Kanno, chair; Menor, co-chair; Kawamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 735, H.D. 1 (S.D. 2):

Representatives Arakaki, Kahikina, Shimabukuro, co-chairs; Jernigan.

In accordance therewith, the President appointed Senators Baker, Taniguchi, co-chairs; Chun Oakland, Inouye, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 736, H.D. 1 (S.D. 2):

Representatives Hiraki, Hamakawa, co-chairs; Sonson, Marumoto.

H.B. No. 807, H.D. 2 (S.D. 2):

Representatives Souki, Hamakawa, co-chairs; Caldwell, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, chair; Hanabusa, co-chair; Chun Oakland, Kanno as managers on the part of the Senate at such conference.

H.B. No. 808, H.D. 1 (S.D. 2):

Representatives Takamine, Hamakawa, co-chairs; Kaho'ohalahala, Karamatsu, Kawakami, Magaoay, Mindo, Nakasone, Nishimoto, Shimabukuro, Wakai, Waters, Bukoski, Jernigan, Meyer, Moses.

H.B. No. 851, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Karamatsu, Wakai, Waters, Moses.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun, Sakamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 857 (S.D. 2):

Representatives Ito, Mindo, co-chairs; M. Oshiro, Pendleton.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun, Sakamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 914, H.D. 2 (S.D. 1):

Representatives Arakaki, Kahikina, Nishimoto, co-chairs; Wakai, Meyer.

In accordance therewith, the President appointed Senators Chun Oakland, chair; Baker, Hanabusa, co-chairs; Hooser, Inouye, Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 968, H.D. 1 (S.D. 1):

Representatives M. Oshiro, Mindo, co-chairs; Caldwell, Moses.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

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

Representatives Hamakawa, chair; B. Oshiro, Souki, Marumoto.

In accordance therewith, the President appointed Senators Hanabusa, chair; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

H.B. No. 986, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Mindo, co-chairs; Caldwell, Bukoski.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 993 (S.D. 1):

Representatives Souki, Hamakawa, co-chairs; Caldwell, Pendleton.

In accordance therewith, the President appointed Senators Kawamoto, chair; Aduja, Baker, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1003, H.D. 1 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairs; Wakai, Finnegan.

In accordance therewith, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; Ihara, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1010, H.D. 1 (S.D. 2):

Representatives Hamakawa, chair; B. Oshiro, Sonson, Finnegan.

In accordance therewith, the President appointed Senators Kawamoto, chair; Hanabusa, co-chair; Espero as managers on the part of the Senate at such conference.

H.B. No. 1013, H.D. 3 (S.D. 2):

Representatives M. Oshiro, Hiraki, Nakasone, co-chairs; Marumoto.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1021, H.D. 1 (S.D. 2):

Representatives Takai, Takumi, Wakai, co-chairs; Leong.

In accordance therewith, the President appointed Senators Sakamoto, Hanabusa, Kokubun, co-chairs; Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1041 (S.D. 1):

Representatives Takamine, chair; Kawakami, Magaoay, Jernigan.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1042 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Bukoski.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1043 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Jernigan.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1044 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Meyer.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1045 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Moses.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1046 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Bukoski.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1047 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Jernigan.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun,

Tsutsui as managers on the part of the Senate at such conference.

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

Representatives Hamakawa, chair; B. Oshiro, Sonson, Blundell.

In accordance therewith, the President appointed Senators Hanabusa, chair; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1111, H.D. 2 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairs; B. Oshiro, Pendleton.

In accordance therewith, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; Chun Oakland, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1116, H.D. 1 (S.D. 2):

Representatives Hamakawa, Shimabukuro, co-chairs; B. Oshiro, Finnegan.

In accordance therewith, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; Chun Oakland, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1152, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Karamatsu, Wakai, Waters, Moses.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1154, H.D. 1 (S.D. 2):

Representatives Takamine, chair; Karamatsu, Wakai, Waters, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1155, H.D. 1 (S.D. 1):

Representatives Hiraki, B. Oshiro, Magaoay, co-chairs; Stonebraker.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1157 (S.D. 2):

Representatives M. Oshiro, Nakasone, co-chairs; Ito, Blundell.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1160, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Chang, Herkes, Marumoto.

In accordance therewith, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1161, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Chang, Herkes, Stonebraker.

In accordance therewith, the President appointed Senators Menor, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1163 (S.D. 1):

Representatives Hiraki, Magaoay, co-chairs; Herkes, Stonebraker.

H.B. No. 1164, H.D. 1 (S.D. 1):

Representatives Hiraki, Magaoay, co-chairs; Herkes, Stonebraker.

H.B. No. 1165, H.D. 2 (S.D. 1):

Representatives Hiraki, Hamakawa, Magaoay, co-chairs; Pendleton.

In accordance therewith, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1176, H.D. 1 (S.D. 1):

Representatives Takumi, Karamatsu, co-chairs; Evans, Leong.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kawamoto, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1181, H.D. 1 (S.D. 2):

Representatives Takamine, chair; Kawakami, Nakasone, Moses.

In accordance therewith, the President appointed Senators Baker, Taniguchi, co-chairs; Inouye, Kanno, Kokubun, Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1198, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Hamakawa, co-chairs; Ito, Marumoto.

In accordance therewith, the President appointed Senators Kanno, chair; Hanabusa, co-chair; Kawamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1212, H.D. 1 (S.D. 1):

Representatives Kanoho, Takamine, Magaoay, co-chairs; Halford.

In accordance therewith, the President appointed Senators Inouye, Espero, co-chairs; English, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1214, H.D. 2 (S.D. 2):

Representatives Kanoho, B. Oshiro, co-chairs; Hamakawa, Thielen.

In accordance therewith, the President appointed Senators Inouye, Hanabusa, co-chairs; English, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1217, H.D. 1 (S.D. 1):

Representatives Hamakawa, chair; B. Oshiro, Sonson, Thielen.

In accordance therewith, the President appointed Senators Baker, Hanabusa, co-chairs; Chun Oakland, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1230, H.D. 1 (S.D. 2):

Representatives Souki, Takamine, co-chairs; Caldwell, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, chair; Kokubun, co-chair; Aduja, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1247 (S.D. 1):

Representatives Souki, Kawakami, co-chairs; Caldwell, Moses.

In accordance therewith, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Espero, Hanabusa as managers on the part of the Senate at such conference.

H.B. No. 1253, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Magaoay, Wakai, Waters, Jernigan.

In accordance therewith, the President appointed Senators Kawamoto, chair; Aduja, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1255 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairs; Mindo, Finnegan.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Ihara, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1285, H.D. 1 (S.D. 1):

Representatives Kanoho, Chang, B. Oshiro, co-chairs; Ontai.

In accordance therewith, the President appointed Senators Inouye, Hanabusa, co-chairs; Aduja, English, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1294 (S.D. 1):

Representatives Morita, Nakasone, co-chairs; Evans, Bukoski.

In accordance therewith, the President appointed Senators English, chair; Hooser, co-chair; Baker as managers on the part of the Senate at such conference.

H.B. No. 1300, H.D. 2 (S.D. 2):

Representatives Takamine, Kanoho, co-chairs; Kaho`ohalahala, Karamatsu, Kawakami, Magaoay, Mindo, Nakasone, Nishimoto, Shimabukuro, Wakai, Waters, Bukoski, Jernigan, Meyer, Moses.

H.B. No. 1303 (S.D. 1):

Representatives Kanoho, M. Oshiro, Takamine, co-chairs; Moses.

In accordance therewith, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; English, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1328, H.D. 1 (S.D. 1):

Representatives Hiraki, Morita, co-chairs; Herkes, Thielen.

In accordance therewith, the President appointed Senators Menor, chair; English, co-chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1342, H.D. 1 (S.D. 1):

Representatives Kahikina, Shimabukuro, co-chairs; Hale, Ching.

In accordance therewith, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Hooser, Ige, Sakamoto, Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1361, H.D. 2 (S.D. 1):

Representatives Kahikina, Arakaki, Kawakami, co-chairs; Ching.

H.B. No. 1362 (S.D. 1):

Representatives Takumi, Nishimoto, co-chairs; Evans, Ontai.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Chun Oakland, Kawamoto, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1363, H.D. 1 (S.D. 2):

Representatives Wakai, chair; Karamatsu, Nakasone, Meyer.

In accordance therewith, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Espero, Kokubun, Sakamoto, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1400, H.D. 1 (S.D. 2):

Representatives Chang, Schatz, Takamine, co-chairs; Ontai.

In accordance therewith, the President appointed Senators Kim, chair; Fukunaga, Taniguchi, co-chairs; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1405, H.D. 1 (S.D. 2):

Representatives Morita, Kawakami, co-chairs; Magaoay, Thielen.

In accordance therewith, the President appointed Senators English, chair; Kokubun, co-chair; Kim, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1412, H.D. 2 (S.D. 2):

Representatives Arakaki, Hiraki, Karamatsu, co-chairs; Stonebraker.

H.B. No. 1430, H.D. 2 (S.D. 2):

Representatives Arakaki, Nishimoto, co-chairs; Hale, Ching.

In accordance therewith, the President appointed Senators Baker, Chun Oakland, Kokubun, co-chairs; Inouye, Taniguchi, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1456, H.D. 1 (S.D. 1):

Representatives Morita, Wakai, co-chairs; Evans, Thielen.

In accordance therewith, the President appointed Senators English, Menor, chairs; Kokubun, co-chair; Hooser, Kim as managers on the part of the Senate at such conference.

H.B. No. 1465, H.D. 2 (S.D. 2):

Representatives Hiraki, Takamine, co-chairs; Kawakami, Stonebraker.

H.B. No. 1506, H.D. 1 (S.D. 1):

Representatives Takumi, Kawakami, co-chairs; Evans, Leong.

In accordance therewith, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1509, H.D. 2 (S.D. 2):

Representatives Kanoho, Takamine, co-chairs; Karamatsu, Jernigan.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, Espero, co-chairs; Aduja, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 1532, H.D. 2 (S.D. 2):

Representatives Chang, Tamayo, co-chairs; Karamatsu, Leong.

In accordance therewith, the President appointed Senators Ige, Taniguchi, co-chairs; Aduja, Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1594, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Ito, Marumoto.

In accordance therewith, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

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

Representatives Souki, Kanoho, co-chairs; Caldwell, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, chair; Baker, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1613, H.D. 2 (S.D. 1):

Representatives Kanoho, Kawakami, co-chairs; Magaoay, Jernigan.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Aduja, Espero, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1616, H.D. 1 (S.D. 2):

Representatives Arakaki, Kahikina, Takamine, co-chairs; Ching.

In accordance therewith, the President appointed Senators Baker, Chun Oakland, Kokubun, co-chairs; Taniguchi, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1652 (S.D. 1):

Representatives Takamine, chair; Kawakami, Nakasone, Moses.

In accordance therewith, the President appointed Senators Menor, chair; Chun Oakland, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.

STANDING COMMITTEE REPORTS

Senators Menor and Chun Oakland, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1570) recommending that S.R. No. 50, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1570 and S.R. No. 50, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE STATE'S ACTION PLAN TO ADDRESS CHRONIC HOMELESSNESS IN HAWAII," was deferred until Thursday, April 17, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1571) recommending that H.C.R. No. 52, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1571 and H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was deferred until Thursday, April 17, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1572) recommending that H.C.R. No. 96 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1572 and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Thursday, April 17, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1573) recommending that H.C.R. No. 119, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1573 and H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW THE SALE OF LEASES AND SUBMIT RECOMMENDATIONS TO THE LEGISLATURE FOR THE ADOPTION OF POLICIES THAT ARE FAIR TO AWARDEES, LEASE PURCHASERS, AND TO THE STATE," was deferred until Thursday, April 17, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1574) recommending that H.C.R. No. 31, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1574 and H.C.R. No. 31, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STRONG SUPPORT BY CONGRESS FOR TITLE IX, THE PATSY TAKEMOTO MINK EQUAL OPPORTUNITY IN EDUCATION ACT," was deferred until Thursday, April 17, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1575) recommending that the Senate consent to the nomination of FAYE KOYANAGI to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 4.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1575 and Jud. Com. No. 4 was deferred until Thursday, April 17, 2003.

ORDER OF THE DAY

REFERRAL OF HOUSE CONCURRENT RESOLUTION

MATTER DEFERRED FROM MONDAY, APRIL 14, 2003

The President made the following committee assignment of a House concurrent resolution that was received on Friday, April 11, 2003:

House Concurrent Resolution	Referred to:
No. 77	Committee on Transportation, Military Affairs, and Government Operations

FINAL READING

S.B. No. 42, S.D. 1, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 42, S.D. 1, and S.B. No. 42, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERCRAFT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Ihara, Inouye, Kanno, Sakamoto, Whalen).

S.B. No. 1075, S.D. 1, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1075, S.D. 1, and S.B. No. 1075, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTED CASES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Ihara, Inouye, Kanno, Sakamoto, Whalen).

S.B. No. 1107, S.D. 1, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1107, S.D. 1, and S.B. No. 1107, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, HAWAII REVISED STATUTES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Ihara, Inouye, Kanno, Sakamoto, Whalen).

S.B. No. 1156, H.D. 2:

Senator Hanabusa moved that S.B. No. 1156, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose in opposition to the measure and said:

"Mr. President, I rise in opposition to S.B. No. 1156.

"In this particular measure, I must speak up because: (1) Hawaii Revised Statutes is sufficiently broad to allow the Office of Hawaiian Affairs to do this; (2) it is my impression that they're already doing it; (3) what really bothers me is that the Office of Hawaiian Affairs has an elected board of trustees and I think it's inappropriate for us to be dictating to them that they shall do something, when in fact they are able to decide if they wish to do it and do it when and as they wish.

"For those reasons, I oppose this measure. Thank you."

Senator English rose in support as follows:

"Mr. President, I rise in support. I'd like to insert some comments into the Journal on this.

"Thank you."

The Chair having so ordered, Senator English's remarks read as follows:

"Mr. President, the idea behind this registry is to find, record and track persons of Hawaiian ancestry worldwide. The Office of Hawaiian Affairs (OHA) has already begun this task, yet needs to have a more solid legal basis to continue. OHA can move forward without this legislation, and I am sure they would if this measure does not pass. However, with all the lawsuits in the federal courts challenging any native Hawaiian benefits, OHA – rightly so – must be able to show a statutory framework for the native Hawaiian Registry. This measure would provide those assurances. As I am the only native Hawaiian in the Senate, I strongly support this bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1156, and S.B. No. 1156, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 5 (Ihara, Inouye, Kanno, Sakamoto, Whalen).

S.B. No. 1361, S.D. 2, H.D. 1:

On motion by Senator Baker, seconded by Senator Menor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1361, S.D. 2, and S.B. No. 1361, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Ihara, Inouye, Kanno, Sakamoto, Taniguchi, Whalen).

RE-REFERRAL OF HOUSE BILL

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

House Bill Referred to:

No. 510, H.D. 2, S.D. 2 Committee on Ways and Means

RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution Referred to:

No. 172, H.D. 1 Committee on Energy and Environment

No. 182, H.D. 1 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 8, from the Hawaii Labor Relations Board dated April 1, 2003, transmitting a Report on the Status of Collective Bargaining Negotiations, pursuant to Section 89-11, HRS, was read by the Clerk and was placed on file.

At 12:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 88, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 88, S.D. 1, seconded by Senator Baker and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 88, S.D. 1, seconded by Senator Baker.

Senator Kawamoto noted:

"Mr. President, items changed or deviated that were nonsubstantive. So I move to accept."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 88, S.D. 1, and S.B. No. 88, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL," was placed on the calendar for Final Reading on Thursday, April 17, 2003.

S.B. No. 319, S.D. 2 (H.D. 1):

Senator English moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 319, S.D. 2, seconded by Senator Kawamoto and carried.

Senator English moved that the Senate agree to the amendments proposed by the House to S.B. No. 319, S.D. 2, seconded by Senator Kawamoto.

Senator English noted:

“Mr. President, the House has added a part two to the measure which includes a food waste recycling program component as part of each county’s integrated solid waste management plan and also sets forth the county food waste recycling component requirements.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 319, S.D. 2, and S.B. No. 319, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” was placed on the calendar for Final Reading on Thursday April 17, 2003.

S.B. No. 345, S.D. 1 (H.D. 2):

Senator Kawamoto moved that the Senate reconsider its action taken on April 3, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 345, S.D. 1, seconded by Senator Menor and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 345, S.D. 1, seconded by Senator Menor.

Senator Kawamoto noted:

“Again, Mr. President, only minor changes were made on this bill.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 345, S.D. 1, and S.B. No. 345, S.D. 1, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” was placed on the calendar for Final Reading on Thursday, April 17, 2003.

S.B. No. 474, S.D. 2 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 8, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 474, S.D. 2, seconded by Senator Kawamoto and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 474, S.D. 2, seconded by Senator Kawamoto.

Senator Hanabusa noted:

“Mr. President, S.B. No. 474 is a result of the Felix investigation. This is the one that gives the Auditor the necessary powers to look at certain of the records.

“The amendment by the House was to sunset this in two years and we believe that that’s a prudent way to proceed.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 474, S.D. 2, and S.B. No. 474, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AUDITOR,” was

placed on the calendar for Final Reading on Thursday, April 17, 2003.

S.B. No. 552, S.D. 2 (H.D. 2):

Senator English moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 552, S.D. 2, seconded by Senator Hanabusa and carried.

Senator English moved that the Senate agree to the amendments proposed by the House to S.B. No. 552, S.D. 2, seconded by Senator Hanabusa.

Senator English noted:

“Mr. President, the House has correctly added a chapter title to this new chapter and has also done some other language clarification throughout. They’ve also added exceptions to limitations which the Senate can agree to.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 552, S.D. 2, and S.B. No. 552, S.D. 2, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LANDOWNERS’ LIABILITY,” was placed on the calendar for Final Reading on Thursday, April 17, 2003.

S.B. No. 1068, S.D. 1 (H.D. 2):

Senator Baker moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1068, S.D. 1, seconded by Senator Taniguchi and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1068, S.D. 1, seconded by Senator Taniguchi.

Senator Baker noted:

“Mr. President, this is a time extension for a special purpose revenue bond for Honolulu Neighborhood Housing Services. What the House did was give them one additional year, which the Senate managers have no objection to.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1068, S.D. 1, and S.B. No. 1068, S.D. 1, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES,” was placed on the calendar for Final Reading on Tuesday, April 29, 2003.

S.B. No. 1234, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1234, S.D. 2, seconded by Senator Hanabusa and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1234, S.D. 2, seconded by Senator Hanabusa.

Senator Chun Oakland noted:

“Mr. President, the House amendments balances the responsibility on the underage drinker as well as the social host. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1234, S.D. 2, and S.B. No. 1234, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES," was placed on the calendar for Final Reading on Thursday, April 17, 2003.

S.B. No. 1261 (H.D. 2):

Senator Kawamoto moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1261, seconded by Senator Taniguchi and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1261, seconded by Senator Taniguchi.

Senator Kawamoto noted:

"Mr. President, again, only minor changes were made on this bill. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1261, and S.B. No. 1261, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CARD PAYMENTS," was placed on the calendar for Final Reading on Thursday, April 17, 2003.

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

H.C.R. No. 82;
H.C.R. No. 165; and
H.C.R. No. 179.

Senator Baker noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline."

The Chair then granted the waiver.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

H.C.R. No. 17;
H.C.R. No. 51;
H.C.R. No. 54;
H.C.R. No. 63;
H.C.R. No. 76;
H.C.R. No. 77;
H.C.R. No. 120;
H.C.R. No. 188;
H.C.R. No. 197;
H.C.R. No. 226;
H.C.R. No. 228; and
H.C.R. No. 230.

Senator Kawamoto noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline."

The Chair then granted the waiver.

Senator English, Chair of the Committee on Energy and Environment, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 172.

Senator English noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline."

The Chair granted the waiver.

Senator Espero, Vice Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

H.C.R. No. 68;
H.C.R. No. 157; and
H.C.R. No. 223.

Senator Espero noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline."

The Chair granted the waiver.

Senator Ige, Chair of the Committee on Science, Arts, and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 219.

Senator Ige noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline."

The Chair then granted the waiver.

Senator Kawamoto, for the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions and governor's message:

S.R. No. 5,
H.C.R. No. 43;
H.C.R. No. 92;
H.C.R. No. 94;
H.C.R. No. 95;
H.C.R. No. 97;
H.C.R. No. 109;
H.C.R. No. 182; and
G.M. No. 290.

Senator Kawamoto noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline, and we would like to also hold a hearing on Gov. Msg. No. 290 and decision making on S.R. No. 5 at the same time."

The Chair granted the waiver.

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 16, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 16, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-

chair; Menor, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 17, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 17, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Chun Oakland, Hooser, Hogue as managers on the part of the Senate at such conference.

S.B. No. 38 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 38, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Hanabusa, Taniguchi, co-chairs; Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 41 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 41, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Kawamoto, Taniguchi, co-chairs; Espero, Slom as managers on the part of the Senate at such conference.

S.B. No. 44, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 44, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Aduja, Espero, Kim, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 58, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 58, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kawamoto, Hogue as managers on the part of the Senate at such conference.

S.B. No. 78, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 78, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Fukunaga, Inouye, Kawamoto, Trimble as managers on the part of the Senate at such conference.

S.B. No. 205, S.D. 3 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 205, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 209, S.D. 3 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 209, S.D. 3, and the request for a conference on the subject matter thereof,

the President appointed Senators Sakamoto, Kanno, co-chairs; Hooser, Kawamoto as managers on the part of the Senate at such conference.

S.B. No. 248, S.D. 3 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 248, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Espero, Sakamoto, Whalen as managers on the part of the Senate at such conference.

S.B. No. 254, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 254, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, co-chairs; Espero, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 255, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 255, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Aduja, co-chair; Hooser, Whalen as managers on the part of the Senate at such conference.

S.B. No. 299, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 299, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Aduja, Kanno, Whalen as managers on the part of the Senate at such conference.

S.B. No. 317, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 317, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Aduja, Kim, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 337, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 337, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kawamoto, Hogue as managers on the part of the Senate at such conference.

S.B. No. 354, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 354, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, co-chair; Kim, Taniguchi, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 359, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 359, S.D. 2,

and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Ige, Taniguchi, co-chairs; Aduja, Hooser, Kim, Kokubun, Trimble as managers on the part of the Senate at such conference.

S.B. No. 373, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 373, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 377, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 377, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Espero, Slom as managers on the part of the Senate at such conference.

S.B. No. 402, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 402, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Baker, Taniguchi, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

S.B. No. 420, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 420, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kawamoto, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 426, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 426, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, Taniguchi, Inouye, Kim, co-chairs; Espero, Trimble as managers on the part of the Senate at such conference.

S.B. No. 457, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 457, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Taniguchi, Chun Oakland, co-chairs; Kawamoto, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 459, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 459, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Kawamoto, co-chair; English, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 464, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 464, S.D. 2,

and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Aduja, Espero, Kim, Kokubun, Sakamoto as managers on the part of the Senate at such conference.

S.B. No. 506 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 506, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, co-chair; Hooser, Inouye, Taniguchi, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 528, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 528, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Inouye, Espero, Kokubun, co-chairs; Aduja, Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 534, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 534, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Sakamoto, Taniguchi, Kokubun, co-chairs; Aduja, Kawamoto, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 538, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 538, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Espero, co-chair; English, Whalen as managers on the part of the Senate at such conference.

S.B. No. 576 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 576, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Kawamoto, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 579, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 579, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Espero, Trimble as managers on the part of the Senate at such conference.

S.B. No. 582 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 582, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 585, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 585, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, co-chairs; Taniguchi, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 635, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 635, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kawamoto, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 665, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 665, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Kawamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 687, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 687, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 740 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 740, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, Taniguchi, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 745, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 745, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, English, Taniguchi, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 748, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 748, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Sakamoto, Kokubun, co-chairs; Chun Oakland, Taniguchi, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 768, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 768, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 773 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 773, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 789, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 789, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 830, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 830, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Kawamoto, Hogue as managers on the part of the Senate at such conference.

S.B. No. 837, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 837, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Kanno, co-chairs; Aduja, Ige, Ihara, Trimble as managers on the part of the Senate at such conference.

S.B. No. 855, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 855, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Hooser, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 880 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 880, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Aduja, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 919, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 919, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Chun Oakland, Hooser, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 931, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 931, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Hanabusa, co-chair; Kawamoto, Whalen as managers on the part of the Senate at such conference.

S.B. No. 933, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 933, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Fukunaga, Hogue as managers on the part of the Senate at such conference.

S.B. No. 945, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 945, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Sakamoto, Taniguchi, co-chairs; Hooser, Ige, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 946 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 946, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; English, Trimble as managers on the part of the Senate at such conference.

S.B. No. 975 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 975, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Fukunaga, Chun Oakland, co-chairs; Baker as managers on the part of the Senate at such conference.

S.B. No. 1034, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1034, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kokubun, co-chairs; Espero, Taniguchi, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1040, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1040, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1050, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1050, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Taniguchi, co-chair; Aduja, Espero, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 1051 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1051, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Hanabusa, co-chair; English, Espero as managers on the part of the Senate at such conference.

S.B. No. 1070 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1070, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Kawamoto, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1077, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1077, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1088, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1088, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Chun Oakland, Kokubun, co-chairs; Taniguchi, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1134, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1134, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 1135, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1135, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Kokubun, co-chair; Chun Oakland, Taniguchi, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1172, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1172, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Kawamoto, Kokubun, co-chairs; Ihara, Inouye, Kim, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1201, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1201, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Menor, co-chair; Whalen as managers on the part of the Senate at such conference.

S.B. No. 1237, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1237, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Chun Oakland, Hooser, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1239, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1239, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, co-chair; Baker, Hooser, Kim, Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 1262, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1262, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Aduja, Espero, Sakamoto, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1267 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1267, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1274, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1274, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Chun Oakland, English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1279, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1279, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Hanabusa, Taniguchi, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1281, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1281, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Espero, co-chairs; English, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1286, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1286, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Menor, Taniguchi, co-chairs; Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1305, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1305, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1309, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1309, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Slom as managers on the part of the Senate at such conference.

S.B. No. 1311, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1311, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Sakamoto, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1312, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1312, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Slom as managers on the part of the Senate at such conference.

S.B. No. 1319, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1319, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1321 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1321, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Menor, co-chairs; Chun Oakland as managers on the part of the Senate at such conference.

S.B. No. 1324, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1324, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1332, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1332, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1333, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1333, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 1334 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1334, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Aduja, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1352, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1352, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Aduja, Espero, Hooser, Inouye, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1373, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1373, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Slom as managers on the part of the Senate at such conference.

S.B. No. 1381, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1381, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Chun Oakland, Kawamoto as managers on the part of the Senate at such conference.

S.B. No. 1393, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1393, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Kawamoto, Taniguchi, co-chairs; English, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1394, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1394, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1395, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1395, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1397, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1397, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1399, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1399, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Chun Oakland, Kokubun, co-chairs; Taniguchi, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1400, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1400, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1403 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1403, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kawamoto, co-chairs; Aduja, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1410, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1410, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Sakamoto, Kokubun, co-chairs; English, Taniguchi, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1423, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1423, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Hooser, Kanno, Kawamoto, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1425, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1425, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Fukunaga, Taniguchi, co-chairs; Kawamoto, Kokubun, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1432, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1432, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kokubun, co-chairs; Espero, Hooser, Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1438 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1438, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1439 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1439, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1440 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1440, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1441 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1441, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1442 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1442, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1443 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1443, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kokubun, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1444 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1444, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kokubun, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1445 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1445, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Kawamoto, Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1446, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1446, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, Kokubun, co-chairs; Aduja, Taniguchi, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1460, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1460, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1462 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1462, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Sakamoto, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1492, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1492, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Menor, co-chair; Espero, Fukunaga, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1496 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1496, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Espero, Kokubun, co-chairs; Taniguchi, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1505, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1505, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, co-chair; Hooser as managers on the part of the Senate at such conference.

S.B. No. 1519, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1519, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Taniguchi, co-chairs; Chun Oakland, English, Kim, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 1594 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1594, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Hanabusa, co-chairs; Aduja, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1619, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1619, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Kawamoto, Taniguchi, co-chairs; Inouye, Kanno, Sakamoto, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1621 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1621, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1629, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1629, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Kim, co-chair; Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1647, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1647, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Menor, co-chair; Fukunaga, Inouye, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1661, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1661, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Kawamoto, co-chair; Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1675 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1675, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Taniguchi, co-chairs; Chun Oakland, Inouye, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 1700, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1700, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kokubun, co-chair; Chun Oakland, Kawamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 620, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 620, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Kawamoto, Taniguchi, co-chairs; Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 668 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 668, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Fukunaga, Hooser, Ige, Inouye, Kokubun, Tsutsui,

Hemmings as managers on the part of the Senate at such conference.

H.B. No. 714, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 714, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Hanabusa, Taniguchi, co-chairs; Hooser, Kawamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1175, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1175, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1225 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1225, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Hanabusa, Kawamoto, Kim, Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1307, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1307, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Hanabusa, co-chairs; Kokubun, Hemmings as managers on the part of the Senate at such conference.

The President then discharged the managers who were appointed on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1307, H.D. 1.

H.B. No. 1506, H.D. 1 (S.D. 1):

The President appointed Senator Kawamoto as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1506, H.D. 1.

H.B. No. 1554, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1554, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Kim, Taniguchi, co-chairs; Baker, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 1579, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1579, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Taniguchi, Kawamoto, co-chairs; Aduja, Hooser, Kim, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 1628, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1628, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Kawamoto, co-chairs; Aduja, Ige, Kokubun, Sakamoto, Hemmings as managers on the part of the Senate at such conference.

ADJOURNMENT

At 12:48 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., Thursday, April 17, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-THIRD DAY**Thursday, April 17, 2003**

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ted Robinson, Central Union Church, 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 Fifty-Second Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 427, submitting for consideration and consent, the nomination of RHONDA AKEMI NISHIMURA to the office of Judge, 10th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary and Hawaiian Affairs.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 567 to 570) were read by the Clerk and were placed on file:

Hse. Com. No. 567, returning S.C.R. No. 106, which was adopted by the House of Representatives on April 16, 2003.

Hse. Com. No. 568, informing the Senate that the Speaker on April 16, 2003, made the following changes to the conferees on the following bills:

H.B. No. 968, H.D. 1 (S.D. 1):

Discharged Representative Moses as a manager.
Appointed Representative Meyer as a manager.

S.B. No. 209, S.D. 3 (H.D. 1):

Discharged Representative Blundell as a manager.
Appointed Representative Moses as a manager.

S.B. No. 377, S.D. 1 (H.D. 2):

Discharged Representative Meyer as a manager.
Appointed Representative Moses as a manager.

S.B. No. 1381, S.D. 1 (H.D. 2):

Discharged Representative Ontai as a manager.
Appointed Representative Moses as a manager.

S.B. No. 1403 (H.D. 1):

Discharged Representative Moses as a manager.
Appointed Representative Blundell as a manager.

Hse. Com. No. 569, informing the Senate that the Speaker on April 16, 2003, made the following changes to the conferees on the following bills:

H.B. No. 139, H.D. 1 (S.D. 1):

Appointed Representative Halford as a manager.

H.B. No. 512, H.D. 1 (S.D. 2):

Appointed Representative Halford as a manager.

H.B. No. 1532, H.D. 2 (S.D. 2):

Discharged Representative Tamayo as second co-chair and Representative Karamatsu as a manager.
Appointed Representative Karamatsu as second co-chair and Representative Tamayo as a manager.

S.B. No. 635, S.D. 2 (H.D. 2):

Appointed Representative Halford as a manager.

S.B. No. 1088, S.D. 2 (H.D. 2):

Appointed Representative Halford as a manager.

Hse. Com. No. 570, informing the Senate that the Speaker on April 16, 2003, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 620, H.D. 1 (S.D. 1):

Representatives Evans, Takamine, co-chairs; Mindo, Ontai.

H.B. No. 714, H.D. 1 (S.D. 2):

Representatives Takumi, Hamakawa, Takamine, co-chairs; Meyer.

H.B. No. 1175, H.D. 2 (S.D. 1):

Representatives Takumi, Takamine, co-chairs; Evans, Ontai.

STANDING COMMITTEE REPORT

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1576) recommending that H.C.R. No. 198, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1576 and H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was deferred until Monday, April 21, 2003.

ORDER OF THE DAY**APPROVAL OF JOURNAL****MATTER DEFERRED FROM MONDAY, APRIL 14, 2003**

The President deferred the approval of the Journal of the Senate of the Forty-Seventh Day until Monday, April 21, 2003.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1575 (Jud. Com. No. 4):

Senator Hanabusa moved that Stand. Com. Rep. No. 1575 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of FAYE KOYANAGI as Judge of the District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee as follows:

“Mr. President, I rise to speak in favor of Jud. Com. No. 4, submitting for communication and confirmation to the District Court of the First Circuit, State of Hawaii, judicial nominee Faye Koyanagi.

“Mr. President, Faye Koyanagi is truly a local girl. She’s a Kaimuki High School grad and, Mr. President, we all know that where you went to high school is what’s important in this state. She’s a Kaimuki High School graduate with a Bachelor of Arts from UCLA, teaching credentials from the University of California, Berkeley, and she actually taught for five years on the mainland. She has a law degree from Hastings where she served as student note author for the very prestigious ‘Hastings Constitutional Law Quarterly.’

“The Hawaii State Bar Association said that Ms. Koyanagi is highly qualified. Mr. President, I did ask whether the fact that she served as a director affected that rating, and they assured me that it did not. Mr. President, I also must disclose that when Ms. Koyanagi was up for the various positions that she’s held with the Hawaii State Bar Association, that in my other life as a lawyer I have supported her in her elections to those various positions.

“Ms. Koyanagi is before us for the district court. The issue that we always face when we’re looking at these confirmations is what are the characteristics of the person to fill that job. Ms. Koyanagi comes with all the necessary experience to meet those characteristics. First of all, she has served as a prosecutor, a Corporation Counsel, and at the same time, her latter career was in insurance defense.

“About, oh, maybe 10, 15 years ago, insurance companies made a decision that they would take key lawyers and make them in-house counsels. In other words, they kind of form their own law firms. Ms. Koyanagi was one that one of the largest ones selected, and that was Fireman’s Fund. She has served for the past 10 years as their main counsel in this state.

“She has the necessary experience that will be facing anyone who serves in the district court. Now, when you think about the district court, and we’ve asked this of every single nominee, why the district court? The district court is – remember the old TV program *Night Court* – where almost every conceivable type of dispute comes before you. So why, why district court? Ms. Koyanagi said it best – she said that’s where the real people of Hawaii are and she feels that it’s an obligation to make sure that when people come to the court, the district court, which is where most people really experience the judiciary system, that their first impression is a positive one.

“Ms. Koyanagi comes before you and believes that the role of a court is to be a jurist, to have civility in treating those before her, and of course she must do a good job in dispensing justice and she must work to have people trust in the judicial system. She has been described as somebody who is calm but decisive, and she is very, very conscious of the fact that she can

provide or she will have a sense of the first impression that many have of the court system.

“We are all very well aware of the recent criticisms that our judiciary has been faced with, and someone like Ms. Koyanagi will bring to that system credibility, confidence, and she will have the necessary traits to treat the people who go to the judiciary with the kind of respect and honor that they each deserve.

“So Mr. President, I ask that you and my colleagues join me in consenting to Jud. Com. No. 4, Faye Koyanagi for the District Court of the First Circuit, State of Hawaii.

“Thank you.”

Senator Hemmings rose in favor of the nominee and said:

“Mr. President, I rise to speak in favor of the nomination of Faye Koyanagi to the judicial district court.

“Mr. President and colleagues, speaking on behalf of your loyal opposition, the Minority Party, we do believe that it’s important that all judicial nominees have a broad and firm foundation of support, and this includes bipartisan support. So with these brief, short words, I’d like to advise our colleagues that the Senate Minority, in a bipartisan manner, are behind this nomination and give our full support to it.

“Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At this time, Senator Hanabusa introduced Judge Koyanagi to the members of the Senate. (Judge Koyanagi, who was seated in the gallery with family and friends, rose to be recognized.)

At 11:57 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o’clock p.m.

FINAL READING

S.B. No. 88, S.D. 1, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Menor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 88, S.D. 1, and S.B. No. 88, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kanno, Whalen).

S.B. No. 319, S.D. 2, H.D. 1:

On motion by Senator English, seconded by Senator Kawamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 319, S.D. 2, and S.B. No. 319, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COUNTIES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Whalen).

S.B. No. 345, S.D. 1, H.D. 2:

On motion by Senator Kawamoto, seconded by Senator Menor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 345, S.D. 1, and S.B. No. 345, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 474, S.D. 2, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 474, S.D. 2, and S.B. No. 474, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 552, S.D. 2, H.D. 2:

On motion by Senator English, seconded by Senator Hanabusa and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 552, S.D. 2, and S.B. No. 552, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1234, S.D. 2, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Hanabusa and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1234, S.D. 2, and S.B. No. 1234, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1261, H.D. 2:

On motion by Senator Kawamoto, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1261, and S.B. No. 1261, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT CARD PAYMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 16, 2003

Stand. Com. Rep. No. 1570 (S.R. No. 50, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 50, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE STATE'S ACTION PLAN TO ADDRESS CHRONIC HOMELESSNESS IN HAWAII," was adopted.

Stand. Com. Rep. No. 1571 (H.C.R. No. 52, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER STATE-PREFECTURE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE EHIME PREFECTURE OF JAPAN," was adopted.

Stand. Com. Rep. No. 1572 (H.C.R. No. 96):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was adopted.

Stand. Com. Rep. No. 1573 (H.C.R. No. 119, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW THE SALE OF LEASES AND SUBMIT RECOMMENDATIONS TO THE LEGISLATURE FOR THE ADOPTION OF POLICIES THAT ARE FAIR TO AWARDEES, LEASE PURCHASERS, AND TO THE STATE," was adopted.

Stand. Com. Rep. No. 1574 (H.C.R. No. 31, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 31, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STRONG SUPPORT BY CONGRESS FOR TITLE IX, THE PATSY TAKEMOTO MINK EQUAL OPPORTUNITY IN EDUCATION ACT," was adopted.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 69, S.D. 1 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 4, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 69, S.D. 1, seconded by Senator Hooser and carried.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 69, S.D. 1, seconded by Senator Hooser.

Senator Sakamoto noted:

"Mr. President, this bill was related to the teacher education coordinating committee and the changes by the House were, in essence, technical and nonsubstantive in nature."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No.

69, S.D. 1, and S.B. No. 69, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE," was placed on the calendar for Final Reading on Monday, April 21, 2003.

S.B. No. 637 (H.D. 2):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 637, seconded by Senator Hanabusa and carried.

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 637, seconded by Senator Hanabusa.

Senator Chun Oakland noted:

"Mr. President, this is the bill relating to the missing children's trust fund. Basically, the House amendments make technical, nonsubstantive changes as well as delays the effective date to January 1, 2004, so that the transfer can occur.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 637, and S.B. No. 637, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," was placed on the calendar for Final Reading on Tuesday, April 29, 2003.

S.B. No. 1241 (H.D. 2):

Senator Baker moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1241, seconded by Senator Taniguchi and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1241, seconded by Senator Taniguchi.

Senator Baker noted:

"Mr. President, this is the bill that repeals an obsolete section in our HRS relating to psychological examinations, uterine cancer examinations. The House kept those provisions but added a provision to make it a more positive bill which would require cancer examinations be part of the statewide comprehensive cancer control plan that is being developed by the Department of Health.

"We think this is a good addition to this bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1241, and S.B. No. 1241, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS," was placed on the calendar for Final Reading on Monday, April 21, 2003.

S.B. No. 1326, S.D. 1 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the

amendments proposed by the House to S.B. No. 1326, S.D. 1, seconded by Senator Hooser and carried.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1326, S.D. 1, seconded by Senator Hooser.

Senator Sakamoto noted:

"Mr. President, this bill dealt with the competency in a second language, and the House made some amendments that help clarify and are really not substantive in nature."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1326, S.D. 1, and S.B. No. 1326, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was placed on the calendar for Final Reading on Monday, April 21, 2003.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

Senator Chun Oakland, Chair of the Committee on Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 85.

Senator Chun Oakland noted:

"Mr. President, this waiver is being requested in order to meet the concurrent resolution crossback deadline."

The Chair then granted the waiver.

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 209, S.D. 3 (H.D. 1):

The President appointed Senator Kokubun as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 209, S.D. 3.

S.B. No. 540, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 540, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Kokubun, co-chair; Espero, Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 574, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 574, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Kim, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 614, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 614, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-

chair; Baker, Kim, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 768, S.D. 1 (H.D. 2):

The President discharged Senator Tsutsui as a manager and appointed Senator Espero as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 768, S.D. 1.

S.B. No. 1055, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1055, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair, Ige, Taniguchi, co-chairs; Sakamoto, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1258, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1258, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Kokubun, co-chair; Espero, Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1495, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1495, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Espero, Kokubun, co-chairs; Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1619, S.D. 2 (H.D. 1):

The President discharged Senator Inouye as a manager and appointed her as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 1619, S.D. 2.

H.B. No. 473, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 473, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Ige, Taniguchi, co-chairs; Kim, Whalen as managers on the part of the Senate at such conference.

H.B. No. 640, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 640, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 736, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 736, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1163 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1163, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Ige, Kim, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1164, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1164, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Kanno, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1361, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1361, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Chun Oakland, Taniguchi, co-chairs; Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1412, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1412, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Espero, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1465, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1465, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1652 (S.D. 1):

The President appointed Senator Baker as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1652.

ADJOURNMENT

At 12:21 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 3:00 o'clock p.m., Monday, April 21, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-FOURTH DAY

Monday, April 21, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 3:10 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Masayuki Idei, Rissho Kosei-Kai of Hawaii Buddhist Church, Pearl City, after which the Roll was called showing all Senators present with the exception of Senator Menor who was excused.

The President announced that he had read and approved the Journal of the Fifty-Third Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 428 to 446) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 428, letter dated April 1, 2003, retracting the recommendation for immediate passage of S.B. No. 1358, Making an Emergency Appropriation for the Department of Health, Health Insurance Portability and Accountability Act Compliance, due to the unanticipated availability of funds, was placed on file.

Gov. Msg. No. 429, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1256 as Act 11, entitled: "RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," was placed on file.

Gov. Msg. No. 430, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1260 as Act 12, entitled: "RELATING TO MICROORGANISM IMPORT," was placed on file.

Gov. Msg. No. 431, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1270 as Act 13, entitled: "RELATING TO ANTITRUST," was placed on file.

Gov. Msg. No. 432, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1396 as Act 14, entitled: "RELATING TO THE ADMINISTRATION OF TAXES," was placed on file.

Gov. Msg. No. 433, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1406 as Act 15, entitled: "RELATING TO COMMERCIAL DRIVER LICENSING," was placed on file.

Gov. Msg. No. 434, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1415 as Act 16, entitled: "RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," was placed on file.

Gov. Msg. No. 435, informing the Senate that on April 16, 2003, she signed into law House Bill No. 1172 as Act 17, entitled: "RELATING TO THE UNIFORM SECURITIES ACT," was placed on file.

Gov. Msg. No. 436, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 51 as Act 18, entitled: "RELATING TO COMMERCIAL DRIVER'S LICENSES," was placed on file.

Gov. Msg. No. 437, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 368 as Act 19, entitled: "RELATING TO CRIMINAL PROPERTY DAMAGE," was placed on file.

Gov. Msg. No. 438, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 550 as Act 20, entitled: "RELATING TO AGRICULTURAL COMMODITIES," was placed on file.

Gov. Msg. No. 439, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 562 as Act 21, entitled: "RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES," was placed on file.

Gov. Msg. No. 440, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1353 as Act 22, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," was placed on file.

Gov. Msg. No. 441, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 685 as Act 23, entitled: "RELATING TO SOCIAL SECURITY NUMBERS PLACED IN POLL BOOKS," was placed on file.

Gov. Msg. No. 442, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 787 as Act 24, entitled: "RELATING TO DISASTER LEAVE," was placed on file.

Gov. Msg. No. 443, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1469 as Act 25, entitled: "RELATING TO PEER SUPPORT COUNSELING SESSIONS," was placed on file.

Gov. Msg. No. 444, advising the Senate of the withdrawal of the nomination of ROSALIE K. TATSUGUCHI PH.D. to the Board of Psychology, under Gov. Msg. No. 385, dated April 14, 2003, was placed on file.

In compliance with Gov. Msg. No. 444, the nomination listed under Gov. Msg. No. 385 was returned.

Gov. Msg. No. 445, advising the Senate of the withdrawal of the nomination of HERBERT K.W. CHINN JR. to the Health Planning Council, Honolulu Subarea, under Gov. Msg. No. 362, dated April 14, 2003, was placed on file.

In compliance with Gov. Msg. No. 445, the nomination listed under Gov. Msg. No. 362 was returned.

Gov. Msg. No. 446, advising the Senate of the withdrawal of the nomination of HUBERT MINN to the State Board of Chiropractic Examiners, under Gov. Msg. No. 286, dated April 7, 2003, was placed on file.

In compliance with Gov. Msg. No. 446, the nomination listed under Gov. Msg. No. 286 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 571 to 576) were read by the Clerk and were placed on file:

Hse. Com. No. 571, informing the Senate that the Speaker on April 17, 2003, made the following changes to the conferees on the following bill:

H.B. No. 1532, H.D. 2 (S.D. 2):

Discharged Representative Leong as a manager.
Appointed Representative Jernigan as a manager.

Hse. Com. No. 572, informing the Senate that the Speaker on April 16, 2003, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate and House to the following bills:

H.B. No. 1579, H.D. 1 (S.D. 2):

Representatives Schatz, Takamine, co-chairs; Wakai, Leong.

S.B. No. 254, S.D. 2 (H.D. 1):

Representatives Kanoho, Kaho`ohalahala, co-chairs; Waters, Moses.

Hse. Com. No. 573, informing the Senate that the Speaker on April 16, 2003, made the following changes to the conferees on the following bill:

H.B. No. 1021, H.D. 1 (S.D. 2):

Discharged Representative Wakai as third co-chair.
Appointed Representative Kaho`ohalahala as third co-chair.

Hse. Com. No. 574, informing the Senate that the Speaker on April 21, 2003, made the following changes to the conferees on the following bill:

H.B. No. 426, H.D. 1 (S.D. 2):

Discharged Representative Thielen as a manager.
Appointed Representative Bukoski as a manager.

Hse. Com. No. 575, returning S.C.R. No. 93, S.D. 1, which was adopted by the House of Representatives on April 17, 2003.

Hse. Com. No. 576, returning S.C.R. No. 96, which was adopted by the House of Representatives on April 17, 2003.

At 3:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:24 o'clock p.m.

STANDING COMMITTEE REPORTS

Senators Chun Oakland, Baker and Sakamoto, for the Committee on Human Services, the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1577) recommending that H.C.R. No. 62, H.D. 1, as amended in S.D. 1, be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 62, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF

HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senators Chun Oakland and Taniguchi, for the Committee on Human Services and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1578) recommending that H.C.R. No. 85, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 85, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROGRAM AUDIT AND INVESTIGATION OF THE VARIOUS AGENCIES INVOLVED IN THE CHILD PROTECTIVE SERVICES SYSTEM," was adopted.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1579) recommending that H.C.R. No. 203, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 203, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO WORK WITH HAWAII'S CONGRESSIONAL DELEGATION AND THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO IMPROVE ACCESS TO HEALTH CARE IN HAWAII," was adopted.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1580) recommending that H.C.R. No. 208 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was adopted.

Senators Fukunaga and Baker, for the Committee on Economic Development and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1581) recommending that H.C.R. No. 55, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 55, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM BUSINESS ACTION CENTER, DEPARTMENT OF HEALTH, AND THE MAYOR AND COUNCIL OF EACH OF THE FOUR COUNTIES TO COORDINATE AND FACILITATE THE PROJECT REVIEW AND PERMITTING PROCESS OF A PLASMA FACILITY IN THE STATE," was adopted.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and Technology, presented a joint report of the majority of the

Committees (Stand. Com. Rep. No. 1582) recommending that H.C.R. No. 81, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 81, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND PROTECT THE RECREATION RESIDENCE TRACTS WITHIN THE KOKE'E AND WAIMEA CANYON STATE PARKS," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1583) recommending that H.C.R. No. 26, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 26, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES TO EDUCATE AND SENSITIZE MEMBERS OF CONGRESS ON THE UNFORTUNATE CIRCUMSTANCES OF THE INTERNMENT OF CIVILIANS DURING WORLD WAR II," was adopted with Senators Hemmings, Slom and Trimble voting "No."

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1584) recommending that H.C.R. No. 230, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 230, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES ARMY, AIR FORCE, AND NAVY TO SELECT A CONTRACTOR WITH LOCAL PARTNERS AND A HISTORY OF DOING BUSINESS IN HAWAII FOR THE RESIDENTIAL COMMUNITIES INITIATIVE," was adopted.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1585) recommending that H.C.R. No. 146 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO OBTAIN ADDITIONAL FUNDS NECESSARY TO MEET THE MANDATES OF THE FEDERAL 'NO CHILD LEFT BEHIND ACT OF 2001'," was adopted.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1586) recommending that H.C.R. No. 160, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING APRIL AS 'FINANCIAL LITERACY FOR YOUTH IN HAWAII MONTH'," was adopted.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1587) recommending that H.C.R. No. 172, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO FORM AN AD HOC ADVISORY GROUP TO INVESTIGATE AND MAKE RECOMMENDATIONS REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF STANDARD OFFER CONTRACTS AND STANDARDIZED INTERCONNECTION AGREEMENTS TO REDUCE THE APPROVAL PROCESS TIME FOR THE IMPLEMENTATION OF RENEWABLE ENERGY SYSTEMS; AND FACILITATE THE PURCHASE OF ELECTRICITY FROM RENEWABLE ENERGY PRODUCERS IN HAWAII," was adopted.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1588) recommending that H.C.R. No. 89 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was adopted.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1589) recommending that H.C.R. No. 219, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 219, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RESTORATION AND MAINTENANCE OF THE SANJU PAGODA IN NUUANU VALLEY," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1590) recommending that H.C.R. No. 68, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 68, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO EXPLORE THE LEASING OF UNUTILIZED FAST AND SUBMERGED LANDS AT KEEHI LAGOON FOR THE PRIVATE DEVELOPMENT OF BOATING AND OCEAN RECREATIONAL FACILITIES," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1591) recommending that H.C.R. No. 157, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 157, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION FORMALIZING THE ONGOING EFFORTS OF THE AGRICULTURE WORKING GROUP IN ADDRESSING THE MANDATE OF ARTICLE XI, SECTION 3 OF THE STATE CONSTITUTION AND RELATED AGRICULTURAL AND LAND ISSUES," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1592) recommending that H.C.R. No. 216 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1593) recommending that H.C.R. No. 223, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING CERTAIN PUBLIC LEASES," was adopted with Senators Hogue, Slom and Trimble voting "No."

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1594) recommending that H.C.R. No. 179, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 179, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNIVERSITY OF HAWAII TO CONSIDER REQUIRING ALL STUDENTS AT THE UNIVERSITY OF HAWAII SYSTEM TO SHOW PROOF OF FULL IMMUNIZATION AGAINST THE HEPATITIS B VIRUS PRIOR TO ENROLLMENT," was adopted.

Senators Baker and Menor, for the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1595) recommending that H.C.R. No. 151, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 151, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM WORKING GROUP ON UNIVERSAL HEALTH CARE," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

ORDER OF THE DAY

APPROVAL OF JOURNAL

MATTER DEFERRED FROM THURSDAY, APRIL 17, 2003

The President deferred the approval of the Journal of the Senate of the Forty-Seventh Day until Tuesday, April 22, 2003.

FINAL READING

S.B. No. 69, S.D. 1, H.D. 1:

On motion by Senator Hooser, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 69, S.D. 1, and S.B. No. 69, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Sakamoto).

S.B. No. 1241, H.D. 2:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1241, and S.B. No. 1241, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1326, S.D. 1, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1326, S.D. 1, and S.B. No. 1326, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM THURSDAY, APRIL 17, 2003

Stand. Com. Rep. No. 1576 (H.C.R. No. 198, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was adopted.

At 3:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:35 o'clock p.m.

Senator Ihara rose on a point of information as follows:

"Mr. President, I have a point of information.

"Is it the intent of the motion to adopt Stand. Com. Rep. No. 1576 that although the motion did not ask for adoption of the resolution itself, that the adoption of the committee report that the resolution also be adopted?"

The Chair answered:

"That's the intent."

Senator Ihara continued:

"Then could I make the request to the Leadership to consider in the future adopting committee reports and also in the same motion adopt the resolution, because it is not necessarily the case parliamentary, I believe, that when you adopt the committee report that it is necessarily the case that you're also adopting the resolution."

The Chair responded:

“You’re point is well taken. We’ll take it up in Leadership.”

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1255, S.D. 2 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1255, S.D. 2, seconded by Senator Taniguchi and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1255, S.D. 2, seconded by Senator Taniguchi.

Senator Inouye noted:

“Mr. President, S.B. No. 1255 is a bill for an act relating to agricultural inspections.

“The purpose is to be more responsive to the needs of the agricultural industry, and among other things, it authorizes DOA to enter into cooperative agreements with the USDA and other agreements and contracts with private parties or other governmental agencies to audit and certify that applicants are following good agricultural handling, processing, and manufacturing practices.

“It also designates any employees or agents of the Department of Agriculture to conduct the audits and certification at the request of persons having a financial interest in a business or product.

“It also employs, under part VII of Chapter 147, HRS, temporary staff to assist in certification and auditing services and it also enters into cooperative agreements with the USDA for purposes of grading beef, pork, mutton and lamb carcasses.

“It also requires the DOA to fix, assess, and collect fees under the cooperative agreement with USDA. It repeals certain sections relating to certifying agency and seed certifications. It also changes the revolving fund used by DOA to provide inspection services for federal marketing order programs.

“The changes that the House has made and agreed to by your Committee in Conference was deleting references under part VII of HRS that recognizes temporary staff and replacing the languages to temporary inspectors. It also clarifies that the department shall fix, assess, and collect fees for certification or audit services.

“There were also technical and nonsubstantive amendments for purposes of style and clarity.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1255, S.D. 2, and S.B. No. 1255, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,” was placed on the calendar for Final Reading on Tuesday, April 22, 2003.

ADOPTION OF RESOLUTION

H.C.R. No. 62, H.D. 1, S.D. 1:

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested that the referral of H.C.R. No. 62, H.D. 1, S.D. 1, to the Committee on Transportation, Military Affairs, and

Government Operations be waived, and the Chair granted the waiver.

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, H.C.R. No. 62, H.D. 1, S.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII’S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT,” was adopted.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 188.

Senator Kawamoto noted:

“Your Committee would like to hold a decision making on this resolution and intend to report it out unamended.”

The Chair granted the waiver.

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 1055, S.D. 1 (H.D. 1):

The President appointed Senators Kim and Kokubun as managers on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 1055, S.D. 1.

H.B. No. 10, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 10, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Menor, Hooser, co-chairs on the part of the Senate at such conference.

H.B. No. 75, H.D. 2 (S.D. 1):

The President appointed Senator Taniguchi as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 75, H.D. 2.

H.B. No. 1003, H.D. 1 (S.D. 2):

The President discharged Senator Ihara as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1003, H.D. 1.

H.B. No. 1182, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1182, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, Chun Oakland, co-chairs; English, Espero, Taniguchi, Tsutsui as managers on the part of the Senate at such conference.

ADJOURNMENT

At 3:43 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 12:00 o'clock noon, Tuesday, April 22, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-FIFTH DAY

Tuesday, April 22, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 12:09 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Father Charles Oyabu, The Marianist, Chaminade University of Honolulu, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 447 to 450) were read by the Clerk and were placed on file:

Gov. Msg. No. 447, letter dated April 17, 2003, requesting that S.B. No. 1444 be amended to provide appropriations and authorizations required to fund the arbitrated settlement awarded to Bargaining Unit 9, Registered Professional Nurses, for fiscal biennium 2003-2004.

Gov. Msg. No. 448, dated April 17, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of January, 2003, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 449, dated April 17, 2003, transmitting the 2002 Annual Report of the Executive Office on Aging.

Gov. Msg. No. 450, dated April 22, 2003, transmitting a Report on the Activities of the Department of Health, Environmental Health Administration, Office of Hazard Evaluation and Emergency Response, and Use of the Environmental Response Revolving Fund, prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS.

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

The Senate reconvened at 12:14 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 577 to 588) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 577, returning S.C.R. No. 6, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 578, returning S.C.R. No. 16, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 16, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 579, returning S.C.R. No. 116, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 116, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 580, returning S.C.R. No. 132, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 132, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 581, returning S.C.R. No. 5, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 582, returning S.C.R. No. 12, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 583, returning S.C.R. No. 44, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 584, returning S.C.R. No. 105, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 585, returning S.C.R. No. 150, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 586, returning S.C.R. No. 176, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 587, returning S.C.R. No. 181, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 588, informing the Senate that the amendments proposed by the Senate to H.C.R. No. 31 were agreed to by the House and H.C.R. No. 31, S.D. 1, was finally adopted in the House of Representatives on April 21, 2003, was placed on file.

JUDICIARY COMMUNICATION

Jud. Com. No. 5, submitting for consideration and consent, the nomination of LONO J. LEE to the Office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a

term of six years, was read by the Clerk and was referred to the Committee on Judiciary and Hawaiian Affairs.

CONFERENCE COMMITTEE REPORT

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 993, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 993, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 993, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1596) recommending that the Senate advise and consent to the nomination of BERT H. SAKATA to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. No. 242.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1596 and Gov. Msg. No. 242 was deferred until Wednesday, April 23, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1597) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

DONNA P. BISHAW, in accordance with Gov. Msg. No. 292; and

ELVIRA LEE, in accordance with Gov. Msg. No. 293.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1597 and Gov. Msg. Nos. 292 and 293 was deferred until Wednesday, April 23, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1598) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

ANTHONY S. AKAMINE, in accordance with Gov. Msg. No. 294;

RONALD AWA, in accordance with Gov. Msg. No. 295;

RICHARD R. CHAVES, in accordance with Gov. Msg. No. 296;

SHARON FOUNTAIN, in accordance with Gov. Msg. No. 297;

FRANCINE M. KENYON, in accordance with Gov. Msg. No. 298;

LUCY MILLER PH.D. in accordance with Gov. Msg. No. 299; and

PATRICIA NIELSEN, in accordance with Gov. Msg. No. 300.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1598 and Gov. Msg. Nos. 294, 295, 296, 297, 298, 299 and 300 was deferred until Wednesday, April 23, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1599) recommending that the Senate advise and consent to the nomination of GAE BERGQUIST-TROMMALD to the State Foundation on Culture and the Arts Commission, in accordance with Gov. Msg. No. 289.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1599 and Gov. Msg. No. 289 was deferred until Wednesday, April 23, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1600) recommending that the Senate advise and consent to the nomination of WILLIAM D. SOUZA to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 310.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1600 and Gov. Msg. No. 310 was deferred until Wednesday, April 23, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1601) recommending that the Senate advise and consent to the nomination of CARL L. SIMONS to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, in accordance with Gov. Msg. No. 321.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1601 and Gov. Msg. No. 321 was deferred until Wednesday, April 23, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1602) recommending that the Senate advise and consent to the nomination of CARLITO P. CALIBOSO to the Public Utilities Commission, in accordance with Gov. Msg. No. 255.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1602 and Gov. Msg. No. 255 was deferred until Wednesday, April 23, 2003.

ORDER OF THE DAY

APPROVAL OF JOURNAL

MATTER DEFERRED FROM MONDAY, APRIL 21, 2003

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

At this time, Senator Ihara rose and said:

"Mr. President, instead of making motions and asking for floor votes to object to the Journal for the 47th Session Day, I would like to make a statement of objections on this matter.

"Mr. President, as you know, this Session I've objected several times to the Senate's practice of passing bills on Second Reading while the Senate was in recess – in effect, casting votes in absentia. In attorney general's opinion dated March 28, which all members received, it stated two fundamental principles of parliamentary law: (1) that the Senate cannot adopt a bill on Second Reading without knowledge of its

content or identity; and (2) that the Senate cannot pass a bill in absentia.

“On the second decking deadline of Friday, April 4, the Senate passed 16 bills in absentia. I would like to point out, in the Senate Journal on the 47th day, evidence for my claim that the bills were in fact passed in absentia. I hope to be persuasive so that the Senate Leadership will adopt an easy and practical solution that is now available to avoid requiring the Senate to ever again vote for bills in absentia.

“I call the Senators’ attention to materials on your desk. I passed out the Journal for the 47th day and also a one-page handout called Senate Journal excerpts, April 4, 2003, 47th session day. I’d like to walk you through a few entries in the Journal for that day. There’s a notation on page six where the Senate Majority Caucus Leader said, or actually made the following motion: that the Senate stands in recess, leaving the Journal open until 10:00 p.m. this evening for receipt of standing committee reports for House bills, and may the Journal reflect the proper motions made and appropriate actions taken by this body, etc. . . . consistent with reports of those standing committees that were to have been received by the Clerk by 10:00 p.m.

“This motion . . . the use of the word ‘reflect,’ I’m contending that this motion authorizes the Clerk to enter into the Journal certain motions and actions that did not actually occur. And I will explain – further down after Senator Whalen seconded the motion, it goes on and says, Senator Tsutsui moved that Senate authorize the adoption of standing committee reports recommending that Senate bills pass Second Reading, etc. And you notice here that in this restatement of the motion, it says that the Senate authorizes the adoption of standing committee reports. There is no explicit authorization for passing bills on Second Reading, but I will assume that it is implied, because it is not necessarily the case that when you authorize adoption of standing committee reports, that the bills referenced in the recommendation are also adopted, but I will assume that it is implied that the authorization was actually made.

“As you recall, the Journal reflects it, and for those here, the Majority Caucus Leader indicated at the time of the motion that he did not know the identity of all of the bills that were to pass on Second Reading, and that’s noted on page six and seven.

“Now, jump to page eight, and this is all on the advance copy that you have in front of you. Page eight, and I’ll read the bolded section, it says, in consequence thereof and subsequent to the recessing at 1:10 o’clock p.m., the Senate took the following actions. The key word here is ‘subsequent to recessing,’ because this means that the actions that are listed in the Journal were made subsequent to the recess. This says that while the Senate was in recess, it took actions listed in the Journal.

“Mr. President, I believe that this proves, unless the Journal is corrected, that the Senate passed bills on Second Reading in absentia, which the attorney general said in his March 28 letter that these motions are improper.

“Also, on the bottom of the page on this one page handout, still on page eight, it says, on motion by Senator Tsutsui and seconded by Senator Whalen and carried, the committee adopted H.B. No. 1253. This is the fourth paragraph from the bottom on page eight, and I have provided the excerpts there for you. When it said on motion by Senator Tsutsui, Senator Tsutsui did not actually make this motion, because this motion was actually done subsequent to the recess. The Senate was in recess during the time that this motion was allegedly made.

“Since the Senator is not a member of TMG, he did not know the identity of the bill, in this case, H.B. No. 1253, H.D. 1, S.D. 1. There are 15 other such bills but I’m just giving you the example of the first bill. So, the Senator could not have made this motion as stated in the Journal. Also, it says, seconded by Senator Whalen and carried. It said, ‘and carried.’ The Journal says that this vote was carried, although this vote actually did not happen because the Senate was in recess at the moment this vote could have taken place.

“At the bottom, it says at the very end, page 17, at 10:00 p.m. the Senate adjourned. So, between 1:10 p.m. and 10:00 p.m., the Senate was in recess, and at 10:00 p.m. the Senate adjourned. So those actions all occurred during a recess.

“Mr. President, that’s my statement. I want to thank you for allowing me to outline my case. I hope that we can work out appropriate arrangements to address the concerns raised here today.

“Thank you.”

FINAL READING

S.B. No. 1255, S.D. 2, H.D. 1:

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1255, S.D. 2, and S.B. No. 1255, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 78, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 78, S.D. 2, seconded by Senator Hanabusa and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 78, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Chun Oakland, Hanabusa, Fukunaga, Inouye). Noes, none. Excused, 2 (Kawamoto, Trimble).

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 78, S.D. 2, seconded by Senator Hanabusa.

Senator Chun Oakland noted:

“Mr. President, the H.D. 1 of S.B. No. 78 basically eliminates any private cause of action but does allow the state attorney general to take civil action on a complaint alleging a person committing elder abuse.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 78, S.D. 2, and S.B. No. 78, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELDER ABUSE,” was placed

on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 394 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 394, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 394 on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Espero). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 394, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, with respect to S.B. No. 394, H.D. 1, the purpose of the bill is to extend to December 31, 2007, that allows associations of apartment owners to assess the purchaser of a condominium unit for unpaid common expenses attributable to that unit.

“In addition to making some technical and nonsubstantive amendments, the House version would also provide that the lender may require the association of apartment owners to provide at no charge a notice of the association’s intent to claim a lien.

“In addition, the House draft would also require that the association provide only a notice of assessments owed, rather than a listing of unpaid assessments by month.

“These provisions I believe were reasonable and have the concurrence of all of the parties who testified and who worked on the measure.”

“I believe these amendments are reasonable, and accordingly, I would recommend that we reconsider action previously taken.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 394, and S.B. No. 394, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 1058, S.D. 1 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on March 28, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1058, S.D. 1, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1058, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Ige). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1058, S.D. 1, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, the purpose of this bill is to allow the insurance commissioner greater flexibility in approving investments of captive insurance companies.

“In addition to making some technical and nonsubstantive amendments, the House version also makes reference to investments and investment provisions as opposed to other permitted investment provisions.

“The Department of Commerce and Consumer Affairs felt that the House version was clearer in regards to the types of investments being referenced, and accordingly, your Committee Chair has recommended that we agree to the House version.

“I believe these amendments are reasonable, and accordingly, I would recommend that we reconsider action previously taken.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1058, S.D. 1, and S.B. No. 1058, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 1306 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1306, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1306 on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Espero). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1306, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, S.B. No. 1306, relating to telecommunications relay services, the purpose of this bill is to provide the state public utilities commission with greater flexibility in recapturing the cost of providing intrastate telecommunications relay services in the state for persons with a hearing and speech disabilities.

“Basically, the House version contains technical or nonsubstantive amendments. I believe these amendments are reasonable, and accordingly, I would recommend that we reconsider action previously taken.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1306, and S.B. No. 1306, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 773 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 8, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 773, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 773 on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Tsutsui). Noes, none. Excused, 2 (Kawamoto, Kokubun).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 773, seconded by Senator Taniguchi.

Senator Kanno noted:

“Mr. President, S.B. No. 773 amends our unemployment benefits law to permit the use of an alternative base period for the calculation of benefits.

“In the original Senate bill, it provided two options for alternative base periods and the House amendment primarily was to select one option for the alternative base period, that being four completed calendar quarters immediately preceding the first day of an individual’s benefit year.

“The House made a number of other amendments to incorporate that language.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 773, and S.B. No. 773, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 1373, S.D. 1 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1373, S.D. 1, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1373, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Kawamoto). Noes, none. Excused, 2 (Kokubun, Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 1373, S.D. 1, seconded by Senator Taniguchi.

Senator Kanno noted:

“Mr. President, on S.B. No. 1373, the bill provides a statutory basis for civil service exempt positions within the labor department to implement federally funded employment or training programs.

“The only difference was minor. In the Senate version it referred to the Department of Labor and Industrial Relations, and in the House version it referred to it as the department.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1373, S.D. 1, and S.B. No. 1373, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 451 and 452) were read by the Clerk and were placed on file:

Gov. Msg. No. 451, advising the Senate of the withdrawal of the nomination of PATRICIA L. CHINN MD to the Board of Directors of the Hawai`i Health Systems Corporation, under Gov. Msg. No. 364, dated April 14, 2003.

In compliance with Gov. Msg. No. 451, the nomination listed under Gov. Msg. No. 364 was returned.

Gov. Msg. No. 452, advising the Senate of the withdrawal of the nomination of DAVID EASA MD to the Board of Directors of the Hawai`i Health Systems Corporation, under Gov. Msg. No. 365, dated April 14, 2003.

In compliance with Gov. Msg. No. 452, the nomination listed under Gov. Msg. No. 365 was returned.

At 12:33 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o’clock p.m.

APPOINTMENT OF CONFEREES

H.B. No. 736, H.D. 1 (S.D. 2):

The President appointed Senator Hanabusa as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 736, H.D. 1.

H.B. No. 391, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 391, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Kanno, Taniguchi, Espero, co-chairs; Aduja, Kokubun as managers on the part of the Senate at such conference.

ADJOURNMENT

At 12:38 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 12:00 o'clock noon, Wednesday, April 23, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-SIXTH DAY

Wednesday, April 23, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 12:17 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Associate Pastor Dennis Sallis, Hope Chapel, after which the Roll was called showing all Senators present with the exception of Senator Hanabusa who was excused.

The President announced that he had read and approved the Journal of the Fifty-Fifth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 453 to 457) were read by the Clerk and were placed on file:

Gov. Msg. No. 453, letter dated April 22, 2003, requesting that S.B. No. 1443 be amended to provide appropriations and authorizations required to fund the arbitrated settlement awarded to Bargaining Unit 11, Firefighters, for fiscal years 2004-2005.

Gov. Msg. No. 454, dated April 22, 2003, transmitting the Comprehensive Annual Financial Report of the State of Hawaii for Fiscal Year Ended June 30, 2003, prepared by the Comptroller pursuant to Section 40-5, HRS.

Gov. Msg. No. 455, advising the Senate of the withdrawal of the nomination of GARRY SMITH to the Crime Victim Compensation Commission, under Gov. Msg. No. 288, dated April 7, 2003.

In compliance with Gov. Msg. No. 455, the nomination listed under Gov. Msg. No. 288 was returned.

Gov. Msg. No. 456, advising the Senate of the withdrawal of the nomination of DEBORAH M. LIM to the Civil Rights Commission, under Gov. Msg. No. 343, dated April 14, 2003.

In compliance with Gov. Msg. No. 456, the nomination listed under Gov. Msg. No. 343 was returned.

Gov. Msg. No. 457, advising the Senate of the withdrawal of the nomination of MICHAEL H. FURUKAWA to the Commission on Water Resource Management, under Gov. Msg. No. 403, dated April 14, 2003.

In compliance with Gov. Msg. No. 457, the nomination listed under Gov. Msg. No. 403 was returned.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 31, from the State Auditor dated April 22, 2003, transmitting a report, "Evaluation of the State's Integrated Special Education Database System," (Report No. 03-05), was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 589, informing the Senate that the Speaker on April 22, 2003, made the following changes to the conferees on the following bill:

H.B. No. 512, H.D. 1 (S.D. 2):

Discharged Representative Hamakawa as lead co-chair.
Appointed Representative Arakaki as lead co-chair and Representative Hamakawa as second co-chair,

was read by the Clerk and was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 192, H.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 192, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 192, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 295, S.D. 1, presented a report (Conf. Com. Rep. No. 51) recommending that S.B. No. 295, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and S.B. No. 295, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1200, S.D. 1, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 1200, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and S.B. No. 1200, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1630, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 1630, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and S.B. No. 1630, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 933, S.D. 1, presented a report (Conf. Com. Rep. No. 54) recommending that S.B. No. 933, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and S.B. No. 933, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STALKING," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1267, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 1267, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and S.B. No. 1267, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1274, S.D. 1, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 1274, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and S.B. No. 1274, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1460, S.D. 1, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 1460, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and S.B. No. 1460, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1603) recommending that H.C.R. No. 93 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1603 and H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MEDICAL SAVINGS ACCOUNTS," was deferred until Thursday, April 24, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1604) recommending that H.C.R. No. 128, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1604 and H.C.R. No. 128, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING TELECOMMUNICATIONS AND CALL CENTERS TO INITIATE CUSTOMER RIGHT TO KNOW PROCEDURES REGARDING ALL INBOUND AND OUTBOUND COMMUNICATIONS," was deferred until Thursday, April 24, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1605) recommending that H.C.R. No. 135 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1605 and H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO ESTABLISH A TASK FORCE TO DEVELOP AN

EMERGENCY ACTION PLAN TO ASSIST AND EMPOWER THE WAI'ANA'E COMMUNITY AND OTHER COMMUNITIES AROUND THE STATE TO FOSTER GREATER SELF-SUFFICIENCY," was deferred until Thursday, April 24, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1606) recommending that the Senate advise and consent to the nomination of CAPTAIN GERALD L. COFFEE to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 287.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1606 and Gov. Msg. No. 287 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1607) recommending that the Senate advise and consent to the nomination of TRISH MORIKAWA to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 304.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1607 and Gov. Msg. No. 304 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1608) recommending that the Senate advise and consent to the nomination of GAIL U. KELIIOKA-SHERLOCK to the Island Burial Council, Island of Hawai'i, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1608 and Gov. Msg. No. 307 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1609) recommending that the Senate advise and consent to the nomination of RHODA FEINBERG PH.D. to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 350.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1609 and Gov. Msg. No. 350 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1610) recommending that the Senate advise and consent to the nomination of THEODORE G.M. JUNG to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 351.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1610 and Gov. Msg. No. 351 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1611) recommending that the Senate advise and consent to the nomination of WAYLEN K.K. TOMA to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 352.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1611 and Gov. Msg. No. 352 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1612) recommending that the Senate advise and consent to the nomination of JULIE KAI BARRETO to the Defender Council, in accordance with Gov. Msg. No. 353.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1612 and Gov. Msg. No. 353 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1613) recommending that the Senate advise and consent to the nomination of RON AGOR to the Board of Registration of the Islands of Kauai and Niihau, in accordance with Gov. Msg. No. 387.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1613 and Gov. Msg. No. 387 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1614) recommending that the Senate advise and consent to the nomination of COLIN KAALELE to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 302.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1614 and Gov. Msg. No. 302 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1615) recommending that the Senate advise and consent to the nomination of MAHINA MARTIN to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 303.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1615 and Gov. Msg. No. 303 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1616) recommending that the Senate advise and consent to the nomination of CLARICE CORNETT to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 349.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1616 and Gov. Msg. No. 349 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1617) recommending that the Senate advise and consent to the nomination of MICHELLE L. DREWYER to the Defender Council, in accordance with Gov. Msg. No. 354.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1617 and Gov. Msg. No. 354 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1618) recommending that the Senate advise and consent to the nomination of STEVE PFISTER to the Board of Registration of the Island of Maui, Molokai, Lanai, and Kaho'olawe, in accordance with Gov. Msg. No. 323.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1618 and Gov. Msg. No. 323 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1619) recommending that the Senate advise and consent to the nomination of KATHRYN GHEAN to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kaho'olawe, in accordance with Gov. Msg. No. 388.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1619 and Gov. Msg. No. 388 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1620) recommending that the Senate advise and consent to the nomination of ROBERTA CHONG KEE to the Board of Registration of the Island of Oahu, in accordance with Gov. Msg. No. 389.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1620 and Gov. Msg. No. 389 was deferred until Thursday, April 24, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1621) recommending that the Senate advise and consent to the nomination of KEN HIDESHI TAKAYAMA to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 425.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1621 and Gov. Msg. No. 425 was deferred until Thursday, April 24, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1622) recommending that the Senate advise and consent to the nominations to the Environmental Council of the following:

SHAD S. KANE, in accordance with Gov. Msg. No. 301; and

DAVID S. BYLUND, in accordance with Gov. Msg. No. 360.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1622 and Gov. Msg. Nos. 301 and 360 was deferred until Thursday, April 24, 2003.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1596 (Gov. Msg. No. 242):

Senator Inouye moved that Stand. Com. Rep. No. 1596 be received and placed on file, seconded by Senator Kawamoto and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of BERT H. SAKATA to the Kaho'olawe Island Reserve Commission, term to expire June 30, 2007, seconded by Senator Kawamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

Stand. Com. Rep. No. 1597 (Gov. Msg. Nos. 292 and 293):

Senator Baker moved that Stand. Com. Rep. No. 1597 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

DONNA P. BISHAW, term to expire June 30, 2006 (Gov. Msg. No. 292); and

ELVIRA LEE, term to expire June 30, 2006 (Gov. Msg. No. 293),

seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

Stand. Com. Rep. No. 1598 (Gov. Msg. Nos. 294, 295, 296, 297, 298, 299 and 300):

Senator Baker moved that Stand. Com. Rep. No. 1589 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

ANTHONY S. AKAMINE, term to expire June 30, 2007 (Gov. Msg. No. 294);

RONALD AWA, term to expire June 30, 2007 (Gov. Msg. No. 295);

RICHARD R. CHAVES, term to expire June 30, 2007 (Gov. Msg. No. 296);

SHARON FOUNTAIN, term to expire June 30, 2006 (Gov. Msg. No. 297);

FRANCINE M. KENYON, term to expire June 30, 2007 (Gov. Msg. No. 298);

LUCY MILLER PH.D., term to expire June 30, 2007 (Gov. Msg. No. 299); and

PATRICIA NIELSEN, term to expire June 30, 2007 (Gov. Msg. No. 300),

seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

Stand. Com. Rep. No. 1599 (Gov. Msg. No. 289):

Senator Aduja moved that Stand. Com. Rep. No. 1599 be received and placed on file, seconded by Senator English and carried.

Senator Aduja then moved that the Senate advise and consent to the nomination of GAE BERGQUIST-TROMMALD to the

State Foundation on Culture and the Arts Commission, term to expire June 30, 2007, seconded by Senator English.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

Stand. Com. Rep. No. 1600 (Gov. Msg. No. 310):

Senator Aduja moved that Stand. Com. Rep. No. 1600 be received and placed on file, seconded by Senator English and carried.

Senator Aduja then moved that the Senate advise and consent to the nomination of WILLIAM D. SOUZA to the King Kamehameha Celebration Commission, term to expire June 30, 2006, seconded by Senator English.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

Stand. Com. Rep. No. 1601 (Gov. Msg. No. 321):

Senator Aduja moved that Stand. Com. Rep. No. 1601 be received and placed on file, seconded by Senator English and carried.

Senator Aduja then moved that the Senate advise and consent to the nomination of CARL L. SIMONS to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, term to expire June 30, 2007, seconded by Senator English.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

Stand. Com. Rep. No. 1602 (Gov. Msg. No. 255):

Senator Menor moved that Stand. Com. Rep. No. 1602 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of CARLITO P. CALIBOSO to the Public Utilities Commission, term to expire June 30, 2004, seconded by Senator Baker.

Senator Menor rose to speak in support of the nominee and said:

"Mr. President, with your indulgence, I wanted to offer some brief remarks in support of Stand. Com. Rep. No. 1602.

"Mr. President, it's a pleasure for me to be able to recommend to this distinguished body the confirmation of Carlito Caliboso to the important of chairmanship of the Public Utilities Commission. There is no question that Carlito possesses the necessary intellect and qualifications to be able to grasp and to analyze the kinds of complex issues that the Public Utilities Commission is responsible for reviewing and deciding upon.

"He really will bring with him an impressive educational and professional background. Carlito earned a Bachelor of Business Administration degree in Finance and Management from the College of Business Administration of the University of Hawaii

in 1984. He earned his law degree from the William S. Richardson School of Law at the University of Hawaii in 1991, where he was the articles editor for University of Hawaii Law Review. As an attorney, Mr. President, I can tell you that selection to the Law Review represents one of the highest honors that a law student can attain.

"In terms of his professional career, he has been employed as a systems analyst with Bank of Hawaii and Central Pacific Bank, and has been a partner in the law firm of Catalani Nakanishi and Caliboso where he has specialized in real estate and commercial finance law.

"Another positive aspect of Carlito's nomination to the PUC is that he has stated that his first order of business will be to improve public access to the agency. He has also pledged to provide a balanced perspective as he seeks to reconcile the various issues that will come before him as the commissioner.

"Finally, as someone who immigrated from the Philippines with his family when he was just two years old, Carlito, to me, is a shining example of how someone in this country can rise to a position of prominence and success through hard work and dedication. And with all due respect to the Senator from Waipahu, Senator Kawamoto, one of Carlito's other assets is the fact that he is currently a resident in God's country, Mililani Mauka.

"For the reasons that I've stated, I ask my colleagues to join me in confirming Carlito Caliboso as chairman of the Public Utilities Commission.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hanabusa, Ige, Kanno).

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

FINAL READING

S.B. No. 78, S.D. 2, H.D. 1:

Senator Chun Oakland moved that S.B. No. 78, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Trimble rose to speak in opposition to the measure and said:

"Mr. President, I rise to speak in opposition to this measure.

"Colleagues, all of us are opposed to elder abuse. I think all of us recognize that it is a problem in Hawaii and it is a problem that needs to be addressed.

"In this measure, when we pass this measure, we will be doing several things, either intended or unintended, and please join me for a couple moments and reflect before we cast a vote on what we're actually doing. We are defining abuse as physical or psychological. We're setting up civil penalties where the judge's discretion is limited. We're setting a floor at \$500 a day. My first problem is that I don't think that we should be limiting the judge to a minimum penalty of \$500 a day. I think the judge should have more discretion.

"If this measure is passed by this body, the first result will be, I anticipate, and if I'm wrong, please correct me, that those caretakers providing this service will see an increase in their insurance rates. As a cost to business, this will be passed on to those that use the care facilities or the people that send them there, and in many cases, the payment comes from the State of Hawaii. So, the taxpayers of the State of Hawaii will be paying the insurance that will be used perhaps to defend in terms of legal fees or civil remedies, and I'm just not sure that this is the right approach for us to be taking.

"I have voted for and I do support unannounced visits. I think perhaps a better alternative will be to have more unannounced visits. And because I differ in the approach that I think is most appropriate, I will be voting against this measure and I urge you to do likewise.

"Thank you."

Senator Chun Oakland then rose in support of the measure and said:

"Mr. President, I rise to speak in strong support of this measure.

"Abuse and neglect of the elderly has been called Hawaii's 'hidden epidemic.' Elder abuse is physical or mental mistreatment or injury that harms or threatens an elderly person. It includes physical, sexual, emotional, and financial abuse, as well as neglect or abandonment. Abuse can happen in institutions like nursing homes, as well as at home. Most of the reported cases involve abuse by a family member or other relative.

"The sad truth is that many elders do not report abuse. Some are physically or mentally impaired. Many dependent elders put up with the abuse due to fear of losing whatever support the abuser may be providing, such as a place to live or personal care, or are unable to notify anyone else.

"Hawaii already provides for extended sentences for criminals who commit crimes against elders. S.B. No. 78 would provide for enhanced civil penalties for caregivers who abuse or neglect elders.

"S.B. No. 78 authorizes the Attorney General to seek civil penalties on behalf of the State in cases where an elder has been abused or neglected by a caregiver. A caregiver who is found to have abused or neglected an elder will be fined up to \$1,000 for each day that the abuse occurred, and must pay for the costs of the Attorney General's investigation.

"This measure does not bar the criminal prosecution of an abusive caregiver and the elderly victim (or the victim's estate) may also pursue private legal action, including obtaining a temporary restraining order against the abuser or suing for breach of contract, tort, or civil fraud.

"With regards to the previous speaker's concern about increasing costs, we worked very diligently with a number of the organizations that were concerned about premiums going up as a result of the original bill. And as a result, that is why the Senate has taken the position and accepted the position of the House, which takes away the private cause of action. So, here before us is a civil remedy only.

"Mr. President, this bill, for the first time, imposes civil penalties against abusive caregivers, and sends a very strong message that we will not tolerate the abuse or neglect of our elders. By passing this measure, Hawaii will join seven other

states that have enacted enhanced civil penalties for elder abuse. It is an important measure and I urge your support.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 78, S.D. 2, and S.B. No. 78, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELDER ABUSE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Hanabusa, Kanno).

S.B. No. 394, H.D. 1:

On motion by Senator Menor, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 394, and S.B. No. 394, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Kanno).

S.B. No. 1058, S.D. 1, H.D. 1:

On motion by Senator Menor, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1058, S.D. 1, and S.B. No. 1058, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1306, H.D. 1:

Senator Menor moved that S.B. No. 1306, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Hogue rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to this measure. Colleagues, I will be brief.

“This bill authorizes the PUC to have flexibility to establish a surcharge for providing TRS services. Essentially, it could lead to higher costs for consumers. All of us receive our bills in the mail. Essentially, many of us may not realize why surcharges seem to be added from time to time, and it’s because we vote for measures such as this. And potentially, when you get your next wireless bill, if we vote for this thing you’ll have a surcharge on their and you’ll be paying a little bit more.

“So, I urge you to vote ‘no.’ Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1306, and S.B. No. 1306, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Whalen). Excused, 1 (Hanabusa).

S.B. No. 773, H.D. 2:

Senator Kanno moved that S.B. No. 773, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to the bill.

“The bill says that what it really seeks to do is to give flexibility to the Department of Labor, but it does not. What it really does is to open up new avenues for claimants to get unemployment compensation that they would not normally be entitled to. It sets up an alternative base period, allows them the option in which to get additional payments.

“The Committee cited 12 states in which similar type legislation has been enacted and said that the rates in the reserve fund and the benefits only went up between 4 and 6 percent. I would remind my colleagues again that Hawaii has one of the highest unemployment compensation tax rates in the United States, that the unemployment compensation tax on all employers just went up in March, that if this bill is enacted it will increase unemployment compensation rates again, and again, the final reminder is that only employers pay unemployment compensation tax – no employee ever pays any part of UI.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 773, and S.B. No. 773, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Hanabusa, Taniguchi).

S.B. No. 1373, S.D. 1, H.D. 1:

On motion by Senator Kanno, seconded by Senator Kokubun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1373, S.D. 1, and S.B. No. 1373, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hanabusa, Taniguchi).

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 373, S.D. 1 (H.D. 2):

Senator Menor moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 373, S.D. 1, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 373, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Espero). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 373, S.D. 1, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, the amendments that are contained in the House bill that are not contained in the Senate bill are basically for the purposes of clarifying some important terms pertaining to this measure. For example, one amendment in the House bill would specify that the measure refers to power of sale foreclosure under Section 667-5, Hawaii Revised Statutes, as opposed to the rarely used alternate power of sale foreclosure process under Part II of Chapter 667, Hawaii Revised Statutes.

“It also makes some technical, nonsubstantive changes for clarity and style.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 373, S.D. 1, and S.B. No. 373, S.D. 1, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES,” was placed on the calendar for Final Reading on Thursday, April 24, 2003.

S.B. No. 658, S.D. 1 (H.D. 3):

Senator Baker moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 658, S.D. 1, seconded by Senator Tsutsui and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 658, S.D. 1, seconded by Senator Tsutsui.

Senator Baker noted:

“Mr. President, the amendments made by the House revert the bill to its original Senate position.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 658, S.D. 1, and S.B. No. 658, S.D. 1, H.D. 3, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS,” was placed on the calendar for Final Reading on Thursday, April 24, 2003.

S.C.R. No. 6, S.D. 1 (H.D. 1):

Senator Fukunaga moved that the Senate reconsider its action taken on April 22, 2003, in disagreeing to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, seconded by Senator Kanno and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, seconded by Senator Kanno.

Senator Fukunaga noted:

“Mr. President, the House has amended this resolution by having the Legislative Reference Bureau do the study in a manner which would focus the resolution more closely on specific areas, and we believe it’s a good amendment.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, and S.C.R. No. 6, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES,” was placed on the calendar for Final Adoption on Thursday, April 24, 2003.

Senator Ihara rose on a point of personal privilege as follows:

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

“Mr. President, I’d like to enter in the Journal, for the Record, my objection to a specific section of this Session’s Conference Committee Rules. I mentioned this objection in our debate on S.C.R. No. 146 on the Chair veto. I noted in that debate that I had a greater objection to another section in the Conference Rules, and this is Rule 8(b) and I’ll quote, ‘no Conference Committee Report concerning a measure with fiscal implications shall be reported out of a Conference Committee without the signatures of the chairs (or their designee) of the fiscal committees of each chamber.’ Mr. President, this is an after-the-fact veto. The Committee majority of all of the Chairs and all of the members can adopt a conference draft at a duly held meeting, but instead of the committee report reporting the actions of that Committee, this Rule would allow the report to be withheld by an after-the-fact action, which is a veto not exercised at a public meeting.

“Mr. President, this section, I believe, violates Article III, Section 12, of the State Constitution. This section requires that all decisions of legislative committees, including conference committees, must be made in public. Mr. President, this issue was addressed twice – once in a January 1999 opinion by the House Majority Attorney, and a March 7, 2000, opinion by the Attorney General. Both of these opinions agree to two items that I’ll note in the opinions – that the constitutional convention delegates, and I’ll quote, ‘contemplated that all actions and decisions of a committee of the Legislature shall be carried out at committee meetings open to the public, and the committee report on a bill, which the committee recommends for passage, shall only be a reflection and record of the committee’s actions and decisions at the committee meetings.’

“They also continue and say that ‘in the contemplation of the Constitutional Convention, a committee report recommending the bill for passage and circulated after the committee meeting is a record of the decisions and actions already taken on the bill by the committee at its decision making meeting. And since the report itself is neither the instrument nor the forum for decision making, decisions making cannot be determined by or be dependent upon the signatures of the committee members individually solicited and obtained outside of the committee meeting.’

“Mr. President, I also note that in Mason’s Manual of Legislative Procedure, which is the parliamentary rules for both the House and Senate, Section 663 says, ‘The chair is never justified in making a report that has not been approved by the committee.’ Section 664-2 says, and I quote, ‘A committee should report only such recommendations as have been agreed upon by a majority vote at a meeting to which all members were invited, and at which a quorum was present.’ Section 665-1 says, ‘Committee reports must be authorized by a majority of a quorum meeting as a committee, but it is not necessary that the report be signed by all members agreeing to it.’ And finally, in section 4 it says the signing of a committee report is the action of the committee itself and not of the members.

“So, Mr. President, for the record, these are my reasons why I believe that using conference committee reports for a decision making purpose violates not only Mason’s Legislative Manual, in the sections I quoted, but also Article III, Section 12, of the State Constitution.

“Thank you.”

ADJOURNMENT

At 12:48 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 6:30 o'clock p.m., Thursday, April 24, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

FIFTY-SEVENTH DAY

Thursday, April 24, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 6:41 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Willie C. Espero, Hawaii State Senate, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 458 to 467) were read by the Clerk and were placed on file:

Gov. Msg. No. 458, informing the Senate that on April 22, 2003, she signed into law House Bill No. 58 as Act 26, entitled: "RELATING TO MOTOR VEHICLES."

Gov. Msg. No. 459, informing the Senate that on April 22, 2003, she signed into law House Bill No. 83 as Act 27, entitled: "RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA."

Gov. Msg. No. 460, informing the Senate that on April 22, 2003, she signed into law House Bill No. 659 as Act 28, entitled: "RELATING TO THE LEGISLATIVE JOURNALS."

Gov. Msg. No. 461, informing the Senate that on April 22, 2003, she signed into law House Bill No. 1453 as Act 29, entitled: "RELATING TO RESIDENTIAL LEASEHOLDS."

Gov. Msg. No. 462, informing the Senate that on April 22, 2003, she signed into law House Bill No. 1572 as Act 30, entitled: "RELATING TO PARKING FOR DISABLED PERSONS."

Gov. Msg. No. 463, informing the Senate that on April 22, 2003, she signed into law House Bill No. 818 as Act 31, entitled: "RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION."

Gov. Msg. No. 464, informing the Senate that on April 22, 2003, she signed into law Senate Bill No. 1407 as Act 32, entitled: "RELATING TO COMMERCIAL DRIVER LICENSING."

Gov. Msg. No. 465, letter dated April 24, 2003, requesting that S.B. No. 1441 be amended to provide appropriations and authorizations required to fund the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) costs for Bargaining Unit 7, University of Hawaii Faculty, and to provide comparable adjustments for relevant excluded positions.

Gov. Msg. No. 466, informing the Senate that on April 23, 2003, she permitted the following measure to become law without her signature:

Senate Bill No. 616 as Act 33, entitled: "RELATING TO HATE CRIMES."

Gov. Msg. No. 467, informing the Senate that on April 23, 2003, she signed into law House Bill No. 1307 as Act 34,

entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 590 to 594) were read by the Clerk and were placed on file:

Hse. Com. No. 590, returning S.B. No. 1163, which passed Third Reading in the House of Representatives on April 23, 2003.

Hse. Com. No. 591, informing the Senate that the Speaker on April 23, 2003, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 55, H.D. 1 (S.D. 1):

Representatives Schatz, Morita, Wakai, co-chairs; Leong.

H.C.R. No. 81, H.D. 1 (S.D. 1):

Representatives Kanoho, chair; Kaho'ohalahala, Morita, Bukoski.

H.C.R. No. 179, H.D. 1 (S.D. 1):

Representatives Arakaki, Nishimoto, co-chairs; Hale, Ching.

H.C.R. No. 230 (S.D. 1):

Representatives Waters, chair; Mindo, Jernigan.

Hse. Com. No. 592, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House concurrent resolutions:

H.C.R. No. 55, H.D. 1 (S.D. 1);

H.C.R. No. 81, H.D. 1 (S.D. 1);

H.C.R. No. 179, H.D. 1 (S.D. 1); and

H.C.R. No. 230 (S.D. 1).

Hse. Com. No. 593, informing the Senate that the amendments proposed by the Senate to the following House concurrent resolutions were agreed to by the House and said resolutions were finally adopted in the House of Representatives on April 23, 2003:

H.C.R. No. 62, H.D. 1, S.D. 1;

H.C.R. No. 85, H.D. 1, S.D. 1;

H.C.R. No. 151, H.D. 1, S.D. 1; and

H.C.R. No. 203, S.D. 1,

Hse. Com. No. 594, informing the Senate that the Speaker on April 24, 2003, made the following changes to the conferees on the following bill:

S.B. No. 377, S.D. 1 (H.D. 2):

Discharged Representative Schatz as second co-chair.

Appointed Representative Karamatsu as second co-chair.

CONFERENCE COMMITTEE REPORTS

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by

the Senate to H.B. No. 595, H.D. 1, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 595, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and H.B. No. 595, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 29, H.D. 1, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 29, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 29, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1157, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 1157, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and H.B. No. 1157, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1285, H.D. 1, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 1285, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and H.B. No. 1285, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 426, H.D. 1, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 426, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and H.B. No. 426, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1319, S.D. 1, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 1319, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and S.B. No. 1319, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1051, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 1051, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and S.B. No. 1051, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL TRANSPORTATION," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 837, S.D. 1, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 837, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and S.B. No. 837, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 41, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 41, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and S.B. No. 41, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 665, S.D. 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 665, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and S.B. No. 665, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE PLAN," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1395, S.D. 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 1395, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and S.B. No. 1395, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1623) recommending that H.C.R. No. 90 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1623 and H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. SMALL BUSINESS ADMINISTRATION TO RE-EXAMINE THE CRITERIA

FOR DESIGNATING HUBZONES UNDER THE HUBZONE EMPOWERMENT CONTRACTING PROGRAM AS IT APPLIES TO THE STATE OF HAWAII," was deferred until Friday, April 25, 2003.

Senators Fukunaga and Kim, for the Committee on Economic Development and the Committee on Tourism, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1624) recommending that H.C.R. No. 78 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1624 and H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONVENING OF THE 2003 ANNUAL MEETING OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL'S PERMANENT FORUM ON INDIGENOUS ISSUES TO BE HELD IN HAWAII," was deferred until Friday, April 25, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1625) recommending that the Senate advise and consent to the nominations of CHARLES KING, TRAVIS THOMPSON, CHARLES STED, FRANK JUNG, TAIAPO TUIMALEALIFANO and STEPHANIE AVEIRO to the Board of Directors, Housing and Community Development Corporation of Hawaii, in accordance with Gov. Msg. No. 103.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1625 and Gov. Msg. No. 103 was deferred until Friday, April 25, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1626) recommending that the Senate advise and consent to the nomination of KAUI ALAPA to the State Board of Barbering and Cosmetology, in accordance with Gov. Msg. No. 282.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1626 and Gov. Msg. No. 282 was deferred until Friday, April 25, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1627) recommending that the Senate advise and consent to the nomination of WILLES LEE to the State Boxing Commission of Hawai'i, in accordance with Gov. Msg. No. 284.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1627 and Gov. Msg. No. 284 was deferred until Friday, April 25, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1628) recommending that the Senate advise and consent to the nomination of CRAIG R. BENZEL to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 285.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1628 and Gov. Msg. No. 285 was deferred until Friday, April 25, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1629) recommending that the Senate advise and consent to the nomination of JEFFREY K. MIYAZAWA to the Board of Dental Examiners, in accordance with Gov. Msg. No. 291.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1629 and Gov. Msg. No. 291 was deferred until Friday, April 25, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1630) recommending that the Senate advise and consent to the nomination of THOMAS SINGLEHURST to the Board of Directors of the Hawai'i Hurricane Relief Fund, in accordance with Gov. Msg. No. 305.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1630 and Gov. Msg. No. 305 was deferred until Friday, April 25, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1631) recommending that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

DENISE WALKER, in accordance with Gov. Msg. No. 329;

DAVID G. RIETOW, in accordance with Gov. Msg. No. 392; and

LYNNE E. WOODS, in accordance with Gov. Msg. No. 393.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1631 and Gov. Msg. Nos. 329, 392 and 393 was deferred until Friday, April 25, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1632) recommending that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

ELAINE L. HOGUE, in accordance with Gov. Msg. No. 347;

ANNA MARIE SPRINGER, in accordance with Gov. Msg. No. 348;

WAYNETTE HO-KWON, in accordance with Gov. Msg. No. 407; and

JAMES T. WEST PH.D., in accordance with Gov. Msg. No. 408.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1632 and Gov. Msg. Nos. 347, 348, 407 and 408 was deferred until Friday, April 25, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1633) recommending that the Senate advise and consent to the nomination of KAREN A. POIANI to the Endangered Species Recovery Committee, in accordance with Gov. Msg. No. 409.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1633 and Gov. Msg. No. 409 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1634) recommending that the Senate advise and consent to the nominations to the Hawai'i Commission for National and Community Service of the following:

ROBERT I. CROWELL, in accordance with Gov. Msg. No. 314;

DENNIS M. DUNN, in accordance with Gov. Msg. No. 315;

MABEL FERREIRO-FUJIUCHI, in accordance with Gov. Msg. No. 316;

STACY S.K. HIGA, in accordance with Gov. Msg. No. 317;

SCOTT S. MORISHIGE, in accordance with Gov. Msg. No. 318;

LEE A. ROMBAOA, and in accordance with Gov. Msg. No. 319; and

RALPH STUEBER, in accordance with Gov. Msg. No. 320.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1634 and Gov. Msg. Nos. 314, 315, 316, 317, 318, 319 and 320 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1635) recommending that the Senate advise and consent to the nominations to the Hawai'i School-to-Work Executive Council of the following:

NOBLEZA E. MAGSANOC, in accordance with Gov. Msg. No. 326;

ALBERT S. NISHIMURA, in accordance with Gov. Msg. No. 327; and

KEVIN YOSHINO, in accordance with Gov. Msg. No. 328.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1635 and Gov. Msg. Nos. 326, 327 and 328 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1636) recommending that the Senate advise and consent to the nominations to the Hawai'i Teacher Standards Board of the following:

ANNETTE MASUTANI, in accordance with Gov. Msg. No. 330;

VICKI L. MORRISON, in accordance with Gov. Msg. No. 331; and

VAUGHN TOKASHIKI, in accordance with Gov. Msg. No. 332.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1636 and Gov. Msg. Nos. 330, 331 and 332 was deferred until Friday, April 25, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1637) recommending that the Senate advise and consent to the nominations to the Board of Directors of the High Technology Development Corporation of the following:

JAY M. FIDELL, in accordance with Gov. Msg. No. 366;

BRIAN J. GOLDSTEIN, in accordance with Gov. Msg. No. 367; and

SHARON M. WONG, in accordance with Gov. Msg. No. 368.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1637 and Gov. Msg. Nos. 366, 367 and 368 was deferred until Friday, April 25, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1638) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Strategic Development Corporation of the following:

PHILIP M. JOHNSON PH.D., in accordance with Gov. Msg. No. 394;

WILLIAM M. MCKILLOP, in accordance with Gov. Msg. No. 395;

STEVE B. METTER, in accordance with Gov. Msg. No. 396;

DAVID A. OKA, in accordance with Gov. Msg. No. 397; and

GLENN S. YAMADA, in accordance with Gov. Msg. No. 398.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1638 and Gov. Msg. Nos. 394, 395, 396, 397 and 398 was deferred until Friday, April 25, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1639) recommending that the Senate advise and consent to the nomination of RYAN S. USHIJIMA to the Board of Trustees of the Deferred Compensation Plan, in accordance with Gov. Msg. No. 290.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1639 and Gov. Msg. No. 290 was deferred until Friday, April 25, 2003.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1640) recommending that H.C.R. No. 43 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1640 and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPLORATION OF OPTIONS FOR REDESIGNING THE BENEFIT LEVELS OF 'A' STATUS PLANS DEFINED UNDER HAWAII'S PREPAID HEALTH CARE ACT," was deferred until Friday, April 25, 2003.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1641) recommending that H.C.R. No. 92 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1641 and H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, IN CONJUNCTION WITH HAWAII'S HEALTH PLANS, TO EXPLORE OPTIONS FOR PROVIDING MEDICAL SAVINGS ACCOUNTS AND HIGH DEDUCTIBLE HEALTH PLANS TO HAWAII'S BUSINESSES UNDER HAWAII'S PREPAID HEALTH CARE ACT," was deferred until Friday April 25, 2003.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1642) recommending that H.C.R. No. 94, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1642 and H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO SUBMIT REPORTS ON EXEMPT EMPLOYEES AS REQUIRED BY ACT 253, SESSION LAWS OF HAWAII 2000," was deferred until Friday, April 25, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1643) recommending that H.C.R. No. 97, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1643 and H.C.R. No. 97, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO CONDUCT A STUDY ON THE FEASIBILITY OF A HYBRID RETIREMENT PLAN," was deferred until Friday, April 25, 2003.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1644) recommending that H.C.R. No. 109 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1644 and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REVIEW ITS INVESTMENT PRACTICES, DETERMINE WHETHER ANY INVESTMENTS ARE BEING MADE WITH COMPANIES BASED IN COUNTRIES THAT SUPPORT TERRORISM, AND RETHINK ITS INVESTMENT POLICIES REGARDING THESE COMPANIES," was deferred until Friday, April 25, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1645) recommending that the Senate consent to the nomination of RHONDA AKEMI NISHIMURA to the office of Judge, 10th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with Gov. Msg. No. 427.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1645 and Gov. Msg. No. 427 was deferred until Friday, April 25, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1646) recommending that the Senate consent to the nomination of JAMES E. DUFFY JR. to the office of Associate Justice, State Supreme Court, for a term of ten years, in accordance with Gov. Msg. No. 426.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1646 and Gov. Msg. No. 426 was deferred until Friday, April 25, 2003.

ORDER OF THE DAY

FINAL READING

Conf. Com. Rep. No. 1 (H.B. No. 993, S.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 1 be adopted and H.B. No. 993, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aduja.

Senator Hooser rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition.

"This bill basically requires counties, small counties like the one that I represent, the County of Kauai, basically it requires that they adopt regulations for the enforcement of ordinances regulating the inspection and certification of reconstructed vehicles. I believe this is a home rule issue and will be voting 'no' on this issue.

"Thank you."

Senators Tsutsui and English requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 1 was adopted and H.B. No. 993, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 6 (Hemmings, Hogue, Hooser, Ihara, Slom, Trimble). Excused, 4 (Ige, Kokubun, Sakamoto, Taniguchi).

S.B. No. 373, S.D. 1, H.D. 2:

On motion by Senator Menor, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 373, S.D. 1, and S.B. No. 373, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ige, Sakamoto).

S.B. No. 658, S.D. 1, H.D. 3:

Senator Baker moved that S.B. No. 658, S.D. 1, H.D. 3, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Whalen rose to speak in opposition and said:

"Mr. President, I rise in opposition to this bill.

"Mr. President, the other day when we moved to reconsider, it was my understanding that we were going back to our original Senate position. But this bill goes back to the original draft altogether, not the one we voted on at Third Reading and passed over to the House. There are four points I want to make, and I'll try to do it quickly.

"First of all, the findings in section 1 are in error. At the bottom it says that emergency contraception cannot and does not cause abortion. Again, I don't understand why we're trying to convince anyone who reads this that what we're doing isn't, basically, inducing an abortion. Because if you look at the definitions in the dictionary – not the ones we create such as on page 3, but the ones in the dictionary – it defines conception as the union, and I might not get the scientific names right, but the zygote and the gametes, basically the sperm and the egg, when they unite, that's when you have conception. Emergency contraception by its very name would indicate that you are preventing that . . . preventing that from occurring. There's no one that would say that these pills prevent that from occurring. What it does is it prevents, hopefully, the impregnated egg from attaching to the uterine wall to complete the pregnancy. The idea is to cause an artificial miscarriage through, usually, a high dosage of hormones into a woman. That is an abortion.

"There are natural abortions, such as a miscarriage, and there are those that are induced to terminate the pregnancy, and that's

what this is all about, which brings me to my third point – that there are many people who have very strongly, firmly held convictions that life begins at conception, yet this version we have does not allow for those people to express or hold those beliefs.

“What I keep hearing about is tolerance, yet in this bill is a great example of our intolerance of those people who do not have the same belief system that some of us have here in charge of this bill. And to point to that, I’d like to go to page 5 in the penalty section.

“As you know, there are a number of religious hospitals in this state and some of them of the Catholic order firmly oppose abortion and will not do it at their facilities. In this particular case, we are going to fine them \$5,000 per person who goes in there who they do not provide these abortion pills to. And worst of all, after two violations, the department is to suspend or revoke the license to operate their hospital. So, because of their firmly held beliefs that don’t correspond with some of those that we have here, we’re going to shut down a hospital. And in this bill, there’s nothing anywhere that says how you get your license back again. We took out the religious exemption. We took out everything that is fair play for the various hospitals and we basically said you have to give abortion pills to anyone who comes in here under the circumstances of being a sex assault victim. Before, it was provide information etc. Now we’re saying, no, not only that, you have to provide it.

“So, even for some people, doing a voluntary abortion is akin to murder, we’re telling them you have to do that because this is what we believe and we don’t care what your belief systems are.

“Mr. President, I just don’t understand why we continue to force this kind of stuff down the people of Hawaii’s throat. No pun intended.”

Senator Baker rose in support of the measure as follows:

“Mr. President, I rise to speak in support of this measure.

“It’s unfortunate that the good Senator from the West Side of the Big Island continues to perpetuate the myth that emergency contraceptives cause abortion. There is considerable confusion about the difference between emergency contraception and medical abortion because of misinformation that some individuals continue to put out.

“Emergency contraception prevents pregnancy. Medical abortion terminates pregnancy. According to general medical definitions of pregnancy that have been endorsed by many organizations, including the American College of Obstetrics and Gynecologists and the United States Department of Health and Human Services, pregnancy begins when a pre-embryo completes implantation into the lining of the uterus.

“Methods of contraception, including emergency contraception, prevent pregnancy by inhibiting ovulation, fertilization and/or implantation. Medical abortion terminates a pregnancy without surgery. By helping women prevent pregnancy after a rape, and that’s what we’re talking about – people who have been sexually assaulted – emergency contraception has the great potential to decrease the rate of abortion, thereby reducing the negative impact to an already traumatized woman.

“Emergency contraceptives do not cause deformities to unborn fetuses, they do not induce an abortion in a woman who is already pregnant, nor will it have any effect on a developing pre-embryo or embryo.

“The purpose of this measure is to provide some measure of relief to a woman who has been severely traumatized by being a victim of sex assault and comes to an emergency room seeking that assistance. Mr. President, I think it’s unconscionable that we would have healthcare systems and healthcare practitioners unnecessarily place woman who have been sexually abused, at risk of even additional trauma by forcing her to carry an unwanted pregnancy. EC has the benefit of preventing that from happening so there’s not additional trauma down the road. EC has shown to be safe, effective, and I think it’s unethical to withhold it for any reason from a woman who has been raped.

“Thank you, Mr. President.”

Senator Hogue rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to this measure.

“Mr. President, I’m pro-choice. Originally, I would have voted for this measure. I think that we do need to find ways to protect victims of sexual assault. So, with that, I will agree with the former speaker.

“However, what is unconscionable is that we are going to force – that we are going to force – those who do not believe in the use of contraceptives, specifically, Catholic hospitals like St. Francis and others, force them to provide this kind of information and these kinds of pills to those that they don’t believe that they should be even involved in.

“So, for those reasons, I will be voting ‘no,’ despite the fact that I am pro-choice. Thank you, Mr. President.”

Senator Whalen rose again in opposition as follows:

“I wouldn’t have risen again, still in opposition, Mr. President, but the impassioned speech by the Senator from Maui, I felt, if anything, there was the myth, because she quoted groups who a few years ago described homosexuality as a mental disorder in need of treatment, institutionalized in some cases. These are the same experts that she’s saying that we need to base our decisions upon as well.

“The myth that I stated, I’m not sure, unless the dictionary is a book of mythology, I’m not sure. I quoted from the dictionary. These pills that are called emergency contraceptive pills or medical treatment, by its very straight on definition, prevents contraception. They don’t just merely . . . they can prevent contraception if there hasn’t been a union yet, but once there has been, the egg is fertilized, there is conception, and these pills will induce an abortion because it terminates the beginnings of that pregnancy.

“As the Senator from the Windward side indicated, our own personal belief systems are how we live our life. But it’s not for us to put a blanket coat out there that everyone has to live by one set of values that we set up. And there are people that will be just as impassioned as the Senator from Maui in their opposition to being forced to provide what in their strongly held convictions is basically forcing them to provide for an abortion.

“For those reasons again, I would urge our colleagues who do view themselves as being tolerant and accepting of people with viewpoints other than their own, to vote this down.

“It’s one thing to provide information; it’s another thing to force them to provide the actual medical services. Again, I point to the egregious nature of this where a hospital could lose its license because of two incidences which might even be by

mistake. It just says two incidents where it happened. You might have a nurse or a doctor who doesn't do it but the hospital's protocol is to provide it. They just didn't do it. Now, the whole hospital loses its license and there's nothing in here that says you have a right to appeal it or anything else. It says you lose your license. We lose a hospital because of two mistakes by maybe two different people. I think we've just gone way overboard, Mr. President."

At 6:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:01 o'clock p.m.

Senator Baker rose and said:

"Mr. President, I think I should point out a couple of things. The new standard of care for emergency rooms, with regard to sexual assault victims, is to provide emergency contraceptives. And if I could direct members attention to the US Catholic Hospitals' encyclical, which directs them under ethical and religious directives for Catholic healthcare services established by the United States Conference of Catholic Bishops, it states in regards to EC access for sexual assault survivors, the directive says as follows: 'Compassionate and understanding care should be given to a person who is the victim of sexual assault. . . . A female who has been raped should be able to defend herself against a potential conception from the sexual assault. If, after appropriate testing, there is no evidence that conception has occurred already, she may be treated with medications that would prevent ovulation, sperm capacitation, or fertilization.'

"So, I believe there is definitely room in this area not to be concerned about impending on someone's religious freedoms in this regard. As a matter of fact, there are Catholic hospitals all across the country that provide EC for sex assault survivors even though they would not perform abortions in their facilities.

"Thank you, Mr. President."

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"We've been talking all Session long about processes, and if my information is correct, there are 22 emergency rooms where a victim of a rape may be taken. At least 21 of these, emergency contraceptives and advice is given either in the emergency room or by the Sex Abuse Treatment Center people or people associated with them. And among the 21 hospital emergency rooms, the only one where it is not consistently done within the time period is on the island of Oahu. So, we're not talking about an unserved need on the neighbor islands. We are talking about the island of Oahu where several choices of where to go are available.

"So, is this measure really to get St. Francis or is it to provide a need that is not already being taken care of? I'm in somewhat of a quandary. It seems to me that it's the former not the latter. And for that reason, I'll be voting against the measure."

Senator Whalen rose and said:

"Mr. President, I was not sure of what the Rules are for the Senate. I just wanted to address one point that the Senator from Maui spoke on that, in essence, fortified my position . . ."

Senator Hanabusa interjected:

"Mr. President, point of order. He's already spoken twice to this measure."

Senator Whalen then said:

"All right, that answers the question. Thank you, Mr. President."

Senator Sakamoto rose and said:

"Mr. President, I don't know if I'm going 'no' or W/R. I guess I'll rise with reservations, Mr. President.

"I think it's unfortunate that this bill doesn't allow hospitals or others like St. Francis . . . and perhaps in St. Francis' specific case, they may be in opposition, but perhaps through contract arrangements, other provisions are provided. But measures like this go forward until changed, and I think, should a new religious hospital come up, and perhaps there are services adequate for people who need help nearby and they choose not to provide these services for reasons important to them, that's a real difficulty for me, Mr. President. But perhaps this might work today in light of information that the Senator from Maui and others have given.

"I think we need to give full disclosure as well as we need to give opportunity for people to understand what the treatment will do, as well as giving care providers opportunities to still maintain their moral convictions as well as being compassionate caregivers. So, Mr. President, with reservations."

Senator Kawamoto requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 658, S.D. 1, and S.B. No. 658, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Aduja, Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Kanno).

At 7:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:18 o'clock p.m.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1606 (Gov. Msg. No. 287):

Senator Kawamoto moved that Stand. Com. Rep. No. 1606 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of CAPTAIN GERALD L. COFFEE to the Civil Defense Advisory Council, term to expire June 30, 2007, seconded by Senator Espero.

Senator Slom rose to speak in favor of the nominee and said:

"Mr. President, we would like to support Gov. Msg. No. 287 for the confirmation for Civil Defense Advisory Council, the gubernatorial nominee of Captain Gerry Coffee.

"Captain Gerry Coffee is truly an American legend, and American hero. We are very fortunate to have him in our

community and to be so active in our community – a 28-year veteran of the United States Navy, a pilot, like our own God's country pilot, a prisoner of war in Hanoi, someone who has been very inspirational and motivational, and someone who has been named as one of the top speakers on the speaking circuit in the United States – our very own Gerry Coffee.

“So, we'd like to add our support for all of these and the other nominees. Thank you, Mr. President.”

Senator Kawamoto rose in favor of the nominee and said:

“Mr. President, I'd just like to add to the words of the good Senator and classmate of mine from Hawaii Kai. I'd just like to say a few words for the Navy Captain Gerald Coffee. Not only did he serve 28 years, but he was highly decorated. Also, not only was he a fighter pilot, but he was a Naval officer carrier fighter pilot. So, that's a big, big difference.

“Thank you.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1607 (Gov. Msg. No. 304):

Senator Hanabusa moved that Stand. Com. Rep. No. 1607 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of TRISH MORIKAWA to the Hawaiian Homes Commission, term to expire June 30, 2007, seconded by Senator Chun Oakland.

Senator Hanabusa rose in support of the nominee and said:

“Mr. President, I'd also like to speak to Gov. Msg. No. 304, submitting for study and consideration the nomination of Trish Morikawa also for the Hawaiian Homes Commission.

“Trish Morikawa is an attorney. She received her Bachelor's of Arts degree from the University of Pennsylvania. She is an athlete. She played varsity volleyball, and they apparently won the Ivy League championship and she was captain of this team during her senior year. This competitive and athletic nature continued when she attended the William S. Richardson School of Law.

“I raise these points because I think these are very important characteristics as she sits on this board for the DHHL.

“During her law school career, she mentioned in her resume that she participated in the e'te bowl flag football. For those of us who are graduates of the University of Hawaii Law School, we know what that means. See, the guys just couldn't do it right. They were getting hurt, so they turned it over to the women and they wanted to coach, but the women have carried the banner and did the football for the UH Law School. That's a pretty not well known fact, but it tells you a lot about this candidate.

“When asked why she wanted to serve, she said it is because it's time for her to give back. She is a deputy prosecutor and she feels that in her service, she has looked not only at the victims, but also the defendants, and she wants people to work together.

“She, unfortunately, does fit the criteria. She's also a Kamehameha School graduate, but we can't hold that against her either. She says that it is really the vision and the generosity of the Princess that wants her to serve in this capacity. I believe she will also make an excellent commissioner and I ask that my colleagues join in consenting to her, as well.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1608 (Gov. Msg. No. 307):

Senator Hanabusa moved that Stand. Com. Rep. No. 1608 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of GAIL U. KELIIOA-SHERLOCK to the Island Burial Council, Island of Hawai'i, term to expire June 30, 2006, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1609 (Gov. Msg. No. 350):

Senator Hanabusa moved that Stand. Com. Rep. No. 1609 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RHODA FEINBERG PH.D. to the Correctional Industries Advisory Committee, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1610 (Gov. Msg. No. 351):

Senator Hanabusa moved that Stand. Com. Rep. No. 1610 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of THEODORE G.M. JUNG to the Correctional Industries Advisory Committee, term to expire June 30, 2007, seconded by Senator Chun Oakland.

Senator Slom rose in support of the nominee and said:

“Mr. President, Gov. Msg. No. 351, Theodore Jung, who is the senior vice president of Solomon, also has worked in the past for Smith Barney and Merrill Lynch, and he is being appointed to the Correctional Industries Advisory Committee. I think this is fine for somebody so active in the securities and investment field to put them next to the prisoners and helping them develop in investment opportunities with the correctional industries.

“Ted is also the president of the Honolulu Stock Exchange. That's a position he's held since 1977. He'll do a good job.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1611 (Gov. Msg. No. 352):

Senator Hanabusa moved that Stand. Com. Rep. No. 1611 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of WAYLEN K.K. TOMA to the Correctional Industries Advisory Committee, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1612 (Gov. Msg. No. 353):

Senator Hanabusa moved that Stand. Com. Rep. No. 1612 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of JULIE KAI BARRETO to the Defender Council, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1613 (Gov. Msg. No. 387):

Senator Hanabusa moved that Stand. Com. Rep. No. 1613 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RON AGOR to the Board of Registration of the Islands of Kauai and Niihau, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1614 (Gov. Msg. No. 302):

Senator Hanabusa moved that Stand. Com. Rep. No. 1614 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of COLIN KAALELE to the Hawaiian Homes Commission, term to expire June 30, 2007, seconded by Senator Chun Oakland.

Senator Hanabusa rose in support of the nominee as follows:

“Mr. President, I’d like to speak to four of the governor’s messages. I’d like to begin first with Gov. Msg. No. 302, submitting for study and consideration Colin Kaalele to the Hawaiian Homes Commission.

“Mr. President, Mr. Kaalele is eminently qualified. First and foremost, he is a homesteader in Waimanalo. He has been in construction for at least 15 years, both as an environmental safety manager, most recently for a construction company, and for eight years as the district representative for the operating engineers. He knows both sides of the issue.

“He has served on Trust-Hartley Trust Funds and in his testimonies we received about him, there were praises of him from both sides of the fence, so to speak. He will bring with him the knowledge of construction and we all know that that is DHHL’s mandate.

“What is really important about Colin, it’s sort of humorous, is that we asked Micah Kane and somehow he slipped because Colin Kaalele brings balance to the DHHL Board because he’s a Punahou grad. So, somehow he slipped through the cracks. He’s not St. Louis and he’s not Kamehameha – he’s Punahou. But we won’t hold that against him. The administration hasn’t held that against him.

“So, I ask that my colleagues join with me and confirm Colin Kaalele to the Hawaiian Homes Commission.”

Senator Hemmings rose to speak in support of the nominee as follows:

“Mr. President, I’d like to speak in favor of Gov. Msg. No. 302, the nomination and confirmation of Colin Kaalele.

“This gentleman’s heritage goes deep into the soil of Hawaii. He’s a native son of Waimanalo. I’d like to, by speaking to the nomination, reinforce the recognition that the good Senator of Waiaanae has given regarding the balance he’ll bring to the commission in regards to his education. Obviously she recognizes in her wisdom the superior intellect of Punahou graduates that stands in stark contrast to the other ones who definitely need the balance. (Laughter.)

“Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1615 (Gov. Msg. No. 303):

Senator Hanabusa moved that Stand. Com. Rep. No. 1615 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of MAHINA MARTIN to the Hawaiian Homes Commission, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1616 (Gov. Msg. No. 349):

Senator Hanabusa moved that Stand. Com. Rep. No. 1616 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of CLARICE CORNETT to the

Correctional Industries Advisory Committee, term to expire June 30, 2007, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee as follows:

“Mr. President, the third nominee is Clarice Cornett. She is Gov. Msg. No. 349 and she is being considered for the Correctional Industries Advisory Committee.

“Ms. Cornett is an interesting person and one who is very well suited. She is a University of Hawaii graduate and she has served as a general contractor since 1986. She does business as Wahine Builders.

“When asked why she wanted to serve, she said because she’s worked with the Governor to develop the building women pre-apprentice training program, which is really for those in prison. She says that we have not serviced the women especially in transition and she has dedicated herself to that. She has worked with the Department of Public Safety and believes that it is that partnership that is so necessary.

“I think she is an excellent choice and very well qualified to serve on the Correctional Industries Advisory Committee, and I ask that my colleagues also join in consenting to her nomination.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1617 (Gov. Msg. No. 354):

Senator Hanabusa moved that Stand. Com. Rep. No. 1617 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of MICHELLE L. DREWYER to the Defender Council, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1618 (Gov. Msg. No. 323):

Senator Hanabusa moved that Stand. Com. Rep. No. 1618 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of STEVE PFISTER to the Board of Registration of the Island of Maui, Molokai, Lanai, and Kaho’olawe, term to expire June 30, 2004, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1619 (Gov. Msg. No. 388):

Senator Hanabusa moved that Stand. Com. Rep. No. 1619 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of KATHRYN GHEAN to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kaho’olawe, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1620 (Gov. Msg. No. 389):

Senator Hanabusa moved that Stand. Com. Rep. No. 1620 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of ROBERTA CHONG KEE to the Board of Registration of the Island of Oahu, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1621 (Gov. Msg. No. 425):

Senator Hanabusa moved that Stand. Com. Rep. No. 1621 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of KEN HIDESHI TAKAYAMA to the Commission to Promote Uniform Legislation, term to expire June 30, 2007, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

“Mr. President, Gov. Msg. No. 425 is submitting for study and consideration the nomination of Ken Hideshi Takayama to the Commission to Promote Uniform Legislation. Ken Takayama is no stranger to any of us.

“His credentials are well known, but maybe it’s never been in this record before so I’ll repeat it. He is a University High School grad – not Punahou, not St. Louis, not Kamehameha – but it’s okay. He went to Occidental College and he received his law degree from Boalt Hall, which is UC Berkeley.

“This is a reappointment for him. He has served on this commission since 1995. I kind of wondered why anybody would want to be on a commission to promote uniform legislation. It sounds awfully boring. All you’re trying to do is make sure all the laws look alike and sound alike across the United States. But he’s really excited about it. And the reason why he wants this appointment is because he says he’s in the middle now of some exciting new things about uniform legislation.

“Mr. President, anybody who gets excited about uniformity in laws deserves to be confirmed to this position. (Laughter.) So with that, Mr. President, I ask that you and all my colleagues consent to this nominee as well as the other nominees who have been put forth by the Judiciary and Hawaiian Affairs Committee.

“Thank you very much.”

Senator Slom rose to speak in support of the nominee and stated:

“Mr. President, on behalf of the Minority, I, too, rise in support of these nominees and I would also like to make a couple of remarks following up on the Judiciary Chairman for Gov. Msg. No. 425, Ken Takayama.

“Besides his exploits at Longs Drugs, he has been most kind to the Minority. He has been truly bipartisan in providing good information, bill drafting, and courtesy, and we would support him on his reappointment.

“In addition to that, the Legislative Reference Bureau has been recognized nationally for all of its efforts, and a large degree of the credit goes to Mr. Takayama and his staff. So, we’re very happy to support him.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1622 (Gov. Msg. Nos. 301 and 360):

Senator English moved that Stand. Com. Rep. No. 1622 be received and placed on file, seconded by Senator Baker and carried.

Senator English then moved that the Senate advise and consent to the nominations to the Environmental Council of the following:

SHAD S. KANE, term to expire June 30, 2004 (Gov. Msg. No. 301); and

DAVID S. BYLUND, term to expire June 30, 2007 (Gov. Msg. No. 360),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 23, 2003

Stand. Com. Rep. No. 1603 (H.C.R. No. 93):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 93, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MEDICAL SAVINGS ACCOUNTS,” was adopted.

Stand. Com. Rep. No. 1604 (H.C.R. No. 128, H.D. 1,):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 128, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING TELECOMMUNICATIONS AND CALL CENTERS TO INITIATE CUSTOMER RIGHT TO KNOW PROCEDURES REGARDING ALL INBOUND AND OUTBOUND COMMUNICATIONS,” was adopted.

Stand. Com. Rep. No. 1605 (H.C.R. No. 135):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 135, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO ESTABLISH A TASK FORCE TO DEVELOP AN EMERGENCY ACTION PLAN TO ASSIST AND EMPOWER THE WAĪANAE COMMUNITY AND OTHER COMMUNITIES AROUND THE STATE TO FOSTER GREATER SELF-SUFFICIENCY,” was adopted.

FINAL ADOPTION

S.C.R. No. 6, S.D. 1, H.D. 1:

Senator Kawamoto moved that S.C.R. No. 6, S.D. 1, H.D. 1, be Finally Adopted, seconded by Senator Hogue.

Senator Hogue rose and said:

“Mr. President, please record a ‘no’ vote for me on S.C.R. No. 6, S.D. 1, H.D. 1, requesting a study on the effects of big box retailers and local small and medium retail businesses. This is an unnecessary incursion into the business world, and so I’ll be voting ‘no.’

“Thank you.”

Senator Slom rose in opposition and said:

“Mr. President, please also register a ‘no’ vote for me on S.C.R. No. 6, S.D. 1.

“It’s interesting to note that here we all honored Macy’s a week or so ago and how wonderful they were as a big retailer nationally and how they’ve given to our community, and then we use this to strike out against one other retailer. It doesn’t make sense and it doesn’t show good business sense.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, and S.C.R. No. 6, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES,” was Finally Adopted with Senators Hemmings, Hogue, Slom and Whalen voting “No.”

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 337, S.D. 1 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 337, S.D. 1, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 337, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Sakamoto, Taniguchi, Kawamoto, Hogue). Noes, none. Excused, 1 (Hooser).

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 337, S.D. 1, seconded by Senator Taniguchi.

Senator Sakamoto noted:

“Mr. President, the remaining part of the bill converts 42 business assistant positions from temporary to permanent status. The Senate had previously included some business manager positions, but in light of the fiscal conditions, we agree that moving the 42 from temporary to permanent is the best we can do at this point in time.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 337, S.D. 1, and S.B. No. 337, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES,” was placed on the calendar for Final Reading on Friday, April 25, 2003.

S.B. No. 528, S.D. 2 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 528, S.D. 2, seconded by Senator Inouye and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 528, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 5 (Kawamoto, Inouye, Espero, Aduja, Whalen). Noes, none. Excused, 2 (Kokubun, Taniguchi).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 528, S.D. 2, seconded by Senator Inouye.

Senator Kawamoto noted:

“Mr. President, all we did was make corrections on some of the designated TMKs on the land and the property that they had.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 528, S.D. 2, and S.B. No. 528, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS,” was placed on the calendar for Final Reading on Friday, April 25, 2003.

S.B. No. 538, S.D. 1 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 538, S.D. 1, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 538, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Inouye, Espero, English, Whalen). Noes, none. Excused, none.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 538, S.D. 1, seconded by Senator Espero.

Senator Inouye noted:

“Mr. President, this is the agribusiness development corporation public lands and what it does is expands the public land exemptions as it applies to the agribusiness development corporation, or ADC as we know it, to include lands which are set aside by the Governor to ADC and lands leased to ADC by any state agency.

“Mr. President, the House version follows preferred drafting procedures and what they did was they added the required quotation mark at the start of a cited section. So, I think that’s a minor change.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 538, S.D. 1, and S.B. No. 538, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION,” was placed on the calendar for Final Reading on Friday, April 25, 2003.

S.B. No. 1281, S.D. 1 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1281, S.D. 1, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1281, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Inouye, Espero, Whalen). Noes, none. Excused, 1 (English).

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1281, S.D. 1, seconded by Senator Espero.

Senator Inouye noted:

“Mr. President, with regards to S.B. No. 1281, this has to do with high technology development corporations. This extends the lands held by HTDC from the management of the Department of Land and Natural Resources.

“With the House version, we were comfortable with the language with regards to a TMK that the Senate had amended our version but I think the House clearly just holds title to it. I think it’s with reference to the authority that HTDC has with regards to their status with regards to a chapter that qualifies ATDDC to address their land divisions.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1281, S.D. 1, and S.B. No. 1281, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION,” was placed on the calendar for Final Reading on Friday, April 25, 2003.

S.B. No. 1594 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments

proposed by the House to S.B. No. 1594, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1594, on the following showing of Ayes and Noes:

Ayes, 4 (Inouye, Hanabusa, Aduja, Whalen). Noes, none. Excused, none.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1594, seconded by Senator Espero.

Senator Inouye noted:

“Mr. President, with regards to S.B. No. 1594, this is the water commission and the Hawaiian culture practitioner member. This adds a member with substantial experience and expertise in traditional Hawaiian water resource management techniques and in traditional riparian usage of the commission of water resource management.

“With the House version, it’s not a major substantive amendment but it adds clarifying language, and we’re comfortable with that, Mr. President.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1594, and S.B. No. 1594, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT,” was placed on the calendar for Final Reading on Friday, April 25, 2003.

S.B. No. 1077, S.D. 1 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1077, S.D. 1, seconded by Senator Baker and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1077, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Baker). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1077, S.D. 1, seconded by Senator Baker.

Senator Menor noted:

“Mr. President, the House amendments just basically makes some technical and nonsubstantive amendments, including reformatting of sections and other corrections to the bill.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1077, S.D. 1, and S.B. No. 1077, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES,” was placed on the calendar for Final Reading on Friday, April 25, 2003.

At 7:38 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:39 o’clock p.m.

STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1647) recommending that the Senate advise and consent to the nomination of BYRON W. BENDER to the Board of Regents of the University of Hawai‘i, in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1647 and Gov. Msg. No. 274 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1648) recommending that the Senate advise and consent to the nomination of TRENT K. KAKUDA to the Board of Regents of the University of Hawai‘i, in accordance with Gov. Msg. No. 276.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1648 and Gov. Msg. No. 276 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1649) recommending that the Senate advise and consent to the nomination of CATHERINE LAGARETA to the Board of Regents of the University of Hawai‘i, in accordance with Gov. Msg. No. 277.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1649 and Gov. Msg. No. 277 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1650) recommending that the Senate advise and consent to the nomination of ALVIN TANAKA to the Board of Regents of the University of Hawai‘i, in accordance with Gov. Msg. No. 279.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1650 and Gov. Msg. No. 279 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1651) recommending that the Senate not consent to the nomination of SHELTON G.W. JIM ON to the Board of Regents of the University of Hawai‘i, in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1651 and Gov. Msg. No. 275 was deferred until Friday, April 25, 2003.

Senator Sakamoto, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1652) recommending that the Senate not consent to the nomination of EDWARD D. SULTAN to the Board of Regents of the University of Hawai‘i, in accordance with Gov. Msg. No. 278.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1652 and Gov. Msg. No. 278 was deferred until Friday, April 25, 2003.

At this time, Senator Ihara rose and said:

“Mr. President, I just checked my office and these committee reports are not in our office yet, and yet they’re on the OD. So, could I ask that when we have an item on the Order of the Day, that they be in our office or on our desk?”

At 7:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:42 o'clock p.m.

The President then stated:

"Senator Ihara, the printshop is hurrying and you should get it in your office shortly."

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

"Mr. President, I rise on a point of personal privilege.

"You might have to indulge me. I've given a lot of thought about this and how to posture in such a way that we can maintain some dignity in this forum and not get partisan. Something happened today in the Education Committee and members voted, I guess, their conscience and on I guess what they figure is good reason not to approve the advice and consent on two of the Governor's nominees to the Board of Regents of the University of Hawaii. I don't think we're going to debate that issue. It's on the agenda for tomorrow.

"One of the individuals, Shelton G.W. Jim On, sat with Senator Hogue and I, and this man's heart has been ripped out. He's a friend of mine. I don't know how to put this, but sometimes people do things on principle, and it has to be in the context in which it happens. I'm not going to mention names because I don't want to throw gasoline on a bad situation, but there are those in this Chamber who have told me personally and told some of my colleagues that they have received e-mails and letters impugning the integrity of my friend. This has been held out to us as reasons why, quote/unquote, 'we don't want to drag Mr. Shelton G.W. Jim On through the mud.' Well, I hope this request will let you know what kind of man Mr. Shelton Jim On is.

"It's a great American tradition that we all have a right to address those who indict us. It is also a great responsibility for us as Senators not to vote on a man's integrity based on innuendo, hearsay, or anonymous indictments. Sometimes, men and women of great moral courage will stand their ground rather than slink away from the battle at hand, and this is Mr. Shelton Jim On.

"So, I'm requesting those of you who spoke to me personally, those of you who likewise informed my colleague on the Education Committee that there were letters and e-mails indicting Mr. Shelton Jim On, to please produce them so this man can confront his accusers in a dignified and honorable manner.

"Tomorrow night we'll debate these two GM nominees and the merits and their qualifications and I know this Senate will vote according to each person's conscience and dictates. What I would like to see before we have that vote is those who have this information, and who told me to my face they have e-mails and letters of indictment, to please produce them so this man can defend himself.

"Thank you, Mr. President."

Senator Sakamoto then rose and said:

"Mr. President, I rise in part to respond to the previous speaker.

"Mr. President, there is no second chance to make a good first impression. For many of us who were sitting in the

Education Committee, our first impression was what we saw and the dialogue we heard. And in that first impression for me, because the nominee did not come to see me prior as some others did, or that we would hope they would have done, was not a good first impression. I think in part of the questioning process, there were answers that were not forthcoming. They appeared to be legalistic, etc.

"Upon conclusion of the hearing, in my mind and some other's minds, there were some negative feelings, not a good feeling. Subsequently though, someone shared with me an e-mail. At this point, the Senator from Maunawili, prior to today, did request if I could share with him a copy, and I informed him that it wasn't e-mailed to me, but I would request from where I got it if that was permissible. And obviously, I didn't feel it was appropriate to share something like that openly, because it doesn't help anyone. I have made that request, and if there's permission granted, Mr. President, I will attempt to share what I can, but obviously, I don't like to add gasoline to any fire, and we're where we're at.

"Should I be authorized to share, I shall do that, Mr. President. I would like to share it privately as opposed to publicly, though. Thank you."

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

"Mr. President, I also rise on a point of personal privilege.

"I want to say publicly, thank you to the Education Chair for making that offer. I would hope that we would not debate the merits or demerits of these particular governor's messages tonight. We just believe that these nominees who will go around and get an opportunity to speak to all of my Senate colleagues that they just get an opportunity to answer any anonymous letters or e-mails.

"So, thank you very much, Education Chair, for making that offer. Hopefully, these gentlemen will get this information in their hands.

"Thank you, Mr. President."

Senator Kim rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, after the hearing of the GMs for the Board of Regents and obviously the press writing in the newspaper comments, the next day I got an e-mail that's been talked about. It was not an anonymous e-mail. It was an e-mail from an attorney in this town. I have not been able to reach that individual to ask whether or not I could in fact release that, and I would hold that as something that I need to get released because I think we all receive information from people and many times, including in the travel and visitor industry, people come to your office and tell you things and request that their names not be revealed for fear of retribution.

"I also received telephone calls and the Education Chair happened to come to my office at that time and asked the individual if they would share that information. Another individual asked in what form, and I said I happen to have the Education Chair walk into my office at this moment and can I put you on the speaker box, and that dialogue took place at that time. And that is not something that I can share with anybody, but certainly I believe that each and every one of you have had phone calls in your own area and constituency and whatever, and I'm not privy to any of that information.

"But certainly, I would like to state for the record that there was no plan, there was no agreement, there was no previous or fraught out plan to target these individuals. The fact that you happened to be in the hearing and I happened to come into the hearing for another GM that was on there, and happened to be not happy with some of the answers and questions and was provoked to asked more pointed questions, was actually a coincidence happening.

"So, I take issue to the fact that this was something that was planned and I think it's an insult to the members of the Committee, as well as the general caucus, to think that this was something that was pre-orchestrated, because it was not. I did not know this individual. I did not get a phone call from him, do not know them previously, and obviously, did not have any kind of plan to do that. So, I would hope in the future that my colleagues obviously know that I did not go around previously, nor did you, Mr. President, to get anybody to orchestrate what has happened. It's taken on a life of its own.

"Thank you."

Senator Hemmings rose again and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'm quite surprised about the good Senator from Kalihi's statements. I don't believe in my request I made any accusations for the denials that she made. But there are some great literary quotes about people protesting too much.

"I am quite pleased that the good Senator from Moanalua has acknowledged that she is the recipient of phone calls and e-mails. Our request remains quite simple. This information was used against this man and that word of it was circulated. I, myself, was a recipient of that information. This man, a dignified man, deserves the opportunity not to be indicted and convicted on hearsay, innuendo, and anonymous phone calls. Now, it might have been a signed e-mail, but as far as we know, it was anonymous.

"Our request remains quite simple – give this man the dignity and the opportunity to confront his accusers whose words were used against him."

Senator Kim rose in rebuttal and said:

"Mr. President, I rise in rebuttal.

"First of all, let me state to the Senator across the way that I was not insinuating anything. I think it was another incident that I was talking about, and I'm not sure about what denials, but to set the record straight, I don't believe that the e-mail or phone call, for me, is what my concern is. It was based on what took place in the hearing.

"I'm also aware that some members have not seen the e-mail, but it's not the e-mail that raises concern. It was something that was brought up and I believe everyone has received calls, in some manner, on many issues and may not use that to make their final decision, and some people may have used it in bills and any kinds of other matters that may be before us.

"Thank you."

At 7:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:18 o'clock p.m.

At this time, the President made the following observation:

"Members, we need to make a correction on a previous Senate bill that we took action on.

"Notwithstanding the previous action of this body, S.B. No. 528, S.D. 2, H.D. 1, is recommitted to the Committee on Conference.

"Members, there are several tax map keys that were left out and the bill needs to go back to Committee to have it corrected."

At 8:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:20 o'clock p.m.

RECOMMITAL OF SENATE BILL

S.B. No. 528, S.D. 2, H.D. 1:

On motion by Senator Inouye, seconded by Senator Kawamoto and carried, S.B. No. 528, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS," was recommitted to the Committee on Conference.

CONFERENCE COMMITTEE REPORTS

At this time, Senator Kawamoto made the following motion:

"I move that the Senate stands in recess, leaving the Journal open until 12:00 midnight for receipt of conference committee reports and standing committee reports, and may the Journal reflect the appropriate actions taken by this body consistent with the reports of the Committees, and I further move that the Senate reconvene at 6:30 p.m. tomorrow evening."

Senator Hogue stated: "I second the motion."

Senator Kawamoto moved that the Senate authorize the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading, seconded by Senator Hogue.

Senator Ihara rose and stated:

"Mr. President, this is the same motion that was done two weeks ago. And so, are we, tonight, passing . . . when we accept the bills and take the appropriate motions and the committee reports recommend passage on Final Reading, is this vote passing on Final Reading? Because it's the identical motion done . . . so it's the identical motion so he's asking that we're taking the motions, we're taking the actions that are recommended in the committee report. I'd just like one . . . it's a point of information."

At 8:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:35 o'clock p.m.

At this time, Senator Kawamoto rose and said:

"Mr. President, I withdraw my previous motion."

Senator Hogue rose and said:

"Mr. President, I withdraw my previous second."

By unanimous consent, the motion to authorize the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading was withdrawn.

Senator Kawamoto made the following motion:

“Mr. President, I move that the Senate stand in recess, leaving the Journal open until 12:00 midnight this evening for receipt of conference committee reports and standing committee reports, and may the Journal reflect the appropriate time requirements consistent with the reports of the Committees and further move that the Senate reconvene at 6:30 tomorrow evening.”

Senator Hogue then said: “I second that.”

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 8:36 o'clock p.m., the Senate took the following actions:

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 564, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 564, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and H.B. No. 564, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES,” was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 980, H.D. 1, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 980, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and H.B. No. 980, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL SETTLEMENTS,” was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1217, H.D. 1, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 1217, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and H.B. No. 1217, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,” was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 135, H.D. 1, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 135, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11 and H.B. No. 135, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 373, H.D. 2, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 373, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and H.B. No. 373, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POLITICAL SPEECH,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 287, H.D. 3, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 287, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and H.B. No. 287, H.D. 3, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES,” was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1214, H.D. 2, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 1214, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and H.B. No. 1214, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY,” was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1165, H.D. 2, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 1165, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and H.B. No. 1165, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION,” was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 10, H.D. 2, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 10, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16 and H.B. No. 10, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 324, H.D. 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 324, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17 and H.B. No. 324, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR

AN ACT RELATING TO DRIVER LICENSING,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 807, H.D. 2, presented a report (Conf. Com. Rep. No. 18) recommending that H.B. No. 807, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18 and H.B. No. 807, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHAPTER 291E,” was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 298, H.D. 2, presented a report (Conf. Com. Rep. No. 19) recommending that H.B. No. 298, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19 and H.B. No. 298, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,” was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 736, H.D. 1, presented a report (Conf. Com. Rep. No. 20) recommending that H.B. No. 736, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20 and H.B. No. 736, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES,” was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 133, H.D. 1, presented a report (Conf. Com. Rep. No. 21) recommending that H.B. No. 133, H.D. 1, S.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21 and H.B. No. 133, H.D. 1, S.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD PROTECTION,” was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 562, presented a report (Conf. Com. Rep. No. 22) recommending that H.B. No. 562, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22 and H.B. No. 562, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1010, H.D. 1, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 1010, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23 and H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS,” was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 946, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 946, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and S.B. No. 946, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1201, S.D. 2, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 1201, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65 and S.B. No. 1201, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 931, S.D. 2, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 931, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66 and S.B. No. 931, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAII VICTIMS LEAVE ACT,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1312, S.D. 1, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 1312, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67 and S.B. No. 1312, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM,” was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 830, S.D. 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 830, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68 and S.B. No. 830, S.D. 1, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS,” was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1324, S.D. 1, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 1324, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69 and S.B. No. 1324, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCILIATION PANELS," was deferred for a period of 48 hours.

Respectfully submitted,

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1492, S.D. 1, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 1492, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

Clerk of the Senate

Approved:

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70 and S.B. No. 1492, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTED LIVING FACILITIES," was deferred for a period of 48 hours.

President of the Senate

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 255, S.D. 2, presented a report (Conf. Com. Rep. No. 71) recommending that S.B. No. 255, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71 and S.B. No. 255, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 975, presented a report (Conf. Com. Rep. No. 72) recommending that S.B. No. 975, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72 and S.B. No. 975, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 740, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 740, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73 and S.B. No. 740, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 6:30 o'clock p.m., Friday, April 25, 2003.

FIFTY-EIGHTH DAY

Friday, April 25, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 7:16 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Marla Wade, New Grace Christian Fellowship, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 468 to 472) were read by the Clerk and were placed on file:

Gov. Msg. No. 468, letter dated April 24, 2003, requesting that S.B. No. 1440 be amended to provide appropriations and authorizations required to fund the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) costs for Bargaining Unit 5, Teachers, and to provide comparable adjustments for relevant excluded positions.

Gov. Msg. No. 469, advising the Senate of the withdrawal of the nomination of CHRISTOBAL J. QUINTANA to the State Board of Barbering and Cosmetology, under Gov. Msg. No. 283, dated April 7, 2003.

In compliance with Gov. Msg. No. 469, the nomination listed under Gov. Msg. No. 283 was returned.

Gov. Msg. No. 470, letter dated April 24, 2003, requesting that S.B. No. 1438 be amended to provide appropriations and authorizations required to fund the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) costs for Bargaining Unit 1, Blue Collar Workers, and to provide comparable adjustments for relevant excluded positions.

Gov. Msg. No. 471, letter dated April 24, 2003, requesting that S.B. No. 1442 be amended to provide appropriations and authorizations required to fund the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) costs for Bargaining Unit 10, Institutional Health and Correctional Workers, and to provide comparable adjustments for relevant excluded positions.

Gov. Msg. No. 472, letter dated April 24, 2003, requesting that S.B. No. 1439 be amended to provide appropriations and authorizations required to fund the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) costs for Bargaining Unit 2, Blue Collar Supervisors; Unit 4, White Collar Supervisors; Unit 6, Educational Officers; Unit 8, University of Hawaii Administrative Professional and Technical; and Unit 13, Professional and Scientific, and to provide comparable adjustments for relevant excluded positions.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 595 to 598) were read by the Clerk and were placed on file:

Hse. Com. No. 595, informing the Senate that the House reconsidered its action taken on April 4, 2003, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 285, H.D. 1 (S.D. 2);
H.B. No. 651, H.D. 2 (S.D. 1);
H.B. No. 731, H.D. 1 (S.D. 1); and
H.B. No. 1198, H.D. 2 (S.D. 2).

Hse. Com. No. 596, informing the Senate that the House reconsidered its action taken on April 10, 2003, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 123, H.D. 1 (S.D. 1);
H.B. No. 548, H.D. 2 (S.D. 1);
H.B. No. 662, H.D. 2 (S.D. 2);
H.B. No. 730 (S.D. 1);
H.B. No. 857 (S.D. 2);
H.B. No. 1013, H.D. 3 (S.D. 2); and
H.B. No. 1116, H.D. 1 (S.D. 2).

Hse. Com. No. 597, informing the Senate that the House reconsidered its action taken on March 28, 2003, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 1076, H.D. 1 (S.D. 1); and
H.B. No. 1607, H.D. 2 (S.D. 1).

Hse. Com. No. 598, informing the Senate that H.B. No. 993, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 24, 2003.

CONFERENCE COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1230, H.D. 1, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 1230, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24 and H.B. No. 1230, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1154, H.D. 1, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 1154, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25 and H.B. No. 1154, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 422, H.D. 2, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 422, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26 and H.B. No. 422, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 38, presented a report (Conf. Com. Rep. No. 74) recommending that S.B. No. 38, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74 and S.B. No. 38, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1352, S.D. 1, presented a report (Conf. Com. Rep. No. 75) recommending that S.B. No. 1352, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75 and S.B. No. 1352, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED SERVICES," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1423, S.D. 2, presented a report (Conf. Com. Rep. No. 76) recommending that S.B. No. 1423, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76 and S.B. No. 1423, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 205, S.D. 3, presented a report (Conf. Com. Rep. No. 77) recommending that S.B. No. 205, S.D. 3, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77 and S.B. No. 205, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1443, presented a report (Conf. Com. Rep. No. 78) recommending that S.B. No. 1443, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78 and S.B. No. 1443, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1444, presented a report (Conf. Com. Rep. No. 79) recommending that S.B. No. 1444, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79 and S.B. No. 1444, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE

BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1309, S.D. 2, presented a report (Conf. Com. Rep. No. 80) recommending that S.B. No. 1309, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80 and S.B. No. 1309, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1653) recommending that H.C.R. No. 95 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1653 and H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO STUDY THE FEASIBILITY OF A DEFERRED RETIREMENT OPTION PLAN BENEFIT FOR FIRE FIGHTERS AND POLICE OFFICERS," was deferred until Tuesday, April 29, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1654) recommending that H.C.R. No. 117 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1654 and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION AGREEMENT FOR A NEW ELEMENTARY SCHOOL IN KAHULUI, MAUI," was deferred until Tuesday, April 29, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1655) recommending that H.C.R. No. 185 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1655 and H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT CAREER PATHWAYS AS A PART OF A SCHOOL REFORM MODEL TO INCLUDE THE REDESIGN OF CAREER AND TECHNICAL EDUCATION THAT IS REFLECTIVE OF ECONOMIC DEVELOPMENT INITIATIVES AND PRIORITIES," was deferred until Tuesday, April 29, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1656) recommending that H.C.R. No. 82, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1656 and H.C.R. No. 82, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION AND ST. FRANCIS HEALTHCARE SYSTEM TO CONTINUE THEIR PARTNERSHIP IN SERVING THE NEEDS OF DIALYSIS PATIENTS IN HAWAII," was deferred until Tuesday, April 29, 2003.

Senators Baker and Taniguchi, for the Committee on Health and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1657) recommending that H.C.R. No. 165, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1657 and H.C.R. No. 165, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE KALAUPAPA SETTLEMENT OPERATIONS AND EXPENDITURES," was deferred until Tuesday, April 29, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1658) recommending that the Senate advise and consent to the nomination of MARSHALL D. CHINEN to the Real Estate Commission, in accordance with Gov. Msg. No. 322.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1658 and Gov. Msg. No. 322 was deferred until Tuesday, April 29, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1659) recommending that the Senate advise and consent to the nomination of BECKY L. HAYASHIDA to the Rental Housing Trust Fund Advisory Commission, in accordance with Gov. Msg. No. 324.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1659 and Gov. Msg. No. 324 was deferred until Tuesday, April 29, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1660) recommending that the Senate advise and consent to the nomination of JOELLE KANE to the Board of Directors of the Research Corporation of the University of Hawai'i, in accordance with Gov. Msg. No. 325.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1660 and Gov. Msg. No. 325 was deferred until Tuesday, April 29, 2003.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1661) recommending that the Senate advise and consent to the nomination of KIYOKO Y. KIMURA to the Board of Directors of the Hawai'i Tourism Authority, in accordance with Gov. Msg. No. 333.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1661 and Gov. Msg. No. 333 was deferred until Tuesday, April 29, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1662) recommending that the Senate advise and consent to the nomination of GLENN M.L. PANG MD to the Drug Product Selection Board, in accordance with Gov. Msg. No. 355.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1662 and Gov. Msg. No. 355 was deferred until Tuesday, April 29, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1663) recommending that the Senate advise and consent to the nomination of PAULA A.Y. ARCENA to the Board of Health, in accordance with Gov. Msg. No. 361.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1663 and Gov. Msg. No. 361 was deferred until Tuesday, April 29, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1664) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Honolulu Subarea, of the following:

GEORGE A. WESSBERG DDS, in accordance with Gov. Msg. No. 363; and

JENNY L. STONE MD, in accordance with Gov. Msg. No. 410.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1664 and Gov. Msg. Nos. 363 and 410 was deferred until Tuesday, April 29, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1665) recommending that the Senate advise and consent to the nominations to the Reproductive Rights Protection Committee of the following:

KRISTINE M. ALTWIES NICHOLSON, in accordance with Gov. Msg. No. 390; and

VALERIE MARIE WANG MD, in accordance with Gov. Msg. No. 391.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1665 and Gov. Msg. Nos. 390 and 391 was deferred until Tuesday, April 29, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1666) recommending that the Senate advise and consent to the nomination of ANNE T. ZANE to the Board of Certification of Public Water System Operators, in accordance with Gov. Msg. No. 405.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1666 and Gov. Msg. No. 405 was deferred until Tuesday, April 29, 2003.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1667) recommending that the Senate advise and consent to the nomination of GENEVIEVE SALMONSON as the Director for the Office of Environmental Quality Control, in accordance with Gov. Msg. No. 423.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1667 and Gov. Msg. No. 423 was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1668) recommending that H.B. No. 378, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1668 and H.B. No. 378, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1669) recommending that H.B. No. 379, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1669 and H.B. No. 379, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT

CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1670) recommending that H.B. No. 380, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1670 and H.B. No. 380, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1671) recommending that H.B. No. 381, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1671 and H.B. No. 381, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1672) recommending that H.B. No. 382, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1672 and H.B. No. 382, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1673) recommending that H.B. No. 383, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1673 and H.B. No. 383, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1674) recommending that H.B. No. 475 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1674 and H.B. No. 475, entitled: “A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1675) recommending that H.B. No. 485 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1675 and H.B. No. 485, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU‘OLI SCHOOL,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1676) recommending that H.B. No. 488 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1676 and H.B. No. 488, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1677) recommending that H.B. No. 645 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1677 and H.B. No. 645, entitled: “A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1678) recommending that H.B. No. 939 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1678 and H.B. No. 939, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL,” was deferred until Tuesday, April 29, 2003.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1679) recommending that H.B. No. 1564 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1679 and H.B. No. 1564, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY,” was deferred until Tuesday, April 29, 2003.

ORDER OF THE DAY

FINAL READING

Conf. Com. Rep. No. 2 (H.B. No. 192, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 192, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ACCRETED LANDS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 51 (S.B. No. 295, S.D. 1, H.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 51 be adopted and S.B. No. 295, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Trimble rose to speak in opposition as follows:

“Mr. President, I rise in opposition to this measure.

“Rates for towing, currently, are already high. If I remember correctly, the maximum level set is \$65 for a normal tow, \$85 if it has a little caddy thing that you can put the wheels on, then it’s \$6.50 a mile. That starts adding up, plus they raised the storage charge from \$15 a day to \$20 a day. That’s a 33 percent increase for the first seven days, and then after the first seven days, it increased 50 percent from \$10 to \$15.

"I don't see any reason why we should be allowing those rates to increase. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 295, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Kanno, Slom, Trimble). Excused, 1 (Taniguchi).

Conf. Com. Rep. No. 52 (S.B. No. 1200, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Ige and carried, Conf. Com. Rep. No. 52 was adopted and S.B. No. 1200, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 53 (S.B. No. 1630, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 53 was adopted and S.B. No. 1630, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 54 (S.B. No. 933, S.D. 1, H.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 54 be adopted and S.B. No. 933, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Trimble rose to speak against the measure and said:

"Mr. President, I rise to speak against this measure.

"I'd like to ask my colleagues to reflect a couple moments on the precise language of the bill and not its intended purpose, but actually how it will play out. Specifically on page 2, there's the expression, 'on more than one occasion without legitimate purpose.' I think that when definitions are clearly defined, we have no problem. But I have problem with how long attorneys can argue about whether the purpose is legitimate or not.

"The second part of the bill that I have some problems with is nonconsensual consent means any contact that occurs without that individuals consent. Now, that's kind of obvious, but if I understand the law previously, this would be new language. Our court's calendars are full. We do not have speedy justice as it is. This measure will further burden our courts at a time that my colleagues do not seem prepared to increase funding for the judiciary. So, I see the calendar getting further clogged and I also see that friends of my Senator from Hawaii Kai attorneys will be the major beneficiaries of this act.

"For these reasons, I will be voting 'nay.' Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 54 was adopted and S.B. No. 933, S.D. 1, H.D. 1,

C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STALKING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Taniguchi).

Conf. Com. Rep. No. 55 (S.B. No. 1267, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 1267, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 56 (S.B. No. 1274, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 56 was adopted and S.B. No. 1274, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 7:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:32 o'clock p.m.

Conf. Com. Rep. No. 57 (S.B. No. 1460, S.D. 1, H.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 57 be adopted and S.B. No. 1460, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Ihara rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise to speak in favor of this bill with one reservation.

"Mr. President, in this bill, S.B. No. 1460, C.D. 1, I have a concern about a provision that says, the authority, this is the tourism authority, shall include in each of its contracts that exceed \$6 million, or if they are of a certain level of complexity, a provision dealing with restraining criticism or disparagement of the policies of the state or the authority. My concern is that, to get a contract, a contractor may feel it necessary to give up some of its freedom of speech by agreeing to restrain criticism of a policy of the state, even if it's unrelated to the contract.

"Now, I note that the tourism authority can waive this provision if it so chooses. It says in another section, if it appears in the course of the negotiations of a contract that inclusion of this or other provisions might prevent agreement on the contract for a legitimate purpose or legitimate reason, the authority may suspend this provision that I'm mentioning. And, I think that allows the authority to weigh that provision, but my concern is that if a contractor or vendor would like to have a large contract, they might feel that it's wise on their part to give up their freedom of speech in criticizing the state. And I feel it may cause them to have a sense of intimidation in the course of the contract.

“So, that’s just a concern I wanted to express. Thank you.”

Senator Kim rose in support of the measure as follows:

“Mr. President, I rise to speak in support.

“As to that provision, we cannot contract away the freedom of speech, and that is expressed and understood that this provision, when the state gives an entity money, that these policies of that entity are supported. And like the Senator brought up, there is the section where the HTA can in fact waive that. But that was the intent and the intent is not to prohibit free speech, and I’m told by law that you cannot put anything in a contract that would in fact prohibit any of the items that we are given by the Constitution of the United States of America.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 57 was adopted and S.B. No. 1460, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 337, S.D. 1, H.D. 1:

Senator Sakamoto moved that S.B. No. 337, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“This is a very unique bill in that it only takes 22 words to talk about the bill. It talks about business assistant positions in the Department of Education, a position and a philosophy that many of us have supported over the years. We want business assistants within the Department of Education.

“The only problem is we have not had an opportunity to effectively evaluate and analyze just how good these business assistants have been, whether they have saved money, they’ve made the DOE more effective, or so forth, because it’s been a very short time.

“What this bill proposes to do is to take 42 of these business assistants who are now part-time temporary employees and make them full-time employees. That has several consequences. First of all, the bill says the DOE shall make them full-time, which means that it takes away the choice of the Department of Education and the schools and the individuals themselves, thus again moving us farther away from decentralization.

“Secondly, the bill does not include any dollar appropriation so we don’t know what the cost is going to be in changing from the temporary to full-time positions.

“Thirdly, we do know that any full-time position in the state government, whether it’s Department of Education or any of the other departments, has a hefty bill attached to it with compensation and also benefits which last long after the retirement of that particular position.

“Interesting in the comments and the testimony that the Department of Education was fine with being told what to do. The HGEA also liked the bill, but the teacher’s union, the HSTA, opposed this bill.

“So, for these and other reasons, Mr. President, I urge a ‘no’ vote on this bill. Thank you.”

At 7:38 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:41 o’clock p.m.

Senator Inouye requested her vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Hemmings rose to speak against the measure and stated:

“Mr. President, I rise to speak against this legislation.

“In the interest of always offering a viable alternative to the continued unchecked growth in the size and cost of government even in the face of austere fiscal conditions, I would have liked to suggest, as I have done before, that these positions not be converted from part-time employees, but that we take full-time existing employees, who number in the hundreds in DAGS and the DOE, that already deal with these problems, thus cutting the added cost that taxpayers will have to assume by doing this job that could be done by workers that are already there.

“In every instance when we hire new people, we’re adding to the long-term debt and cost. It’s also ironic to note that many of our employees right now have been juggled in the employment process to keep them off benefits, which the private sector, oftentimes, is mandated to pay and the state somehow escapes. I’m sure that wasn’t the case with these employees that are now being transferred to full-time. But nevertheless, the alternative is they are to use existing resources to pay for this work and I was hoping that the Legislature would have seen the wisdom of it.

“I will be voting ‘no.’ Thank you.”

Senator Sakamoto rose to speak in support of the measure and said:

“Mr. President, I rise to speak in support of this measure.

“Just to clarify, Mr. President, these are full-time employees exempt. The measure proposes to have them permanent because some of these employees were indeed school personnel and some were not. But this job, Mr. President, is one that deals with repair and maintenance, other issues relating to helping the administrator. Certainly, the shortage of principals is because they’re beleaguered with many of the tasks that these, one in each complex, can help them accomplish.

“Mr. President, they are full-time, and certainly, as far as the cost issue, perhaps with longevity they will have ERS and those deals. I think this will help keep a stable workforce, and we can have better people in these jobs, and for people who are wondering if every time the Legislature meets, that their job is in jeopardy, the purpose was to bring stability.

“I did have a thick packet of responses from the various principals and people in the complex who have submitted support that these positions are really helping the administrators and the staff in the schools.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 337, S.D. 1, and S.B. No. 337, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Taniguchi).

S.B. No. 538, S.D. 1, H.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 538, S.D. 1, and S.B. No. 538, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1281, S.D. 1, H.D. 1:

Senator Inouye moved that S.B. No. 1281, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Trimble rose in opposition and said:

"Mr. President, let's see if I can make these issues as simple as possible.

"I think it's bad policy to pass this bill. I think we need to understand the concept of public land and how that land is transferred. I agree that the Legislature has the authority to do it, but normally, and the process that I'm most familiar with, is that when property is transferred from one division to another or one department to another or one function to another, it's not done by state law. It's done by executive order.

"This bill, if we pass it, would take land, and I don't know how the land was acquired because it doesn't say it in the bill or in the committee reports, but remove it from the area that is considered public land and over which the Governor would have the power to designate as conditions or times change from one department or function to another. If you look at the bill and you go to page 2 and you look at the definition of public lands, it's a good statement, and you get to the end and it exempts certain activities or departments. The first three or four there's good reason for, but as you start getting to the end of the list, and most of these transfers occurred after or changes occurred after the Ariyoshi years, then perhaps it was because we had newer people in government or different people in government and they didn't understand the process that already existed. But some of these I believe were mistakes and I think it would be a mistake to add the high technology development corporation as number 11 at the end.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1281, S.D. 1, and S.B. No. 1281, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

S.B. No. 1594, H.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1594, and S.B. No. 1594, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1077, S.D. 1, H.D. 1:

Senator Menor moved that S.B. No. 1077, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to this measure.

"It's conceptual in nature. I don't think that continuing education is the only way that people learn and mature in a profession. I do see it as a way of subsidizing educational institutions. Its impact, over time, is to have fewer in the profession, meaning more income for those that remain. It also tends to produce, over time, higher rates, because if you have fewer people providing this service, they can raise their rates, which mean higher costs to the consumer. And the third thing is that if we want to ensure that they're actually up to date and learning, then we should do exactly what we do with automobile drivers and give them a new test every once in awhile.

"For that, I oppose this measure. Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1077, S.D. 1, and S.B. No. 1077, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

At 7:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:53 o'clock p.m.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1625 (Gov. Msg. No. 103):

Senator Menor moved that Stand. Com. Rep. No. 1625 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Board of Directors, Housing and Community Development Corporation of Hawaii, of the following:

CHARLES KING and TRAVIS THOMPSON, terms to expire June 30, 2004;

CHARLES STED, term to expire June 30, 2005;

FRANK JUNG and TAI AOPO TUIMALEALIIFANO, terms to expire June 30, 2006; and

STEPHANIE AVEIRO, term to expire June 30, 2007,

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1626 (Gov. Msg. No. 282):

Senator Menor moved that Stand. Com. Rep. No. 1626 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of KAU'I ALAPA to the State Board of Barbering and Cosmetology, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1627 (Gov. Msg. No. 284):

Senator Menor moved that Stand. Com. Rep. No. 1627 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of WILLES LEE to the State Boxing Commission of Hawai'i, term to expire June 30, 2004, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1628 (Gov. Msg. No. 285):

Senator Menor moved that Stand. Com. Rep. No. 1628 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of CRAIG R. BENZEL to the State Board of Chiropractic Examiners, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1629 (Gov. Msg. No. 291):

Senator Menor moved that Stand. Com. Rep. No. 1629 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of JEFFREY K. MIYAZAWA to the Board of Dental Examiners, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1630 (Gov. Msg. No. 305):

Senator Menor moved that Stand. Com. Rep. No. 1630 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of THOMAS SINGLEHURST to the Board of Directors of the Hawai'i Hurricane Relief Fund, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1631 (Gov. Msg. Nos. 329, 392 and 393):

Senator Fukunaga moved that Stand. Com. Rep. No. 1631 be received and placed on file, seconded by Senator Aduja and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

DENISE WALKER, term to expire June 30, 2006 (Gov. Msg. No. 329);

DAVID G. RIETOW, term to expire June 30, 2004 (Gov. Msg. No. 392); and

LYNNE E. WOODS, term to expire June 30, 2006 (Gov. Msg. No. 393),

seconded by Senator Aduja.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1632 (Gov. Msg. Nos. 347, 348, 407 and 408):

Senator Fukunaga moved that Stand. Com. Rep. No. 1632 be received and placed on file, seconded by Senator Aduja and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Community-Based Economic Development Advisory Council of the following:

ELAINE L. HOGUE, term to expire June 30, 2007 (Gov. Msg. No. 347);

ANNA MARIE SPRINGER, term to expire June 30, 2007 (Gov. Msg. No. 348);

WAYNETTE HO-KWON, term to expire June 30, 2007 (Gov. Msg. No. 407); and

JAMES T. WEST PH.D., term to expire June 30, 2007 (Gov. Msg. No. 408),

seconded by Senator Aduja.

Senator Hogue rose for a conflict ruling as follows:

“Mr. President, I need to disclose a potential conflict on 1632. I need to disclose that Elaine L. Hogue is my wife.”

The President ruled that Senator Hogue was not in conflict.

Senator Kim rose and said:

“Mr. President, did the previous speaker stand in support or opposition?” (Laughter.)

Senator Hogue replied:

“I’ll answer that question – very much in support. Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1633 (Gov. Msg. No. 409):

Senator English moved that Stand. Com. Rep. No. 1633 be received and placed on file, seconded by Senator Kokubun and carried.

Senator English then moved that the Senate advise and consent to the nomination of KAREN A. POIANI to the Endangered Species Recovery Committee, term to expire June 30, 2007, seconded by Senator Kokubun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1634 (Gov. Msg. Nos. 314, 315, 316, 317, 318, 319 and 320):

Senator Sakamoto moved that Stand. Com. Rep. No. 1634 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawai’i Commission for National and Community Service of the following:

ROBERT I. CROWELL, term to expire June 30, 2005 (Gov. Msg. No. 314);

DENNIS M. DUNN, term to expire June 30, 2005 (Gov. Msg. No. 315);

MABEL FERREIRO-FUJIUCHI, term to expire June 30, 2004 (Gov. Msg. No. 316);

STACY S.K. HIGA, term to expire June 30, 2006 (Gov. Msg. No. 317);

SCOTT S. MORISHIGE, term to expire June 30, 2006 (Gov. Msg. No. 318);

LEE A. ROMBAOA, term to expire June 30, 2005 (Gov. Msg. No. 319); and

RALPH STUEBER, term to expire June 30, 2004 (Gov. Msg. No. 320),

seconded by Senator Hooser.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1635 (Gov. Msg. Nos. 326, 327 and 328):

Senator Sakamoto moved that Stand. Com. Rep. No. 1635 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawai’i School-to-Work Executive Council of the following:

NOBLEZA E. MAGSANOC, term to expire June 30, 2006 (Gov. Msg. No. 326);

ALBERT S. NISHIMURA, term to expire June 30, 2006 (Gov. Msg. No. 327); and

KEVIN YOSHINO, term to expire June 30, 2006 (Gov. Msg. No. 328),

seconded by Senator Hooser.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1636 (Gov. Msg. Nos. 330, 331 and 332):

Senator Sakamoto moved that Stand. Com. Rep. No. 1636 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawai’i Teacher Standards Board of the following:

ANNETTE MASUTANI, term to expire June 30, 2006 (Gov. Msg. No. 330);

VICKI L. MORRISON, term to expire June 30, 2006 (Gov. Msg. No. 331); and

VAUGHN TOKASHIKI, term to expire June 30, 2006 (Gov. Msg. No. 332),

seconded by Senator Hooser.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1637 (Gov. Msg. Nos. 366, 367 and 368):

Senator Ige moved that Stand. Com. Rep. No. 1637 be received and placed on file, seconded by Senator Aduja and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Board of Directors of the High Technology Development Corporation of the following:

JAY M. FIDELL, term to expire June 30, 2007 (Gov. Msg. No. 366);

BRIAN J. GOLDSTEIN, term to expire June 30, 2007 (Gov. Msg. No. 367); and

SHARON M. WONG, term to expire June 30, 2007 (Gov. Msg. No. 368),

seconded by Senator Aduja.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1638 (Gov. Msg. Nos. 394, 395, 396, 397 and 398):

Senator Ige moved that Stand. Com. Rep. No. 1638 be received and placed on file, seconded by Senator Aduja and carried.

Senator Ige then moved that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Strategic Development Corporation of the following:

PHILIP M. JOHNSON PH.D., term to expire June 30, 2007 (Gov. Msg. No. 394);

WILLIAM M. MCKILLOP, term to expire June 30, 2007 (Gov. Msg. No. 395);

STEVE B. METTER, term to expire June 30, 2006 (Gov. Msg. No. 396);

DAVID A. OKA, term to expire June 30, 2007 (Gov. Msg. No. 397); and

GLENN S. YAMADA, term to expire June 30, 2007 (Gov. Msg. No. 398),

seconded by Senator Aduja.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1639 (Gov. Msg. No. 290):

Senator Kanno moved that Stand. Com. Rep. No. 1639 be received and placed on file, seconded by Senator Ihara and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of RYAN S. USHIJIMA to the Board of Trustees of the Deferred Compensation Plan, term to expire June 30, 2007, seconded by Senator Ihara.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1645 (Gov. Msg. No. 427):

Senator Hanabusa moved that Stand. Com. Rep. No. 1645 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of RHONDA AKEMI NISHIMURA to the office of Judge, 10th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I stand in support of Gov. Msg. No. 427, submitting for consideration and confirmation to the Circuit Court of the First Circuit, 10th Division, gubernatorial nominee, Rhonda Akemi Nishimura.

"Mr. President, members, Rhonda Nishimura is a Roosevelt High School grad, so that should make Senator Taniguchi very pleased, and also a graduate of the University of Hawaii and the University of Hawaii Law School. She has been rated highly qualified by the Hawaii Bar Association and she has spent the past six years in the district court serving as a judge.

"Someone that we all know, Barbara Kim Stanton, came forward to testify and she said every thing is right when a person of her, meaning Judge Nishimura, caliber is nominated and selected for this position.

"Judge Nishimura may not remember me, but I have appeared in her court. And I will tell you, Mr. President, I've been impressed with the manner in which she runs that court and her professionalism. And as you all know, and my colleagues know, praise like that does not come very easily for me.

"Judge Nishimura said a very telling thing. When asked about her view of being part of the judiciary – and remember, colleagues, she's nominated for a circuit court position, a trial court judge – she said that it has been her policy for the past six years to resolve cases expeditiously. She can honestly say she has no backlog and she treats people who come before her with courtesy and respect. And just as importantly, she, as a judge, expects those who comes before her to treat the court and its staff with the same courtesy and respect.

"She also shared with the Committee her interview with the Governor, and she was very amazed and very candid about the fact that the Governor actually interviewed her twice and had a sensitivity towards what was going on in the court system.

"Mr. President and colleagues, to take the words from my good colleague from Maui, I would have to say that I ask that you consent to this judicial nominee and let's put another good woman in a position.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Hanabusa introduced Judge Nishimura to the members of the Senate. (Judge Nishimura, who was seated in the gallery with her family, rose to be recognized.)

Stand. Com. Rep. No. 1646 (Gov. Msg. No. 426):

Senator Hanabusa moved that Stand. Com. Rep. No. 1646 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of JAMES E. DUFFY JR. to the office of Associate Justice, State Supreme Court, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee as follows:

“Mr. President, I rise to speak in favor of Gov. Msg. No. 426, submitting for consideration and confirmation as Associate Justice of the Hawaii Supreme Court, gubernatorial nominee James E. Duffy.

“Mr. President, Mr. Duffy is a name that is probably household for many of us. He received his Juris Doctorate from Marquette University Law School and he came to Hawaii in 1968. From that time forward, he has just had an exemplary career and his reputation is phenomenal.

“He has served as the president of the Hawaii State Bar Association. He has represented the Hawaii Bar to the American Bar Association and he’s been the Lawyer Representative to the Ninth Circuit Court of Appeals. If you have the opportunity to review his resume, you will see that his publications, articles as well as various types of seminars that he’s participated in, go four pages, almost single space.

“We asked this gubernatorial nominee why, why do you want to serve? And he said it is time to pay back. Hawaii has been good to him.

“The attorney general came forward – and I had to say this because it’s always interesting how lawyers try to tell other lawyers a word that you probably have to go to the dictionary for – and he said he’s an archetypal judicial temperament. So, I had to go look it up. Basically, it means it’s the best type of judicial temperament you can have. He described him as someone without fear, without prejudice, and without favor.

“He is also an equestrian, Mr. President. Dan Bent used the words intellectual horsepower and I think he chose those words specifically because he was talking about James Duffy. What’s important is to know what his agenda is, and you know what? He has no legal agenda. He was very candid before the Committee. He said he has no legal agenda. When he was asked about the Governor’s recent criticism of the Supreme Court, he said he believes that he can bring collegiality to the court, because after all, he knows each and every one of them and he respects them. And I think, Mr. President, more importantly than that, they respect him.

“He also made it very clear that he does not believe that it is the purpose of the judiciary to legislate from the bench. I think at that point, the good Senator from Kaneohe rose up and started to applaud, but it was something that the Committee was very interested in hearing.

“Mr. President, the common description of James Duffy is that he is a lawyer’s lawyer. There was not one person in that room that would disagree with that. And when you see someone of Mr. Duffy’s qualifications and that legal career that he’s had, and you see that he wants to pay back – he said he is 60 years of age now and he can do the ten years with the Supreme Court and this is what he considers to be the best way he can think of to end out his legal career – we are all beneficiaries of that.

“One of the interesting statements was that it is a true, I guess, coup on the part of the Governor to have selected him. We had many people come forward who say that the selection of James Duffy has restored their faith in the political system. And with lawyers, that’s really accomplishing something.

“I’d like to make this last statement – James Duffy’s success is because he listened to his former partner, somebody else who was a household name in this state, and that is Wally Fujiyama. Wally Fujiyama said, ‘If you want to be a good lawyer, remember the law is a jealous mistress; everyone must sacrifice, especially your family.’

“Mr. President, colleagues, I ask that you join me in consenting to James Duffy as the new Associate Justice to the Hawaii Supreme Court. Thank you.”

Senator Hemmings rose to speak in favor of the nominee and said:

“Mr. President, I rise to speak in favor of this nominee for the Supreme Court of the State of Hawaii.

“Mr. President and colleagues, it’s with great pleasure representing the Minority Party, the Republicans, that I stand and lend my testimony and endorsement on behalf of my colleagues to this great nominee. I also want to offer him not condolences but tremendous consideration for his courage in taking on this job. We know you sat there patiently watching laws being made tonight, and you can surmise that your job will be most difficult in seeing what a task it is to unravel some of the things we do here on the Floor of the Legislature.

“I think the good Senator from Waianae expressed all of our admiration for you as a jurist, a legal scholar, and a human being. But I’d also like to say that we’re tremendously proud of your nomination by the Governor of the State of Hawaii. It was done so based on your merit and your talent, and we wish you well.

“Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Hanabusa introduced Judge Duffy who was seated in the gallery with members of his family.

At 8:06 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:16 o’clock p.m.

Stand. Com. Rep. No. 1647 (Gov. Msg. No. 274):

Senator Sakamoto moved that Stand. Com. Rep. No. 1647 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of BYRON W. BENDER to the Board of Regents of the University of Hawai’i, term to expire June 30, 2007, seconded by Senator Hooser.

Senator Sakamoto rose to speak in support of the nominee as follows:

“Mr. President, I speak in support, but I’d first like to give some background on the process. Mr. President, your Committee on Education has been tasked with hearing all measures related to public education in our state. This includes early education, kindergarten through twelfth grade, continuing education, public libraries, and the University of Hawaii system of higher education.

“While we have concentrated much of our efforts on lower education because of the many issues and concerns related to the ‘no child left behind’ act, and also our schools providing adequate resources to support our students and teachers, reducing the repair and maintenance backlog, improving charter schools, and enhancing public school governance, your Committee did not lose sight of the importance of the University of Hawaii system. In fact, Mr. President, the well being of the university is of primary concern and responsibility of your Education Committee and this entire body.

“The University of Hawaii is the manifestation of our collective hopes for a brighter future for our children and this State. It includes 10 campuses spread across the state, over 8,300 employees serving over 48,000 students enrolled annually. Its expenditures are put at over \$766 million, and this is put into our economy every year generating nearly \$789 million in revenues.

“Mr. President, this body has been asked to advise and consent to the appointment of six new regents to the Board of Regents. They set the policy and govern this very important system. Your Committee on Education has therefore deliberated with due care and diligence before making its recommendations to this body.

“Each nominee was sent a questionnaire that we hoped would help prepare them for the kinds of questions the Committee might ask, and at the same time, give the members better understanding of each nominee’s views. Every member of this body was given a copy of their responses along with the nominee’s resume. A letter accompanying the questionnaire requested that each nominee make an effort to visit the members of the Senate Education Committee and as many Legislators as possible. The letter specifically stated that ‘the purpose of these visits is to allow members of the Legislature to become familiar with you as a potential member of the important University of Hawaii Board of Regents.’ At the time of the hearings, many members had not had an opportunity to meet with some of the nominees.

“Concerns center around the perception of the limited knowledge of the university system, the community colleges, the West Oahu Campus, and some of the other major public issues involving the university, such as the impact of the state auditor’s recent report on the university and the University of Hawaii Foundation. Other concerns expressed by members include lack of geographic representation of the entire board where the preponderance of trustees would be from Oahu. Especially noted was the loss of one representative from the Big Island, the home of the University of Hawaii at Hilo. West Hawaii has continuously represented by a member for the last 35 years, and East Hawaii by a member continuously for the last 24 years.

“So Mr. President, I would like to thank each member of your Education Committee for their efforts, their forthrightness and their contribution to upholding the process and meeting their responsibilities during this confirmation process. Accordingly, Mr. President, I’ve asked members to present the results of the Committee’s findings and recommendations for four of the committee reports. I’ve asked the Senator from Mililani for Gov. Msg. No. 274, the Senator from Maui for

Gov. Msg. No. 276, the Senator from Enchanted Lakes on Gov. Msg. No. 277, and the Senator from Alewa/Liliha on Gov. Msg. No. 279, Mr. President.

“Thank you for this opportunity.”

Senator Menor rose to speak in support of the nominee and stated:

“Mr. President, I rise to speak in support of the gubernatorial nominee Byron W. Bender.

“Mr. President, Dr. Bender is eminently qualified to serve as a member of the University of Hawaii Board of Regents. I have known him since he served in the positions as president of the University of Hawaii Professional Assembly, and also as a member of its board of directors and I really have the utmost respect for Dr. Bender.

“Dr. Bender holds a BA degree in English, MA and Ph.D. degrees in Linguistics, and presently holds the position of Professor Emeritus with the Department of Linguistics at the University of Hawaii. Dr. Bender has also been an active member of many professional and community organizations, including the University of Hawaii Faculty Senate, the University of Hawaii Professional Assembly, the Hawaii Public Employees Health Fund, and the Linguistic Society of America, among others.

“Mr. President, your Committee on Education, of which I serve as a member, after full consideration of the background, character, experience, and qualifications of the nominee, has found Dr. Bender to be qualified for the position to which he has been nominated, as a member of the University of Hawaii Board of Regents, and I strongly recommend his confirmation.

“Thank you.”

Senator Kokubun rose to speak in opposition and said:

“Mr. President, I rise to disagree with the governor’s message.

“Mr. President, I disagree with the governor’s message, because in my mind, the message conveys that the University of Hawaii at Hilo is not significant enough as a component of the university system to warrant a member on the Board of Regents.

“I want to make it very clear that my opposition to all the Governor’s nominees is neither a personal attack nor a partisan statement. I just strongly believe that the perspective of the University of Hawaii at Hilo is necessary on the Board of Regents. The University of Hawaii at Hilo has matured into an outstanding educational institution through many actions, including support from the Legislature, which are extremely appreciated by all its students, faculty and administration, and the Big Island community in general.

“The University of Hawaii at Hilo continues to consistently energize the city of Hilo and the County of Hawaii economically, culturally and socially. Since the inception of the University of Hawaii at Hilo, there has been a member on the Board of Regents from East Hawaii. That member has always served ably as a communication link between the university and the community, as that central advocate for the university on the board and as the respected and recognized representative for East Hawaii in the statewide university system.

“I am certain that the Governor, as a former chief executive of a neighbor island community, can appreciate the significance

of a neighbor island perspective in a statewide system. So when reviewing the governor's messages regarding nominees to the Board of Regents, I was disappointed to discover that the critical past practice of providing the voice for the University of Hawaii at Hilo on the Board of Regents was absent.

"I have expressed my strong concern to the administration, to the Chairman of the Senate Education Committee, and with those nominees with whom I have met. I have made it clear in those discussions that my opposition is to the governor's message and to the prospect of not having the University of Hawaii at Hilo represented on the Board of Regents. It was never a personal statement about the qualifications of the individual nominees.

"So Mr. President and colleagues, I rise in opposition to this governor's message, and I will carry that position forward tonight with respect to all of the nominees for the Board of Regents. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kokubun).

Stand. Com. Rep. No. 1648 (Gov. Msg. No. 276):

Senator Sakamoto moved that Stand. Com. Rep. No. 1648 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of TRENT K. KAKUDA to the Board of Regents of the University of Hawai'i, term to expire June 30, 2005, seconded by Senator Hooser.

Senator Tsutsui rose to support the nominee and said:

"Mr. President, I stand in support of Gov. Msg. No. 276, gubernatorial nominee Trent K. Kakuda.

"Mr. President and members of the Senate, Trent Kakuda is a young man who grew up on Kauai, attended the University of Washington, which I might note may be the one flaw in his resume, and returned home to earn his Bachelor's degree in political science and Japanese from the University of Hawaii, and that's where he made it up. He has taught English in Japan before returning to the Manoa campus to seek his Juris Doctorate at the Richardson School of Law.

"His work experience included service as a legislative aide in this house which has given him the perspective on the process of the Legislature. He also has worked in the office of the Board of Regents, making him familiar with the issues affecting higher education in our State.

"His service as a regent, therefore, will be based on his solid foundation and experience and knowledge. Here is a nominee who will not only serve as a capable and articulate student member, but as a lifelong Hawaii resident who believes in the university and who wants to build it on the legacy and service to the people of Hawaii.

"Ladies and gentlemen of the Senate, after a thorough consideration of character, qualifications, and the background of the nominee Trent K. Kakuda, I urge you in joining me in confirming him as a member of the University of Hawaii Board of Regents.

"Thank you, Mr. President."

Senator Hogue rose in support of the nominee as follows:

"Mr. President, I proudly rise in support of this nominee, Trent Kakuda.

"Mr. President, I want to point out something that you already know, Trent Kakuda works in your office. There are those who might say that this would be a conflict of interest and there are those who might say that you might be able to put some undue pressure on this young man, but I believe, after talking to him and listening to him – he's a very articulate, very well-qualified young man – that he will maintain his independence, that he will maintain his integrity, and that he will do a very, very good job.

"So, I am proud to stand here and support this young man to the University of Hawaii Board of Regents. Congratulations, Trent Kakuda.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kokubun).

Stand. Com. Rep. No. 1649 (Gov. Msg. No. 277):

Senator Sakamoto moved that Stand. Com. Rep. No. 1649 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of CATHERINE LAGARETA to the Board of Regents of the University of Hawai'i, term to expire June 30, 2007, seconded by Senator Hooser.

Senator Hogue rose to speak in support of the nomination and said:

"Mr. President, I also proudly stand in support of this nominee.

"On behalf of the Education Committee, I want to say some very great things about Catherine Lagareta. Many people wondered. She opined to us in testimony. They didn't even know who Catherine Lagareta was because they had never heard the name Catherine . . . that it went with Lagareta. They had always heard Kitty Lagareta, because Kitty Lagareta is a very important person in our community.

"She holds numerous awards. She's on numerous committees. She has been the president and chief executive officer of Communications Pacific for many, many years. She is just a dynamic, dynamic force in our community, so dynamic, in fact, that I attest to you that you've all heard of the energizer bunny, but she is the energizer Kitty because she just keeps on going and going and going and she never stops, not at all. She's that kind of a dynamo, well respected, a leader, and a remarkable person.

"And probably a testament to her remarkable achievement is the fact that after the time that she had already become a mother and a housewife, she decided to go back to school and get her degree from (you guessed it) the University of Hawaii.

"She will be a leader on the Board of Regents. She will be a great, great leader on the Board of Regents and a credit to the University of Hawaii. So I hope that you all support Catherine 'Kitty' Lagareta, the energizer Kitty.

“Thank you very much, Mr. President.”

Senator Baker rose to speak in support with reservations and said:

“Mr. President, I rise in support of this nomination with reservations.

“My reservations have to do with this and several other nominees who did not avail themselves of the opportunity to stop by many of the Senator’s offices to introduce themselves and give us an opportunity to ask them about their qualifications and about their commitment to the university. This was one such nominee and that’s why I’m supporting it, but with reservations.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kokubun). Excused, 1 (Taniguchi).

At 8:31 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:36 o’clock p.m.

The President then made the following observation:

“Members, for Gov. Msg. No. 278 on the Order of the Day, I’d like to make the correction that the O.D. has it as Gov. Msg. No. 279 and it should be Gov. Msg. No. 278.”

At 8:37 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:38 o’clock p.m.

Stand. Com. Rep. No. 1650 (Gov. Msg. No. 279):

Senator Sakamoto moved that Stand. Com. Rep. No. 1650 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of ALVIN TANAKA to the Board of Regents of the University of Hawai’i, term to expire June 30, 2007, seconded by Senator Hooser.

Senator Chun Oakland rose to speak in support of the nominee and said:

“Mr. President, I rise to speak in support of Gov. Msg. No. 279, Alvin Tanaka.

“Mr. President and colleagues, Alvin Tanaka holds a Bachelors and Masters degree in Business Administration, and presently serves as president and manager of Pacific Transfer LLC. Mr. Tanaka has been active with the Hawaii Stevedores, Inc. and the Aloha Council of the Boy Scouts of America.

“During the Senate Education Committee hearing, the Committee received testimony in support of the nominee from the council member from District VIII of the City and County of Honolulu and two individuals.

“Committee members then diligently questioned the nominee regarding his qualifications and his ability to exercise judgment and make decisions independent of political affiliation on issues of mutual concern related to the University of Hawaii.

“Mr. President and members, we believe this appointment is well deserved. I am confident that Mr. Tanaka has the necessary character, experience, and qualifications to serve on the Board of Regents of the University of Hawaii. And although he couldn’t be here this evening, I believe that we should recognize what he has contributed to our community and what he can contribute to the Board of Regents.

“I urge all of my colleagues to consent to this nomination. Thank you.”

Senator Baker rose with reservations and said

“Mr. President, I’d like to support this nomination with reservations.

“This is another instance where the nominee for this very important post did not make himself available to members of the Senate.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kokubun).

Stand. Com. Rep. No. 1651 (Gov. Msg. No. 275):

Senator Sakamoto moved that the Senate not consent to the nomination of SHELTON G.W. JIM ON to the Board of Regents of the University of Hawai’i, term to expire June 30, 2007, seconded by Senator Hooser.

Senator Hemmings rose to speak against the Committee’s recommendation as follows:

“Mr. President, I rise to vote against the Committee’s recommendation and therefore vote in favor of placing Shelton G.W. Jim On on the Board of Regents of the University of Hawaii. I want to share some remarks and perspectives on this issue that I think will be salient to the ensuing discussion tonight on this and Gov. Msg. No. 279.

“Several days ago, this nomination was relatively a non-contentious issue. Unfortunately, efforts to resolve the ensuing debate on this matter failed and it has become extremely contentious. For me personally, it’s now become a matter of principle, honor, and dignity.

“Sometimes, in the course of human events, good people value principle and honor over their own convenience and well being. Sometimes, people, in the face of overwhelming adversity, stand their ground. We have an example of that in our Senate Chambers. There’s a Senator who has stood tall in the face of adversity on matters of principle on several occasions. We know the practice of this Legislature is that when you don’t have enough votes to support a bill, the Majority Party simply takes the bill back into caucus. Well, the Senator I’m referring to, on several occasions, has chosen to stand his ground on the Floor in the face of defeat because he’s a man of principle. You know who he is and you know how much we respect him for his principles.

“In this context, I would suggest to you that there are two other men with us this evening of principle and honor that could have walked away from this nomination and saved themselves and the good Governor of this State much pain and anguish. Those men are in the gallery tonight to stand tall in their quest and to face their foes in a dignified manner.

“I support the Governor’s nominees Shelton G.W. Jim On and Edward Sultan for many reasons. And I’m sure my

colleagues from both sides of the aisle will listen closely to the debate and vote with conscience on these matters.

“Last night, I requested copies of letters or e-mails that I was told were being circulated that besmirches the character of one of these nominees. I was led to believe there were many. I asked for copies of these documents and the good Chairman of the Education Committee, I might say with concerns in his eyes, brought me the copy of one e-mail.

“The author of the scurrilous letter is only known to the recipient and the deliverer of the letter, but was not divulged to me. The nominee attacked in this e-mail does not have the opportunity to face his accuser. Hence, this e-mail is nothing more than a soiled parchment not worthy of our recognition, and the author of it should hang his head in shame for attacking a good man and not having the courage to stand by his attack.

“I hope that my colleagues will not succumb to any hearsay or accusations in which the accuser does not have the courage to stand up and be accountable.

“The record will show that the legitimate testimony in the Committee on this nominee and the subsequent nominee was supportive. There was no negative testimony. The record will also show that this nominee is eminently qualified both as a lawyer, a CPA, and a man of great integrity.

“I might note just parenthetically it might be wonderful to have a CPA on the Board of Regents, as the university is constantly down at this Legislature pounding on our desks demanding more money. I happened to notice they’ve just spent \$81 million to get a logo that probably their art department could have produced for free.

“It’s interesting to note that several Senators reiterated to me on numerous occasions that their opposition was not political. It’s quite a surprise to see the committee report, unbelievably to me, said just the opposite. Let me quote: ‘concerns expressed by several members about the nominee’s responses’ to a number of other things, and ‘his political affiliation as reflected in his testimony.’ I cannot believe you put it in writing, and you tell the public and you tell us this is not political and you put it in the committee report that you were concerned about his political affiliation.

“Another Senator who is most cerebral, in spite of her high school deficiencies (I was trying to interject some humor there, Mr. President, very little or it might have gone over someone’s head), said and let me quote, that she would ‘follow the lead of her Chairman.’ I pray not. I hope we, as we have done before, will vote with our intellect and our good conscience and our hearts, and not, as we’ve done before and as sometimes we have not done, rubber-stamp the edicts of a Committee Chairman.

“In closing, one of the finest hours of this Senate occurred last year on Second Reading of the physician assisted suicide bill, which passed with a 13/12 vote. The bill, after the most emotional and sincere debate I’ve ever experienced, was defeated on Final Reading 1411. That tells me that this body is made up of good people, of people that have compassion, people that can change their mind and do what is ethical and right.

“The right thing to do tonight is to vote ‘no’ on this committee report and thus put this gentleman on the Board of Regents. I hope that you do that. Thank you, Mr. President.”

Senator Ihara rose and said:

“Mr. President, I have a point of order.

“Rule 37 of the Senate Rules, No. 5, says that rather than voting on the recommendation of the Committee to not consent, Rule 37 (5) says, ‘The final question on appointments made by the Governor which require the confirmation or consent of the Senate shall be: “Will the Senate confirm (or consent) to this appointment?”’

“So I believe the question is to be made in a positive and then those who want to confirm would vote ‘aye’ and those who want to reject would vote ‘no.’

At 8:53 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:04 o’clock p.m.

The President then stated:

“Senator Ihara, your point has been well taken. I will now call on Senator Hemmings to positively restate that motion.

“The Clerk is directed to file Stand. Com. Rep. No. 1651.”

By unanimous consent, Stand. Com. Rep. No. 1651 was received and placed on file.

Pursuant to Senate Rule 37(5), Senator Hemmings moved that the Senate advise and consent to the nomination of SHELTON G.W. JIM ON to the Board of Regents of the University of Hawai’i, term to expire June 30, 2007, seconded by Senator Hogue.

Senator Hemmings rose to speak in favor as follows:

“Mr. President, in light of my view of my previous remarks speaking against the committee report, I have to amend them to now have my remarks entered into the Journal speaking in the affirmative to the nomination to the Board of Regents.

“I also have to inform my colleagues that I’m on the Ways and Means Committee and I made a slight dollar error. I referred to the cost of the logo as \$81 million when in fact it came at the bargain price of \$81,000. But a million here, a million there, pretty soon it’s real money. (Laughter.)

“Thank you, Mr. President.”

Senator Hogue rose to speak in favor of the nominee and said:

“Mr. President, I rise to speak in favor of this nominee, Shelton Jim On.

“Mr. President, I’m asking all my colleagues to think about three Ps, not three peas in a pod. One is politics. The other two are professional, and the third one is person. I’m asking you to consider not the politics, but consider the professional and the person.

“Colleagues, I have several letters here in support of the professional Shelton Jim On. Many of them are from attorneys, attorneys just like the scurrilous e-mail that we heard about that was passed around that said some things that were not positive about Shelton Jim On. These letters, which were signed by his colleagues in the legal profession, speak very highly of Shelton Jim On. This one that was signed my Mark Recktenwald, whom I think you all know and respect very greatly, talked about Shelton Jim On’s excellent reputation. It talked about the fact that he is a tireless worker. Here’s another one signed by a colleague, Henry Bereman who talks about Shelton being

highly motivated and energetic and that he has long expressed an interest to become more actively involved in the University of Hawaii. Here's another one from Russell Yamashita, he says, 'As you may already know, Shelton is a practicing attorney and a licensed CPA. There are not many people who have the ability and perseverance to make such an achievement,' and Russell Yamashita ought to know because he too is an attorney and a CPA and he knows how difficult it is.

"I want read you an entire letter from a gentleman named Kevin Sumida because it sums up, colleagues, the way that many of Shelton Jim On's professional colleagues feel about him:

'For the past 24 years, I have been practicing as an attorney in Hawaii. I have known Mr. Jim On in a professional capacity for some 15 of those years. More often than not, he is representing a party adverse to my client. I have no social relationship with him.

'In my years of practice, I have known Mr. Jim On to be a very sharp, very competent, and a very aggressive litigator. I have found myself to be very challenged when he is on the other side, and while I will confess that at those times I do not very much care for him when he is pounding the flesh of my clients or myself, I do appreciate that he is only doing his job and doing it very well.

'More importantly, Mr. Jim On has always acted professionally, honorably, and yes, courteously. He has always kept his word and has always stayed within the bounds of his ethical obligations. He is one of the few attorneys in town with whom I am comfortable making agreements on a handshake.

'I am satisfied that Governor Lingle is interested in appointing people who are qualified, regardless of their political affiliations. Her recent judicial appointments of James Duffy and Rhonda Nishimura, both of whom have strong connections to the Democratic Party, are proof of her intent. I believe that Mr. Jim On's nomination to the Board of Regents is similarly based upon the Governor's desire to appoint the most qualified individuals.

'Mr. Jim On is an excellent choice for the Board of Regents. If my experience with him across the table is any indication, he is willing and able to ask the hard questions and will quickly focus in on the key issues. He is a licensed CPA and a lawyer and can bring all of his training and experience to bear upon the tough problems which face the University of Hawaii.

'He is unfazed by complex matters, especially financial matters. He is a hard and dedicated worker and is unafraid to put in the time necessary to get the job done. I know this from personal experience because I have been on the receiving end of his work effort.

'Mr. Jim On is not a bureaucrat. He is a problem solver. I think you need more people like him on the Board of Regents.'

And it is signed, very truly yours, Kevin P.H. Sumida, and it is an example, colleagues, of the professional respect that Shelton Jim On enjoys as an attorney.

"Finally, as you consider the professional Shelton Jim On, I hope that you will consider the person Shelton Jim On.

"There's been much talk about the lack of neighbor island representation. Shelton Jim On was born on a neighbor island.

He was born in the little community of Paia on Maui. In fact, he lived there for the first 11 years of his life – going to the beach, running around town. His parents, interestingly enough, were public school teachers. He lived in a plantation home. Sound like anybody that you might know?

"When he was 11 years old, he move to Wahiawa on the island of Oahu. Here, out on the North Shore, he began his love affair for the culture of Hawaii and the public school system for Hawaii. He went to Leilehua High School. In fact, he was a classmate of the Bunda family. In fact, I believe that some of the Senate President's brothers went to school with Shelton Jim On. Shelton then went on to the University of Hawaii and he continued this rise from the plantation, from the local boy, from the little Maui boy, to reach out and become the best that he could possibly be, graduating with high honors – high honors – from the university. That wasn't enough, then he went on to get a law degree, to pass the CPA exam, which is extremely, extremely hard. But more than that, this was a man who wanted to be a part of Hawaii.

"This son of two public school teachers, this young local boy from the island of Maui, he met a young lady by the name of Portia and he made that lady his wife and they had two children, Shelby and Spencer, and he loves, he loves those children so much. And he loves the children of Hawaii. Does this person sound like anyone that you know? Does this person sound like, perhaps, you? Does this person sound like someone who has reached up and tried to do the best that they possibly can for themselves, for their families, and for the State of Hawaii?

"Consider, colleagues, as you make your vote, consider what you are voting on. I think, as you look at this nominee, that you should consider yourselves in his place, consider your love for the islands, your love for the University of Hawaii, your love for your family . . . consider that. Consider the person, consider Shelton Jim On who will do a fantastic job representing you and your family on the University of Hawaii Board of Regents.

"Thank you very much, Mr. President."

Senator Hooser rose in opposition to the nomination and said:

"Mr. President, I rise in opposition to the motion.

"I'd like to preface my remarks to say that I respect and honor the statements made by my Senate colleagues preceding me. I truly do and know that their testimony is heartfelt and sincere. I believe and I was raised to think and to know that good people, good, honest people of high integrity and high morals can look at the same set of facts, the same situation, the same series of events, and come to different conclusions. And that's what we have here, in my opinion, and I appreciate the professionalism of the debate and the tone of the conversation and mutual respect.

"As a member of the Education Committee who voted with the Majority not to recommend advise and consent, I feel compelled to speak on this issue.

"On Tuesday, April 22, at 3:00 p.m., just a few days ago, the Senate Committee on Education held a public hearing to review the nominations of six individuals to the University of Hawaii Board of Regents. In my opinion, this is, if not the most important nomination that I will be voting on and reviewing, certainly one of the most. It's a very large \$700 million organization. It's perhaps the most important institution to our state and to our future, to our education.

“At the end of that day, after hearing all the testimony, listening to the questions and answers provided by a wide variety of people on topics and issues related to the University of Hawaii, in speaking directly with the nominees, at the end of that day when all the information was combined and filtered through my brain, my heart, and my conscience, at the end of that day I found myself unable to support the nomination of two nominees. Since that time, I’ve had individual meetings with both nominees and have spoken with numerous individuals, some who have expressed support and some who have not.

“You know, speaking and voting in opposition to nominees is one of the most difficult things that we as Legislators have to do. Issues, oftentimes, aren’t personal, but here we have two individuals, try as we may, and the arguments tend to be interpreted as personal. And it’s uncomfortable and it’s difficult, but I will not shirk my responsibility and vote in a manner contrary to what I sincerely believe is in the best interest of the people of this state simply because it’s a difficult and uncomfortable vote.

“The day following the original public hearing, the Chairman of our Education Committee informed the administration and the public that the public hearing had not gone well and that the inclination of the Committee members was not to confirm, and the administration was encouraged to withdraw that nomination. Unfortunately, the administration chose not to take this action, and so we are here today on the Floor engaging in what could become contentious and ugly debate over the issue. Thankfully, so far it has not become ugly.

“The situation presents an uncomfortable no-win dilemma for myself and many of us here. For those of us unwilling to support the appointments, we need to defend our decision. It means we must publicly criticize, at the minimum, the ability and the commitment of these people. If we choose to stay silent on our reason and defer the possibility of adding further insult to injury, we will get accused, as has already been done, of the action being a purely partisan effort orchestrated against our Governor. In effect, the better I present my argument, the harder it is on the people. And that’s a hard thing to do and I choose not to do that, though I need to do it to a point.

“Mr. President and colleagues, members of the public, regent nominees, for what it’s worth, in my opinion based on my personal experience with this issue as it’s developed over the past few days, this simply is not a partisan issue intended to embarrass or offend the Governor. The honest truth of the matter, Mr. President, is that on April 23 at the end of the nominees public hearing, after hearing all the testimony, after listening to the questions and answers provided on a wide range of topics, after speaking directly with the nominees, at the end of that day, a majority of the Committee members – a majority of the Committee members – left that room all with the same thought and they’ve come to the same conclusion. And that conclusion was that they were unable to support these nominations. I see that hearing as I would see a job interview. And for whatever reason, in my opinion, the applicants, the nominees, flunked the job interview for whatever reason.

“I’m not here at all one little bit to question their integrity, to question their character, or to question their ability and success in their own lines of work and their own professions. I’m here to say that after that meeting and after discussing the issues personally with these individuals, I do not have the confidence that I need to appoint to this very important position.

“It’s been argued that we need a compelling argument to vote against them. I need a compelling argument to vote in support and the nominees, for whatever reason, were unsuccessful. I think anyone who attended that meeting,

anyone who attended that meeting and is honest with themselves will say that there was a problem. That meeting did not go well and subsequent meetings did not reassure me any further.

“There is no conspiracy. I was there. I was there and I was very disappointed. Anyone who was there, again in my opinion, would acknowledge that there was some serious problems. I’m not questioning the integrity of the candidates. I certainly am not questioning the character nor, again, the success in their chosen fields of work. However, Mr. President, I do question their judgment, and a question of judgment leaves inevitably to a question about their ability and qualifications.

“Essentially, yes, the interview went badly. Questions were not answered. Some of them there was apparent lack of preparedness. It just did not go well. Underlying this was an issue mentioned earlier about politics and the political question in the committee report. That comment in the committee report is attributed to me, and I take full responsibility for that. I’m the one that raised those comments. I don’t believe any other Senator in this room raised that at the meeting.

“I want to say that ten years ago, I came over to the Senate and met with the late Senator Matsuura and talked to him about cronyism in the Democratic Party. I talked to him about his efforts fighting and investigating that. And as a result of those discussions, I became active in government and politics. It’s a reality of the business that we’re in, and underlying the bad interviews, underlying the bad interviews is a thread of political . . . it’s a perception, Mr. President, of political insiders. After all, four of the six nominees had direct political connections to the Governor. Three are clearly high-powered, campaign, big-money fund raisers, some of whose spouses are also appointed to high and powerful positions in this government.

“I think we have to deal with perceptions. Sure, maybe it happens a lot. It doesn’t question their integrity. It doesn’t question their qualifications, but I think it’s important to the people of this state that we go out of our way to avoid perceptions that are being presented here. And that was my concern. I expressed that concern. My vote is not based totally on this but this is part of the package. There is no question about it.

“There’s talk of a new beginning, and I said at the Committee hearing that I believe in that stuff. I believe that we should not be doing this. We should be going out of our way to find good and qualified people who are out there in the community to fill these positions, and those people are out there. Again, it’s a question of perception.

“I believe that we should not reward our friends and punish our enemies. I truly believe that. Again, perceptions led me to not be comfortable with this. Looking at the totality of the issue, looking at the interview process, looking at my own personal concerns and I say these are my concerns, I did not feel comfortable voting for this.

“In closing, I’d like to say, a couple hours ago . . . all day long the last few days, people have been clearly lobbying or trying to educate or trying to convince us one way or the other how to vote on these issues. A few hours ago I received a call from a senior policy advisor of the Governor who spoke to me at length trying to convince me to change my mind. I honor and respect that and it’s great. However, when it became clear that I wasn’t agreeing readily to the arguments presented, the conversation turned to this partisan political accusation that this is why we’re doing this. And I told this individual, I said are you telling me that you believe I’m voting this way for the only reason to embarrass the Governor? And the answer was yes.

And I was insulted then; I'm insulted now – my intelligence and my integrity. It's downright insulting and it makes me angry. That is not the reason. I vote my heart and my conscience, and no one tells me how to vote.

“Furthermore, at the end of that conversation, it was made clear to me that if I voted in the wrong way, if I voted the way I'm going to vote tonight, there would be a price to pay. It was clearly stated to me that they would go to my district and go speak to rotary clubs and lions clubs and chambers of commerce and tell them about my vote and there would be a price to pay. I do not take well to political threats, intimidation, or bullying. I'll give everybody a pointer here, if you want to convince me of your point of view, I suggest an honorable and professional mutual respect – don't try to push me.

“Thank you.”

Senator Slom rose to speak in support of the nominee and said:

“Mr. President, I rise in strong support of the nominee, Shelton Jim On.

“While I'm not on the Education Committee, I was on the Committee for four years. I am, however, a graduate, a proud graduate of the University of Hawaii, and I've managed to keep active with the University of Hawaii, its events and activities, for many decades now, and I'm very concerned about what direction this discussion has taken and what's happened in the last couple of days.

“When the last speaker says that everyone left the room with the same feeling, the speaker is wrong and he knows he's wrong. If everybody had left the room with the same feeling, we wouldn't be having this long debate tonight.

“The question was asked, why didn't the Governor withdraw the nominations or why didn't the nominees just withdraw themselves? The answer is – why should they. They have nothing to withdraw from. The question has been asked, what is the basis for denial of these candidates? And those in opposition to them have said it's not their character; it's not their integrity; it's not their experience; it's not their background; it's not their success – then what is it? And now we've just heard about supposed and alleged political threats. Well, this is a political body and decisions are made politically in this body.

“In the six years that I have served in this State Senate, I have had the opportunity to review those candidates who had been nominated for various offices by the former Governor, and I can tell you with absolute honesty and certainty – and those of you that have been here that period of time or longer know it's true – many of them had far fewer qualifications and experience than does Shelton Jim On. And yet they were passed. And I supported them because I believed that if this were the Governor's choice, and barring any negative reasons for those areas that were so clearly elucidated – integrity, character, experience, background, actions – barring any hard evidence to the contrary, my political decisions, my political opposition should not be important.

“There have been some very interesting statements that have been made in the last couple of days and this evening. For example, the issue of the famous report done by the legislative auditor – the woman who I probably respect more than any other individual in this state other than the Governor of this state – who was a classmate of mine at the University of Hawaii, every year we give lip service to the wonderful work that our state auditor does. We praise her. We do everything.

We say how wonderful these reports are and then we let them languish on the shelf cause we don't implement them, because in order to implement them, we'd have to make changes. In order to implement them, we would have to understand that there have been failures on individual's watches up till now. So, for somebody to say I can't vote for that individual because he wasn't familiar with that report is hypocritical.

“There's one individual in this Senate that's spoken tonight that I greatly respect. The position was enunciated first by the Education Chairman. He said that we need someone representing the neighbor islands, or the Big Island, specifically. And you heard the Minority Floor Leader describe the background of our nominee who was born on a neighbor island, who has neighbor island roots. But I respect the Senator from East Hawaii who has voted 'no' on every one of these nominations, because to him, it was a matter of principle that there should be someone from the neighbor islands. He felt that they weren't recognized and he voted 'no' on very one of them. That was not personal; that was not political.

“So one must then ask, Why Shelton Jim On? Why was Shelton Jim On singled out, if in fact the Committee, the Education Committee, were unanimous – and they were not, the vote was four to three – if the Committee were unanimous and that were a major problem of not having neighbor island representation, then they should have turned down all of the nominees.

“And then there was the issue raised about the West Oahu campus, and yet we know that there were a number of nominees who either were not asked that question or whose answer was already known, that they do not support the construction and start of an additional campus until we accept our responsibility and take care of our main campuses at Manoa and Hilo . . . not that we don't like West Oahu, but that's a business-like and fiscally responsible position to take.

“And then the question comes up and it's written in both reports, the committee reports, that several of the committee members questioned whether or not the nominee can exercise judgment and make decisions independent of political affiliation. I don't remember hearing that question asked specifically to the nominees, and I don't remember the nominees saying, 'No, gee I really can't. I'm so beholden to the political situation that I won't be able to exercise independent judgment.' And if we look at the background of these two individuals, and particularly Mr. Jim On, over 25 years we see an independence of judgment. We see that from his peers. We see it from people in the community.

“Now maybe he is not a household name like certain other individuals. I recall at the beginning of this Session, certain Legislators had problems because the nominees that had come forth from a very elaborate process from the Governor, where she got so many people in this community involved and so many people came forward to volunteer, the problem was that the nominees were not household names. They weren't the sons of, the fathers of, the brothers of, or the old recycled politicians that we normally have had here filling all of the vacancies. These were new people with new ideas and new visions. And yes, people can look at a situation or an individual and come up with a different idea, and there's nothing wrong with that at all. But maybe some of the things that have been said tonight reflect more on the speakers and their inadequacies and their lack of judgment, because it is our responsibility as Senators to go that extra mile and find out if we're going to turn somebody down, we better have a good reason for doing it.

“And, oh yes, this idea about I guess some people's feelings are hurt because they didn't have personal visitations from the

nominees. We have been rushing this process in the last couple of weeks trying to get nominees appointed. I, for one, was not contacted by the nominee who has now been confirmed as the Associate Justice of the Supreme Court and I know several of my other colleagues were not contacted either, and he is a very prominent, very visible, very well known member of the Majority Party. But that didn't stop me from supporting him because of his experience, and his background, and his integrity, and his character. It didn't stop the Minority Leader from representing our support for this gentleman, because he's qualified, and yet what we're seeing tonight is character assassination.

"What we're seeing is people trying to scramble to find reasons to turn down perfectly qualified individuals who the Governor – the same Governor that appointed that Associate Justice, the same Governor that appointed 16 cabinet level people that were unanimously approved here, that same Governor through that same process of community involvement supports and has faith and confidence in these individuals. And now, all of a sudden, we're questioning her judgment? Can we be selective about it? Can we talk about politics? If we want to talk about politics, particularly at my alma mater at the University of Hawaii, let's go to the top. Let's go to the president. If we want to talk politics and political affiliation, let's go to the president. But oh, wait a minute, we don't confirm the president of the University of Hawaii.

"And if we want to talk about a \$700 million institution, which we should because the auditor's reports and other reports have been very critical about financial questions and inaccuracies at the University of Hawaii, one would think one would demand that we would have independent individuals particularly trained in law, in finance, in business. And to say that this individual does not have a commitment to the university or to the community, who are we trying to fool here? It's a commitment to volunteer to serve and to go through this process. That's why so many people don't want to do it. They're not doing it for the high salaries; they're not doing it for the prestige. They're doing it for the public service. Shelton Jim On has shown his commitment to public service over more than a quarter of a decade, most recently serving on the reapportionment commission.

"No one has had any problems up to this point, so one must ask why this individual? Why these two individuals? You don't like their vision, then we should have allowances for different visions. You have concerns, then bring those concerns here and let's put them on the table, not just Felix. If we're talking about a job interview, those of us that hire people regularly know that oftentimes people don't answer the question the way you would like it to be answered, but you go beyond that. That's your responsibility as an employer; that's our responsibility as Senators. Some people are trying to duck their responsibilities.

"So I ask again, What is the basis for denial for these individuals? I can't find any. Nothing has been put on the record. As has been said, there was no negative testimony, only one scurrilous e-mail, which everybody says doesn't make a difference, but they can't give us anything that does make a difference. And again, that's our responsibility.

"The university is a treasure, but the university has been in trouble. The university needs independent judgment, and these candidates have not been proven to lack that judgment, that experience, that passion, that commitment, and for us to say otherwise is hypocritical.

"So I urge my colleagues to think about all of these things and put them in proper perspective, especially considering

confirmations that have already been made tonight, and to vote in favor of these qualified gentlemen.

"Thank you, Mr. President."

Senator Sakamoto rose to speak in opposition as follows:

"Mr. President, I rise in opposition to the motion.

"Mr. President, first, there were some remarks made that are perhaps sincere on the part of the people making them, but let me, at least for the record, correct some of the misperceptions or perhaps improve the communication on some issues.

"I think people are dragging and crying and saying no negative testimony, etc. In our humanness, Mr. President, it's not about a public place to really bring out a person's fault. And I've said that and it was reported in the paper accurately that I did not want to list the problems that were there, and I don't want to. And I'm afraid if this debate goes on, someone will indeed read some of the things that have been said or get into things that are personally hurtful, and I don't want to go there.

"On the next point about some political concerns raised, I think the good Senator from Enchanted Lakes did raise those concerns as well because it is, as the Senator from Kauai said, a problem of perception. It isn't one party or the other. I think it's concerns that are valid, and I think the good Senator raised the issue because it needed to be raised. I think the candidates answered that particular question to say no, we wouldn't be this or that. And one candidate, not this particular one, said in fact, 'I have opposed the Governor on issues, and that's how I intend to act as a regent.' And that candidate has already been confirmed. So, on that issue, this is not that. And yes, it was part of the discussion by both sides here, Mr. President.

"On another issue, Mr. President, tireless, energetic, works hard, diligent, competent – I have people like that working for me, Mr. President, and indeed they do pound, and they're tireless, and they're energetic, and they're sincere, and they do a good job. But I wouldn't recommend them, based on those qualities, to be one of the wise men and women on the Board of Regents.

"Some of the accusations are, 'are we accusing these people that are on the Board of Regents to have poor qualities?' We're not talking about energy. We're talking about – do these candidates, in their job interview, rise to that point. And perhaps in golf, Mr. President, maybe your good Senator from Waipahu will say, 'Well, give me a mulligan; let me try again.' And I think in fact that was allowable in this case. We deferred the vote and people were allowed to advance the ball, obviously not by kicking it forward by attempting to win the day with second or third chances perhaps. And perhaps they've won the day with some members, and I think it's to their credit that they attempted to win the day on their behalf.

"But certainly for me, Mr. President, there are misstatements, not made on this floor today, but certainly in the paper with the previous Governor – one saying, gee, the Governor appointed Charlie Toguchi to be the superintendent of education. Will this Governor appoint the superintendent of education? I think not. I think that's the duty of the board of education. So it's easy to make statements, but I'd like to at least correct, sometimes, the misstatements out there, because unaddressed, people perceive them to be true.

"Normally in this process, we don't have a whole lot of discussion like this, although we've had with Ms. Bronster and several others prior, just as the Governor has on other

appointments, gracefully decided let's take another option than this option we have here. And I've asked her, through her staff and just before this floor, to try and short circuit this. I informed the nominees that at least in my perception, it was not going in their favor, and they have an opportunity, but here we are, Mr. President.

"I don't think it's fair to accuse those who speak against, perhaps, our inadequacies. I think this isn't about just hard work. These positions are sort of like, well, will you be on the board of the Bank of Hawaii or on the board of a major corporation, and that's not taken lightly. In fact, this corporation, this university is very important.

"A comment was made about the auditor's report. There's a bill before this very Legislature, and Mr. President, I'm not clear if we've done it yet, but the goal was to address the auditor's report and the UH Foundation to request more reporting to allow the auditor to indeed get better access to their records. There are times, perhaps, when we do not take action, as the Senator from Hawaii Kai has pointed out, but there are times when we do. It's not all this, all that, never this, never that. Many times it's things are drawn to the extreme.

"Mr. President, at least for me, after the hearing, especially the proceedings asking for forthright answers to questions and it didn't seem to be coming, that wouldn't be a person that I would like to be on the board of my Lion's Club, on the board at the Boy Scouts, at the board that I would be working with at some other level. Perhaps he would be competent on the board at the CPAs, at the board with the legal society, perhaps, but I'm not trying to malign him. I'm just saying that was the way I looked at this particular candidate. Certainly, the Board of Regents is a very major board, and perhaps the standards are higher for me than it may be of others, but I do have high standards in this regard. Perhaps the independent thinker runs contrary to my thinking. I think they need to be a smart person but a 'work together' person, because it's very important for us to work in harmony in this State.

"And there may be other remarks, Mr. President, but let me not belabor the point. Thank you."

Senator Inouye rose to speak against the nominee and said:

"Mr. President, I speak in opposition to the motion.

"Mr. President, like my colleague from the second district of Puna and Ka'u, I am disappointed as well that the Governor has not appointed a person from East Hawaii. I have raised this issue to the Education Chair, expressing my disappointment of a void in my district. Without the assistance from this and previous Legislatures, UH Hilo would not be the most popular small university in our country, its student population ever increasing annually, popular with students from many other countries. They love our small town community. I have asked Mr. Randy Roth if the Governor will consider appointing a regent for East Hawaii. He said he will relay the message to the Governor and she could consider one in the future.

"Mr. President, UH Hilo has come a long way from being a stepchild to Manoa and I will not allow an absence of representation from East Hawaii on the Board of Regents. I have no personal objections to the capabilities of the nominees.

"My predecessors from my island have worked long and hard to make UH Hilo what it is today. I made a commitment to continue their efforts when I ran for office for the Senate in 1998. Mr. President, I have no choice, I will vote 'no' on this measure, as well as Gov. Msg. No. 278.

"Thank you, Mr. President."

Senator Kim rose in opposition and stated:

"Mr. President, I also rise in opposition to the nomination.

"Mr. President, our good Senator from Kauai had many words and articulated many of the things that I also agree with and feel that he spoke very well about. In addition to those things, I feel that I need to speak to this nomination.

"Mr. President, not often do non-committee members of a committee get to attend another committee's hearings, especially in confirmation hearings. We are all in other meetings and hearings, and so, many times when we're not able to be in these confirmation hearings, we rely on the nominees to come and meet with us so we have an opportunity that when we reach the floor we can vote with some knowledge. Many times when we're unable to do that, we do in fact follow the lead and the recommendation of the Committee.

"In this case, Mr. President, I did make it a point to stop into the Education hearing for the confirmation, and I did so for a couple of reasons. The first reason was because I did have the opportunity to speak with one nominee. One nominee in fact did call and ask for an appointment and I was very pleased to be able to meet with that nominee. Kitty Lagaretta met with me in my office and I was very impressed with her. I had heard many things. I had heard that she was a political appointee and I had heard that there were some concerns about her, and so I took that opportunity to get to know Kitty. I was impressed with her straightforwardness, with her opinions, with her knowledge. She had obviously done her homework. She had read the minutes, very much like I had read all of the minutes from the HTA so I could relate to that. She had done the homework like I do my homework, and I certainly related to her and to her appointment. So I did attend the meeting because I wanted to observe her confirmation.

"Since none of the other five, none of them did call my office and ask to meet with me, I also attended because I wanted an opportunity to hear what these nominees had to say for this very important position with the Board of Regents. As you know, I have not always agreed with some of the things that have happened at the University of Hawaii. I've questioned our president in length and have not often agreed with some of the direction that they were taking. So I believe it is important that our regents are knowledgeable, willing to speak up, willing to ask questions, willing to do their homework, and to oftentimes have to ask and probe and even grill to get the information that we need.

"Mr. President, six appointees to the Board of Regents, six out of twelve – that's a huge number. That is half of the Board of Regents. This group of six, collectively as a group, can certainly change the direction and policies of the university. So it is very important, not individually, necessarily, but collectively as a group would certainly make a change. I'm not here today to say whether or not that change or any change should occur. That is something that the board collectively will decide.

"Mr. President, this is not partisan for me. This is not personal for me, although it's been said and insinuated. And I certainly take issue when I receive a copy of an e-mail from, apparently, the Republican Party (because it says on the bottom, paid for by the Hawaii Republican Party), when they state in this e-mail that the 'Democrats are ready to vote them down in a pure partisan effort. They do not want to see the Governor succeed and are willing to sacrifice good people to sabotage her efforts.' I certainly take issue to receiving this kind of e-mail

that was sent, I believe, to a large number of people of the Republican Party, with our phone numbers.

"I have supported every nominee that the Governor has sent down prior to now. And it's not easy, as some of my colleagues have said, to stand up and speak in opposition. And I have supported four of the other regents that have been sent down. So, to state because you may not agree with one or two or a few that all of a sudden you're partisan, all of a sudden it's political, and all of a sudden it's personal.

"Mr. President, it was the answers and the way Mr. Jim On responded to my particular questions that prompted me to ask even more questions. It was the fact that Mr. Jim On would not even state an opinion when I challenged him and told him that this was not a court of law, I was not going to hold him to an opinion, and yes, you can change your mind once you get on to the regents, once you speak to the other colleagues, once you speak to the administration. I just want to get an insight of the individual, the values.

"Mr. President, I was not so interested in even knowing whether or not Mr. Jim On agreed with any of my positions. It was not important whether he was for or against something. I just wanted to get from him a sense, a sense of where he would be on issues at the university, what kind of values you hold, his ethics. And many times, it is from these questions that we are able to arrive at how we feel on their philosophies, their backgrounds, their beliefs.

"I also agree, Mr. President, that there needs to be adequate neighbor island representation. I believe we need to have a broad representation of different individuals, not just on this board but all of our boards and commissions. But the bottom line is that the public confirmation hearing, members, the only time, as you know, that some of us have the opportunity, and also for the public, to judge these nominees.

"And yes, Mr. President, after the hearing, the next day, because of the news reports in the paper, I did receive an e-mail. And based on what was said today, you can know why the individual would not want to come forward and say their name when it's in the negative. I believe there was a conversation in the Governor's Office where we talked about fear. The public may have a fear to come before us and disagree with us, a fear that people within their own industry do not want to speak out and say anything negative for fear that they're going to have retribution. And certainly this individual told me that there may be some retribution, but because this individual felt very strongly, when I finally was able to reach him today, he said he would stand by his word; he would stand by his letter; and that I could certainly reveal his name.

"I did not want to release the letter or the e-mail, Mr. President, because it was negative. I did not want to circulate it, but I was pushed to do that on the Floor last night. This individual is an attorney who I believe is very reputable. I have worked with this individual when I was on the City Council with the Natatorium issue. His name is Jim Bickerton. Both his parents, he tells me, are faculty members of the University of Hawaii, and he himself is a University of Hawaii graduate and he felt very strongly about his statements. I respect what he said. Did I use that as my sole reason? No, I believe that my decision and my feelings about this nominee was actually arrived upon at the day of the confirmation hearing. This e-mail only confirmed some of the things that I might have suspected.

"We often get testimony, e-mails, phone calls from different individuals. Each of us holds different people that we know, trust, believe in and their opinions in different degrees.

"In addition, Mr. President, I also received several phone calls. One phone call in particular, the individual agreed that I may also say his name on the Floor tonight and it is a nonpartisan. This individual happens to be a Republican. He said he also helped out in the headquarters of Governor Lingle. He had worked with Mr. Jim On, and he had shared with me and said many of the things that was in Mr. Bickerton's e-mail. When that phone call came in, it just so happened that in the middle of that conversation, the Education Chair came into my office, so I asked if I could put him on the speaker box and he did in fact say I could. So the Education Chair got to hear the statements of this individual. I have not met this individual before. His name is Mr. Jim Marn from the McCully Associates, and he, too, felt that there would be retribution, but he felt very strongly and said that I could say his name.

"I did not want to do this, Mr. President. In fact, as I sat here contemplating what I was going to say, I actually crossed off that part and said perhaps I would not raise these names. But of course my colleagues across the way talked about scurrilous e-mails and these kinds of things only to emphasize why people do not want to come forward and have their names said out in public. But I respect these two individuals, despite what they might have to face tomorrow.

"Let me again reiterate, Mr. President, that these two testimonies in itself did not make up my mind. It only served to confirm my first impression on which I had based my decision.

"Thank you, Mr. President."

Senator Taniguchi rose to speak in favor of the nominee and said:

"Mr. President, I rise to speak in favor of this nomination.

"Mr. President, I went to college with Shelton Jim On. I know his family. His children and my children participated in youth sports in Manoa. He has always been courteous and civil to me. And because he lives in Manoa, I believe he will play a unique role. I believe he will be an advocate for the surrounding community. I believe that as a regent, he will look at the impact that the university decisions have on the surrounding communities of Manoa, McCully, and Moiliili, and he'll take that into consideration when he makes his decisions.

"That is why I will be supporting Mr. Jim On's nomination."

Senator Kawamoto rose to speak in opposition as follows:

"Mr. President, what I'm about to say will be difficult. I rise in opposition to the motion and to try to debate with my classmate and colleague who was the captain of the debate team of our university.

"I'd like to thank the Senator from Waimanalo if he was mentioning me as the stalwart Senator. (Laughter.)

"Mr. President, to me this is a nonpartisan issue. Thus far, I have been very impressed with the Governor's nominees. I was very fortunate to be able to confirm General Lee, Mr. Haraga, and Mr. Saito – outstanding individuals as we have seen them work throughout the Session. I've always mentioned, I even mentioned to the Governor, that I was totally impressed with the background and active research that they've done of all their nominees. In fact, we have confirmed over 130 governmental nominees to serve as directors, commissioners, and board members.

"However, these two nominees that are up next, Gov. Msg. No. 275 and Gov. Msg. No. 278, maybe it was unfortunate but I

was able to sit in on four of the nominees as they testified. All four I've asked the question about the University at West Oahu and Mr. Bender said only about maybe not more than 12 words about the University at West Oahu. Mr. Trent said maybe less because he was coerced by my colleague and friend, the Senator from Maui, trying to compete.

"But the reason why I'm so passionate about West Oahu is because I've spent so much time advocating for West Oahu. I spent 30 years advocating for West Oahu. I started with them in 1970 when I first came back from leave with the military. I also supported that activity because we told them at that time that this area is going to be the fastest growing area in this State, and it has come to fruition. We have over 300,000 people from Kahuku, to Pearl City, to Waianae, to Aiea, which will be all probably serving the West Oahu campus. We have 81,000 students going to school there. We have seven high school feeder schools that have over 2,000 students right now. And to deprive these students and future students this opportunity for higher education is indeed my job as I represent them, I feel.

"The questions and answers that were asked of these two nominees, the answers were the same answers when I questioned nominees and directors 25 years ago. This body cannot take another 25 years of being a Senator. This body can push as far as I can to make this happen, and I will.

"Maybe this will be a message to the University of Hawaii that we think it is very important. We think a commitment, as far as the University at West Oahu, is of the highest priority. And like the paper said, and I believe the Governor when she said that it would be irresponsible of Mr. Jim On to say he supported West Oahu just to please myself. I believe the Governor is right. He shouldn't say it just to please me, but he should say it to be committed to the students and all the students of this State. And to have the fastest growing area being erected for a campus that has been on the books for so long, it's been on the books since 1965. It's been in the books five governors ago.

"So Mr. President, it is important. It is important not to me, but to the students, the people in the area of West Oahu, North Shore, Central Oahu, and the Leeward Coast. So Mr. President, I will be voting 'no' on both of the nominees that are up tonight.

"Thank you."

Senator Trimble rose to speak in favor of the nomination as follows:

"Mr. President, I rise in favor of the nominee.

"As long as we're talking about not the regents but the University of Hawaii, and I am kind of curious why that keeps coming up, why is it that this body doesn't hold those who make decisions accountable? If we looked at the amount of money that HCDA squandered or the University of Hawaii squandered to get the medical school going in Kakaako, we could have paid for many of the social programs that we've spent so much time looking to find money for.

"The Legislature committed, was it tobacco money for the medical school, and this Legislature was promised by no less a person than the president of the University of Hawaii that he would match that money, that he would raise \$150 million. And I was impressed when I read that in the newspaper. And I somewhere had the sense that construction of the medical school was not going to start until that \$150 million was on the books. But somehow that didn't happen and once we started down that course, we're not going to see West Oahu College for

quite a few years to come, and it's not the current Governor's fault.

"You know, my brother once gave me some advice many years ago. He said, before you take a job, always have a good exit strategy. And when the president of the University of Hawaii came out, was it what, ten days before the election and endorsed the candidate, the thought that immediately went through my mind was that he was exercising that exit strategy.

"But what we are here to talk about tonight isn't what has happened in the past. It isn't that members of this body did not oppose nominations for the Board of Regents in the past. Before I entered politics, I spent 27, 28, 29 years working for the State of Hawaii in various capacities. I didn't think about politics. I just tried to be the best civil servant that I could. And part of the criticism that was levied tonight about the number of candidates that have a particular party affiliation, well, in one case it's my fault because when I decided to enter politics, and it happened to be in a different party than the Majority here, I went around and started recruiting people, and one of the people that was nominated tonight, I got to fill out a party card about a year ago. That doesn't seem to me to indicate that he was a political insider or had been in the party for a long period of time. And I don't understand why politics keeps coming up.

"I've met regents before. I've met college presidents before. When I look at Shelton Jim On, I look at an individual that would be a credit to the University of Hawaii. And for that reason, I will be voting 'yes' for his nomination as regent.

"Thank you."

Senator Hogue rose and said:

"May we get a Roll Call vote, please."

At 10:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:17 o'clock p.m.

Senator English rose and said:

"Mr. President, I'd like to insert comments into the record, please, in opposition."

The Chair having so ordered, Senator English's remarks read as follows:

"Mr. President, I am inserting into this Journal a copy of an e-mail sent-out by the chairman of the Republican Party of Hawaii, Brennon Morioka, to his party members regarding the confirmation of Mr. Jim On to the Board of Regents of the University of Hawaii. I want this on the record to highlight the misinformation and pure untruth that was circulated on this nomination by his own political party.

"Mr. Morioka had no way to know my intentions on this vote. I did not decide on how to vote on this nomination, and, until I received this e-mail, was prepared to vote in favor of Mr. Jim On's nomination.

"However, after seeing this email, I changed my vote from 'yes' to 'no' because I was outraged at the utter lack of integrity perpetuated in this e-mail. With the fabrication of fact and the twisting of reality, Mr. Jim On's own party set him up to fail. They created their own self-fulfilling prophecy.

"I therefore oppose this nomination, and vote 'no' on his confirmation.

Senator English's e-mail is identified as ATTACHMENT "I" to the Journal of this day.

At 10:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:18 o'clock p.m.

Senator Fukunaga requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 11. Noes, 14 (Aduja, Baker, Bunda, English, Espero, Hanabusa, Hooser, Inouye, Kanno, Kawamoto, Kim, Kokubun, Sakamoto, Tsutsui).

Stand. Com. Rep. No. 1652 (Gov. Msg. No. 278):

By unanimous consent, Stand. Com. Rep. No. 1652 was received and placed on file.

Pursuant to Senate Rule 37(5), Senator Hemmings moved that the Senate advise and consent to the nomination of EDWARD D. SULTAN to the Board of Regents of the University of Hawai'i, term to expire June 30, 2007, seconded by Senator Hogue.

Senator Hogue rose to speak in support of the nominee and said:

"Mr. President, I rise in support of this nominee.

"Mr. President, I'm deeply saddened by what occurred here just moments ago and that an eminently qualified nominee was turned down, and I'd hate to see the same thing happen here in the next few minutes. I'm very, very deeply saddened. We're talking about people here and I'm sorry, but you're just not thinking like good people.

"I respect what the Senator from Hawaii did. I think it's marvelous what he did, but what some of the others of you have done here is just . . . it's . . . I'm sorry, it sucks. It really does. And I don't know how you can look at yourself in the mirror."

The President interjected:

"Senator Hogue, I think you're out of order."

Senator Hogue responded:

"I apologize, Mr. President. I'm just telling you personally how I feel."

President Bunda stated:

"Please, Senator Hogue, keep to the subject."

Senator Hogue continued:

"Nothing I probably say here will change any minds at all, but I do want to say that the next nominee is eminently qualified. What he has done . . . and I stand here and look you right in the eye and I say, you are a good man. Colleagues, that is a very good man right there.

"Do you know what he has done with a business in the last ten years? He has doubled that business. Isn't that the kind of person that we want to have on the Board of Regents of the University of Hawaii? I think that's exactly the kind of person that we want to have on the Board of Regents of the University of Hawaii because the University of Hawaii is a \$700 million business. Don't we want someone like this nominee there to help us with those business decisions?"

"Look at this individual. He's a person, a very highly qualified person, a professional, a good, good man, and he deserves your support. I'm proud to stand here and say I support this man. I bow to you sir. I really, really respect you. I hope I can respect my colleagues after their vote.

"Thank you very much, Mr. President."

Senator Hemmings rose to speak in favor of the nomination and stated:

"Mr. President, I rise to speak in favor of this governor's message and the nomination of Edward D. Sultan.

"It's been a long debate, and in talking to this nomination I do wish to reflect on some of the comments made on the prior nominee, because I think they are relevant here.

"I stand here in disbelief that some people could stand up tonight and claim politics had nothing to do with this issue when it says just that in your Majority Party committee report. It's insulting that you would claim politics have nothing to do with this.

"People have stood up tonight and said that they're making their decision based on qualifications. We have not heard – other than, I will reiterate, a scurrilous personal attack on one individual – any logical reason why Mr. Jim On or Mr. Sultan are not qualified. In fact, I would submit, if we were being honest, we could probably say that these two individuals are the most qualified of the nominees tonight. In the case of Mr. Sultan, it could be said if success is the measure of any human's capabilities, then certainly he would qualify as one of the most worthy of the nominees.

"Things were said about the Governor making partisan nominations. How sad and how contradictory and how hypocritical those statements have been. This is the Governor who just appointed two prominent Democrats – one Democrat who's eminently qualified that was Senator Dan Inouye's hand-picked nominee for the Ninth Circuit Federal Court of Appeals. To imply or say, as has been said on this Floor tonight, that this Governor has made these nominations based on politics is indeed insulting.

"Someone on this Floor, I think without much thought, brought up the Bronster vote. And I would submit to you that the last time this Senate stooped into the gutter to make a political decision on a nomination was the Bronster vote. And the results speak for themselves.

"This has been a sad episode. It was a night that we could have risen to heights of greatness, and we have fallen. I hope that when this evening is finished, we can put this sad episode behind us. But I will promise you, I, for one, will not forget it.

"I support Mr. Sultan because he's qualified. Thank you, Mr. President."

Senator Baker rose in support of the nominee as follows:

"Mr. President, I rise to speak in support of this nomination although I take great exception to some of the statements made by the two previous speakers.

"I support this nomination because I had an opportunity to meet with Mr. Sultan and believe that he has the requisite skill sets that will serve him well as a regent of the University of Hawaii. I was impressed with his business acumen and his commitment to the fact that he continues to keep a manufacturing business here in this state and doesn't take it offshore.

"I was impressed with his candor and with his interest in the university, and it is based on those qualifications that I'm supporting this nominee."

Senator Hooser rose to speak in opposition to the nominee and said:

"Mr. President, I rise in opposition. I'll keep my comments brief. The comments I made earlier, in general, address both nominations.

"I do want to repeat one statement, though, that I think is important for all of us to remember and I believe in wholeheartedly – that is the statement that good people of good character can look at the same issues, the same events, the same people, and come to contrary conclusions. And I think that's okay. That's what makes the world go round. It doesn't mean, either parties' character, that they're lying or whatever, they come to different conclusions. And so I just want to preface my remarks with that.

"I also want to add, and repeat what I said earlier, that in the committee reports they refer to political questions. I believe I am the member who talked most about that subject, but I'd also like to repeat what another Senator had said, that the Minority Party also asked those questions, a member of the Minority on the Committee. Everyone shared concerns. It's a valid question to ask – does your political background affiliation's concerns affect your decision-making? Okay, that's a valid question. It's a valid point and it's valid to be in the committee report.

"I believe I also talked about some of the Governor's nominations, and I don't believe I said, in fact I'm sure I didn't say that the Governor made these nominations based on politics. I said the perception, which to me, personally, the perception was important, and the perception sends a message to the community and the perception is something that is real and a valid point. And I just want to reemphasize that my comments were based on the public's perception, which I think is important.

"Most of my comments stand as made earlier, and I just want to emphasize again that my vote does not question this man's goodness, nor his character, nor his abilities as a businessman. I wish him and his family and all the nominees well in the future.

"Thank you."

Senator Slom rose in support of the nomination and stated:

"Mr. President, I rise in strong support of the nominee.

"Many of my comments that I made previously for Mr. Jim On I think are applicable here, but I'm having a very difficult time, Mr. President. We hear talk that it's not political, that it's not personal, and yet this candidate, nothing again has come forward as to why he would not be qualified. Everybody salutes his success. They recognize how he has built a business,

how he has worked with people, how he has contributed to this community, including the University of Hawaii.

"I think far too many people forget or are led to believe that it is the university that gets its support from the Legislature. Just like the public schools, it is not the Legislature that gives its support to education, it is the taxpayers of this State, including men and women business owners. They give their support in terms of taxes and earnings. They give their support in terms of jobs that they have created like Mr. Sultan. They give their support in terms of volunteering and the many things that they do where they neither seek nor are given credit publicly for what they do. And yet those people that know them, particularly in the business community, have a high regard and respect for what they do. They serve as a role model. They serve as the very best in our community because they don't just talk about things and they don't give away other people's money and vote other people's rights. They have to take the jerk themselves. They have to take the risk. They have to reach into their own pockets and do that.

"Such an individual is Edward Sultan. He's made many major contributions to this community over several decades, and many people know of that, but he's not the kind of person that would ask people to come forward and support him. And one would think that if this were not a frontal attack on the Governor, then one would look entirely on the individual and on his or her achievements or questions or failings. But we hear over and over again in coded language it really is the Governor's appointment, and so we'll disregard the individual, and disregard his contributions, and disregard his integrity and his character and his experience and his ability and his contributions, which people say are not in question. Of course they're not in question, they have not been questioned. No one questioned them. No one testified in opposition – not even a scurrilous e-mail this time. Yet, this body is prepared to vote this gentleman down as well.

"One has to wonder, if one talks about agendas, what the agenda really is. Is it the well being of the University of Hawaii? Because if it is, again I submit that what we really need are truly independent people independent of the inbred political structure, people who know how to make an honest dollar, who know how to create jobs, who know how to deal with all kinds of people, who know how to look at profit and loss sheets, who know how to deal with the problems that two regents found so overwhelming and disturbing that they resigned their positions and publicly said that the reasons were the financial disarray of the university.

"And now we have another candidate eminently qualified with experience who is willing to sacrifice and share his knowledge and his time and his energy with not only the University of Hawaii, but also the State and all of its people. And if we turn our backs on him, what are we really saying about change and improving the business climate and trying to welcome people and encourage those people that stand on their own, reach in their own pockets?

"A statement was made earlier by my colleague from Kalihī that my goodness, six out of the twelve regents are being proposed, and that can have profound changes. I would suggest that it's long overdue that we have profound changes. That's what the November election was all about – profound changes. We don't want business as usual; we don't want politics as usual. And if you turn down this individual, you want to talk about perceptions, then you will continue the perception that in Hawaii it is who you know rather than what you know that gets you success.

"Thank you, Mr. President."

Senator Sakamoto rose to speak against the nominee and said:

“Mr. President, I rise in opposition to this candidate.

“Perhaps the Senator from Hawaii Kai would make an excellent regent. I think he’s perceptive in many of the things he’s saying about the university. He talked about the financial disarray. This candidate, who on his questionnaire, in response to the question. Have you reviewed the state audit report no. 03-04, Review of Selected University of Hawaii Non-General Funds and Accounts, and what are your comments if you have any? A very important question, as the Senator clearly points out. Answer: ‘I have not reviewed the report, but I plan to do so. It is my understanding that this report has identified deficiencies of certain management practices at the university. I expect that the administration is addressing these issues.’ Point, counterpoint, sir, this type of answer does not rise to the person we need; who’s going to deal with important issues such as raised by the Senator from Hawaii Kai?

“There are other answers that were insufficient. Perhaps it is because he’s such a successful businessman, maybe that’s what took his attention. Nobody’s maligning him in his businesses or his other activities, but the issue at hand was the importance of this position. The questionnaire was given out, and we expected good responses. Perhaps preparation, perhaps, perhaps, perhaps.

“How can the university attract and retain the best and brightest graduates for Hawaii, or should this even be part of the vision? ‘The university can attract the best and brightest graduates by hiring distinguished faculty who will develop strong academic programs.’ Not an incorrect statement, but that’s as far as it went. I would, in my estimation, hope that regents, perhaps, again yourself might be a good one, would say a lot more and would be able to indeed, quote, ‘job interview,’ indeed make the best impression, indeed, indeed, do better than this candidate.

“The point being you don’t have a second chance to make a good first impression. And unfortunately, the impression wasn’t to the standard of my expectation for the Board of Regents.”

Senator Slom rose in rebuttal and said:

“Mr. President, just a brief rebuttal and a thank you to the Education Chairman for his nomination of me for the regents position. (Laughter.) I will expect his full support committee vote.

“You know, we’re often asked down here why business people don’t come down here and challenge tax increases or mandate increases or changes in labor laws that affect them. I’ve had many of my colleagues say, well, if it’s so important to you business people, why don’t they show up? Why don’t they come down here? Why don’t they read this report? Why don’t they know how important we are? The answer is, because they’re running their business day to day with all of the barriers that we have put in front of them. That is their first responsibility, because if they don’t keep that business operating and operating profitably, then an awful lot of people don’t have employment, income, and discretionary choices.

“I, for one, would rather have someone that does that and puts that priority first and be honest enough to say no, I haven’t read that report but I will read that report. Let’s not embarrass ourselves and ask our members how many in this body have actually read that full report and understand it. Let’s not

embarrass members in this body to ask how many read every single bill, resolution, and certificate that they affix their name to. Certainly it is conceivable that people would expect different answers or would think that someone would answer questions differently. That’s not the issue. The issue is, is this man qualified? Or conversely, are there things in his background or experience that are lacking that shows that he does not have independence of judgment, that he could not do a good job, that he doesn’t have the university at heart.

“Again, I go back to the point that if he wasn’t concerned about the university and he didn’t think that he could do a good job, and if he didn’t think that he could make the time, and if he didn’t think he would find a way of reading the reports and doing the things that we want him to do, then he wouldn’t have even submitted to this process. Thank God that he did, but shame on us if we turn him down.

“Thank you.”

Senator English rose to speak in opposition and said:

“Mr. President, I rise in opposition.

“I’d like to insert comments into the Journal.”

The Chair having so ordered, Senator English’s remarks read as follows:

“Mr. President, as I did with the nomination of Shelton Jim On, I am inserting into this Journal a copy of an e-mail sent-out by the chairman of the Republican Party of Hawaii, Brennon Morioka, to his party supporters on this nomination.

“I had intended to vote ‘yes’ on this nomination, however, two events changed my position. The first is the fact that Mr. Sultan never bothered to meet with me. Since he did not avail himself of the opportunity to present himself to me, I felt that he would not be receptive to the people of Hawaii – the people he would be working for – and would therefore not represent their interest at the University of Hawaii. The second event occurred when I received a copy of this e-mail. Its blatant untruth and distortion of reality was simply offensive to decency.

“The fact of the matter is that we have provided our advice and consent to almost all of this Governor’s nominees – more than we did for the previous Governor. There is no way anyone could have known my intentions on this matter because I never told anyone. Thus, I am voting ‘no’ on the nomination of Mr. Sultan.”

Senator English’s e-mail is identified as ATTACHMENT “I” to the Journal of this day.

Senator Hogue rose and said:

“Roll Call vote, Mr. President.”

At 10:43 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:49 o’clock p.m.

Senator Aduja rose in support and said:

“Mr. President, I rise in support of Gov. Msg. No. 278, Edward D. Sultan.

“Mr. President, I would like to offer my endorsement and confirmation of Mr. Sultan.

“Thank you.”

At 10:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:51 o'clock p.m.

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 11. Noes, 14 (Bunda, English, Espero, Fukunaga, Hanabusa, Hooser, Inouye, Kanno, Kawamoto, Kim, Kokubun, Sakamoto, Taniguchi, Tsutsui).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 24, 2003

Stand. Com. Rep. No. 1623 (H.C.R. No. 90):

By unanimous consent, action on Stand. Com. Rep. No. 1623 and H.C.R. No. 90, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. SMALL BUSINESS ADMINISTRATION TO RE-EXAMINE THE CRITERIA FOR DESIGNATING HUBZONES UNDER THE HUBZONE EMPOWERMENT CONTRACTING PROGRAM AS IT APPLIES TO THE STATE OF HAWAII,” was deferred until Tuesday, April 29, 2003.

Stand. Com. Rep. No. 1624 (H.C.R. No. 78):

By unanimous consent, action on Stand. Com. Rep. No. 1624 and H.C.R. No. 78, entitled: “HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONVENING OF THE 2003 ANNUAL MEETING OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL'S PERMANENT FORUM ON INDIGENOUS ISSUES TO BE HELD IN HAWAII,” was deferred until Tuesday, April 29, 2003.

Stand. Com. Rep. No. 1640 (H.C.R. No. 43):

By unanimous consent, action on Stand. Com. Rep. No. 1640 and H.C.R. No. 43, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPLORATION OF OPTIONS FOR REDESIGNING THE BENEFIT LEVELS OF ‘A’ STATUS PLANS DEFINED UNDER HAWAII'S PREPAID HEALTH CARE ACT,” was deferred until Tuesday, April 29, 2003.

Stand. Com. Rep. No. 1641 (H.C.R. No. 92):

By unanimous consent, action on Stand. Com. Rep. No. 1641 and H.C.R. No. 92, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, IN CONJUNCTION WITH HAWAII'S HEALTH PLANS, TO EXPLORE OPTIONS FOR PROVIDING MEDICAL SAVINGS ACCOUNTS AND HIGH DEDUCTIBLE HEALTH PLANS TO HAWAII'S BUSINESSES UNDER HAWAII'S PREPAID HEALTH CARE ACT,” was deferred until Tuesday, April 29, 2003.

Stand. Com. Rep. No. 1642 (H.C.R. No. 94, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1642 and H.C.R. No. 94, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO SUBMIT

REPORTS ON EXEMPT EMPLOYEES AS REQUIRED BY ACT 253, SESSION LAWS OF HAWAII 2000,” was deferred until Tuesday, April 29, 2003.

Stand. Com. Rep. No. 1643 (H.C.R. No. 97, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1643 and H.C.R. No. 97, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO CONDUCT A STUDY ON THE FEASIBILITY OF A HYBRID RETIREMENT PLAN,” was deferred until Tuesday, April 29, 2003.

Stand. Com. Rep. No. 1644 (H.C.R. No. 109):

By unanimous consent, action on Stand. Com. Rep. No. 1644 and H.C.R. No. 109, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REVIEW ITS INVESTMENT PRACTICES, DETERMINE WHETHER ANY INVESTMENTS ARE BEING MADE WITH COMPANIES BASED IN COUNTRIES THAT SUPPORT TERRORISM, AND RETHINK ITS INVESTMENT POLICIES REGARDING THESE COMPANIES,” was deferred until Tuesday, April 29, 2003.

At 10:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

CONFERENCE COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 320, H.D. 2, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 320, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27 and H.B. No. 320, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RISK MANAGEMENT,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 968, H.D. 1, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 968, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28 and H.B. No. 968, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS,” was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1303, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 1303, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29 and H.B. No. 1303, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,” was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 282, H.D. 2, presented a report (Conf.

Com. Rep. No. 30) recommending that H.B. No. 282, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30 and H.B. No. 282, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 297, H.D. 2, presented a report (Conf. Com. Rep. No. 31) recommending that H.B. No. 297, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31 and H.B. No. 297, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1003, H.D. 1, presented a report (Conf. Com. Rep. No. 32) recommending that H.B. No. 1003, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32 and H.B. No. 1003, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1111, H.D. 2, presented a report (Conf. Com. Rep. No. 33) recommending that H.B. No. 1111, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33 and H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1255, presented a report (Conf. Com. Rep. No. 34) recommending that H.B. No. 1255, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34 and H.B. No. 1255, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1361, H.D. 2, presented a report (Conf. Com. Rep. No. 35) recommending that H.B. No. 1361, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35 and H.B. No. 1361, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 293, H.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that H.B. No. 293, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and H.B. No. 293, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FARMERS' MARKET," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1579, H.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 1579, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and H.B. No. 1579, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 317, H.D. 2, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 317, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and H.B. No. 317, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1509, H.D. 2, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 1509, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and H.B. No. 1509, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1613, H.D. 2, presented a report (Conf. Com. Rep. No. 40) recommending that H.B. No. 1613, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and H.B. No. 1613, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 507, H.D. 3, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 507, H.D. 3, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and H.B. No. 507, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO EMERGENCY MEDICAL TECHNICIANS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 914, H.D. 2, presented a report (Conf. Com. Rep. No. 42) recommending that H.B. No. 914, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42 and H.B. No. 914, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 32, H.D. 2, presented a report (Conf. Com. Rep. No. 43) recommending that H.B. No. 32, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43 and H.B. No. 32, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 130, H.D. 1, presented a report (Conf. Com. Rep. No. 44) recommending that H.B. No. 130, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44 and H.B. No. 130, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 290, H.D. 2, presented a report (Conf. Com. Rep. No. 45) recommending that H.B. No. 290, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45 and H.B. No. 290, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 531, presented a report (Conf. Com. Rep. No. 46) recommending that H.B. No. 531, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46 and H.B. No. 531, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1362, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 1362, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47 and

H.B. No. 1362, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1465, H.D. 2, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 1465, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48 and H.B. No. 1465, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1164, H.D. 1, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 1164, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49 and H.B. No. 1164, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1652, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 1652, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50 and H.B. No. 1652, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1040, S.D. 1, presented a report (Conf. Com. Rep. No. 81) recommending that S.B. No. 1040, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81 and S.B. No. 1040, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1505, S.D. 1, presented a report (Conf. Com. Rep. No. 82) recommending that S.B. No. 1505, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82 and S.B. No. 1505, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 582, presented a report (Conf. Com. Rep.

No. 83) recommending that S.B. No. 582, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83 and S.B. No. 582, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 459, S.D. 1, presented a report (Conf. Com. Rep. No. 84) recommending that S.B. No. 459, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 84 and S.B. No. 459, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1134, S.D. 1, presented a report (Conf. Com. Rep. No. 85) recommending that S.B. No. 1134, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85 and S.B. No. 1134, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1135, S.D. 1, presented a report (Conf. Com. Rep. No. 86) recommending that S.B. No. 1135, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 86 and S.B. No. 1135, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT FEES," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1333, S.D. 1, presented a report (Conf. Com. Rep. No. 87) recommending that S.B. No. 1333, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 87 and S.B. No. 1333, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1462, presented a report (Conf. Com. Rep. No. 88) recommending that S.B. No. 1462, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 88 and S.B. No. 1462, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 44, S.D. 2, presented a report (Conf. Com. Rep. No. 89) recommending that S.B. No. 44, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89 and S.B. No. 44, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 464, S.D. 2, presented a report (Conf. Com. Rep. No. 90) recommending that S.B. No. 464, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 90 and S.B. No. 464, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 528, S.D. 2, presented a report (Conf. Com. Rep. No. 91) recommending that S.B. No. 528, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91 and S.B. No. 528, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1262, S.D. 1, presented a report (Conf. Com. Rep. No. 92) recommending that S.B. No. 1262, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 92 and S.B. No. 1262, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 254, S.D. 2, presented a report (Conf. Com. Rep. No. 93) recommending that S.B. No. 254, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93 and S.B. No. 254, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 534, S.D. 2, presented a report (Conf. Com. Rep. No. 94) recommending that S.B. No. 534, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 94 and S.B. No. 534, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO AGRICULTURE,” was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1258, S.D. 1, presented a report (Conf. Com. Rep. No. 95) recommending that S.B. No. 1258, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95 and S.B. No. 1258, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION,” was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1403, presented a report (Conf. Com. Rep. No. 96) recommending that S.B. No. 1403, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96 and S.B. No. 1403, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION’S MARITIME-RELATED USES,” was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1496, presented a report (Conf. Com. Rep. No. 97) recommending that S.B. No. 1496, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97 and S.B. No. 1496, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1440, presented a report (Conf. Com. Rep. No. 98) recommending that S.B. No. 1440, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 98 and S.B. No. 1440, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1441, presented a report (Conf. Com. Rep. No. 99) recommending that S.B. No. 1441, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 99 and S.B. No. 1441, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1332, S.D. 2, presented a report (Conf. Com. Rep. No. 100) recommending that S.B. No. 1332, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 100 and S.B. No. 1332, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT,” was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 540, S.D. 1, presented a report (Conf. Com. Rep. No. 101) recommending that S.B. No. 540, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 101 and S.B. No. 540, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 317, S.D. 2, presented a report (Conf. Com. Rep. No. 102) recommending that S.B. No. 317, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 102 and S.B. No. 317, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION,” was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1050, S.D. 2, presented a report (Conf. Com. Rep. No. 103) recommending that S.B. No. 1050, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 103 and S.B. No. 1050, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS,” was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 614, S.D. 1, presented a report (Conf. Com. Rep. No. 104) recommending that S.B. No. 614, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 104 and S.B. No. 614, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,” was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 855, S.D. 1, presented a report (Conf. Com. Rep. No. 105) recommending that S.B. No. 855, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 105 and S.B. No. 855, S.D. 1, H.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ENERGY,” was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1286, S.D. 1, presented a report (Conf. Com. Rep. No. 106) recommending that S.B. No. 1286, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 106 and S.B. No. 1286, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1647, S.D. 2, presented a report (Conf. Com. Rep. No. 107) recommending that S.B. No. 1647, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 107 and S.B. No. 1647, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 585, S.D. 1, presented a report (Conf. Com. Rep. No. 108) recommending that S.B. No. 585, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 108 and S.B. No. 585, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 745, S.D. 2, presented a report (Conf. Com. Rep. No. 109) recommending that S.B. No. 745, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109 and S.B. No. 745, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 748, S.D. 2, presented a report (Conf. Com. Rep. No. 110) recommending that S.B. No. 748, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 110 and S.B. No. 748, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING EDUCATION," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1088, S.D. 2, presented a report (Conf. Com. Rep. No. 111) recommending that S.B. No. 1088, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 111 and S.B. No. 1088, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO LONG-TERM CARE," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1279, S.D. 2, presented a report (Conf. Com. Rep. No. 112) recommending that S.B. No. 1279, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 112 and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1321, presented a report (Conf. Com. Rep. No. 113) recommending that S.B. No. 1321, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 113 and S.B. No. 1321, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1446, S.D. 2, presented a report (Conf. Com. Rep. No. 114) recommending that S.B. No. 1446, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 114 and S.B. No. 1446, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1034, S.D. 1, presented a report (Conf. Com. Rep. No. 115) recommending that S.B. No. 1034, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 115 and S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 574, S.D. 1, presented a report (Conf. Com. Rep. No. 116) recommending that S.B. No. 574, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 116 and S.B. No. 574, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1661, S.D. 2, presented a report (Conf. Com. Rep. No. 117) recommending that S.B. No. 1661, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 117 and

S.B. No. 1661, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 377, S.D. 1, presented a report (Conf. Com. Rep. No. 118) recommending that S.B. No. 377, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 118 and S.B. No. 377, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1305, S.D. 1, presented a report (Conf. Com. Rep. No. 119) recommending that S.B. No. 1305, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 119 and S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 576, presented a report (Conf. Com. Rep. No. 120) recommending that S.B. No. 576, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 120 and S.B. No. 576, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 58, S.D. 1, presented a report (Conf. Com. Rep. No. 121) recommending that S.B. No. 58, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 121 and S.B. No. 58, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 402, S.D. 2, presented a report (Conf. Com. Rep. No. 122) recommending that S.B. No. 402, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 122 and S.B. No. 402, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL EDUCATION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1237, S.D. 1, presented a report (Conf. Com. Rep. No. 123) recommending that S.B. No. 1237, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 123 and S.B. No. 1237, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1700, S.D. 1, presented a report (Conf. Com. Rep. No. 124) recommending that S.B. No. 1700, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124 and S.B. No. 1700, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 17, S.D. 1, presented a report (Conf. Com. Rep. No. 125) recommending that S.B. No. 17, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125 and S.B. No. 17, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 209, S.D. 3, presented a report (Conf. Com. Rep. No. 126) recommending that S.B. No. 209, S.D. 3, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126 and S.B. No. 209, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 789, S.D. 1, presented a report (Conf. Com. Rep. No. 127) recommending that S.B. No. 789, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 127 and S.B. No. 789, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1393, S.D. 2, presented a report (Conf. Com. Rep. No. 128) recommending that S.B. No. 1393, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 128 and S.B. No. 1393, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1438, presented a report (Conf. Com.

Rep. No. 129) recommending that S.B. No. 1438, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 129 and S.B. No. 1438, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1439, presented a report (Conf. Com. Rep. No. 130) recommending that S.B. No. 1439, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 130 and S.B. No. 1439, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1442, presented a report (Conf. Com. Rep. No. 131) recommending that S.B. No. 1442, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 131 and S.B. No. 1442, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator English, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1456, H.D. 1, presented a report (Conf. Com. Rep. No. 132) recommending that H.B. No. 1456, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 132 and H.B. No. 1456, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 512, H.D. 1, presented a report (Conf. Com. Rep. No. 133) recommending that H.B. No. 512, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 133 and H.B. No. 512, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1412, H.D. 2, presented a report (Conf. Com. Rep. No. 134) recommending that H.B. No. 1412, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134 and H.B. No. 1412, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO PROFESSIONAL COUNSELORS," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 281, H.D. 1, presented a report (Conf. Com. Rep. No. 135) recommending that H.B. No. 281, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135 and H.B. No. 281, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 638, H.D. 1, presented a report (Conf. Com. Rep. No. 136) recommending that H.B. No. 638, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136 and H.B. No. 638, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 289, H.D. 2, presented a report (Conf. Com. Rep. No. 137) recommending that H.B. No. 289, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137 and H.B. No. 289, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1175, H.D. 2, presented a report (Conf. Com. Rep. No. 138) recommending that H.B. No. 1175, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138 and H.B. No. 1175, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 640, H.D. 1, presented a report (Conf. Com. Rep. No. 139) recommending that H.B. No. 640, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139 and H.B. No. 640, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1152, H.D. 1, presented a report (Conf. Com. Rep. No. 140) recommending that H.B. No. 1152, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140 and H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1400, H.D. 1, presented a report (Conf. Com. Rep. No. 141) recommending that H.B. No. 1400, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141 and H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 200, H.D. 1, presented a report (Conf. Com. Rep. No. 142) recommending that H.B. No. 200, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142 and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 808, H.D. 1, presented a report (Conf. Com. Rep. No. 143) recommending that H.B. No. 808, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143 and H.B. No. 808, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1300, H.D. 2, presented a report (Conf. Com. Rep. No. 144) recommending that H.B. No. 1300, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144 and H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, April 29, 2003.

ATTACHMENT "P"

[REDACTED]

From: headquarters@gophawaii.com
Sent: Thursday, April 24, 2003 4:54 PM
To: [REDACTED]
Subject: Urgent Request from Brennon Morioka

To all our Members and Supporters, I would like to ask you respond to an urgent plea from our Governor. Mr. Shelton Jim On and Mr. Ed Sultan are the Governor's nominees for the University of Hawaii Board of Regents and they are facing an uphill battle in the Democrat controlled Senate. These two men are solid community leaders and supporters of our Governor's agenda for our future. They were nominated to serve on the Board of Regents because of their qualifications and because they would serve our State and our University well. the people of Hawaii can only benefit from the service these two would provide. The Democrats are ready to vote them down in a purely partisan effort. They do not want to see the Governor succeed and are willing to sacrifice good people to sabotage her efforts. I would like to ask all of you to call your Senator or any of the ones below and voice your displeasure of their behavior and ask that they support the Governor and her nominees. They have no other reason to deny these people a position on the Board of Regents except for purely political motives.

Please call the following Senators who oppose the nominees:

Kalani English 586-7225
 Gary Hooser 586-6030
 Cal Kawamoto 586-6970
 Donna Kim 587-7200
 Norman Sakamoto 586-8585
 Shan Tsutsui 586-7344

These Senators are currently undecided. Please help them find in favor of the Shelton and Ed.

Melody Aduja 586-7330
 Rosalyn Baker 586-6070
 Robert Bunda 586-6090
 Willie Espero 586-6360
 Carol Fuknaga 586-6890
 Colleen Hanabusa 586-7793
 David Ige 586-6230
 Les Ihara 586-6250
 Lorraine Inouye 586-7335
 Brian Kanno 586-6830
 Russell Kokubun 586-6760
 Brian Taniguchi 586-6460

I urge you to call to help support our Governor.

Aloha
 Brennon Morioka
 Chairman

Paid for by the Hawaii Republican Party, 725 Kapiolani Blvd. #C-105,
 Honolulu, HI 96813

FIFTY-NINTH DAY

Tuesday, April 29, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 10:28 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father Edgar Brillantes, St. John the Baptist, Kalihi, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Eighth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 473 and 474) were read by the Clerk and were placed on file:

Gov. Msg. No. 473, letter dated April 22, 2003, transmitting a proposed amendment to H.B. No. 1152, H.D. 1, S.D. 1, Relating to State Funds, to authorize the use of the State Foundation on Culture and the Arts' works of art special fund to finance ancillary improvements for the State Art Museum.

Gov. Msg. No. 474, letter dated April 28, 2003, advising the Senate that an extension to the current 1999-2003 contract has been concluded with Unit 3, White Collar Workers, and an agreement has been reached on the amounts of the employers contribution to the Hawaii Employer-Union Health Benefits Trust Fund, covering fiscal years 2004-2005.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 599 to 610) were read by the Clerk and were placed on file:

Hse. Com. No. 599, informing the Senate that the following bills passed Final Reading in the House of Representatives on April 25, 2003:

H.B. No. 192, H.D. 1, S.D. 1, C.D. 1;
S.B. No. 295, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 933, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 1200, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 1267, H.D. 2, C.D. 1;
S.B. No. 1274, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 1460, S.D. 1, H.D. 2, C.D. 1; and
S.B. No. 1630, H.D. 1, C.D. 1.

Hse. Com. No. 600, informing the Senate that the House has agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on April 25, 2003:

H.B. No. 123, H.D. 1, S.D. 1;
H.B. No. 548, H.D. 2, S.D. 1;
H.B. No. 662, H.D. 2, S.D. 2;
H.B. No. 730, S.D. 1;
H.B. No. 857, S.D. 2;
H.B. No. 1013, H.D. 3, S.D. 2; and
H.B. No. 1116, H.D. 1, S.D. 2.

Hse. Com. No. 601, informing the Senate that the House has agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on April 25, 2003:

H.B. No. 1076, H.D. 1, S.D. 1; and
H.B. No. 1607, H.D. 2, S.D. 1.

Hse. Com. No. 602, informing the Senate that the House has agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on April 25, 2003:

H.B. No. 285, H.D. 1, S.D. 2;
H.B. No. 651, H.D. 2, S.D. 1;
H.B. No. 731, H.D. 1, S.D. 1; and
H.B. No. 1198, H.D. 2, S.D. 2.

Hse. Com. No. 603, informing the Senate that the House reconsidered its action taken on March 28, 2003, in disagreeing to the amendments proposed by the Senate to H.B. No. 401, H.D. 1 (S.D. 1).

Hse. Com. No. 604, informing the Senate that the House reconsidered its action taken on April 4, 2003, in disagreeing to the amendments proposed by the Senate to H.B. No. 1161, H.D. 1 (S.D. 1).

Hse. Com. No. 605, informing the Senate that the House reconsidered its action taken on April 10, 2003, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 75, H.D. 2 (S.D. 1);
H.B. No. 127, H.D. 1 (S.D. 1);
H.B. No. 139, H.D. 1 (S.D. 1);
H.B. No. 377, H.D. 1 (S.D. 1);
H.B. No. 384, H.D. 1 (S.D. 1);
H.B. No. 1155, H.D. 1 (S.D. 1);
H.B. No. 1160, H.D. 1 (S.D. 1);
H.B. No. 1163 (S.D. 1);
H.B. No. 1212, H.D. 1 (S.D. 1);
H.B. No. 1328, H.D. 1 (S.D. 1); and
H.B. No. 1594, H.D. 1 (S.D. 1).

Hse. Com. No. 606, returning S.C.R. No. 18, which was adopted by the House of Representatives on April 25, 2003.

Hse. Com. No. 607, returning S.C.R. No. 23, S.D. 1, which was adopted by the House of Representatives on April 25, 2003.

Hse. Com. No. 608, returning S.C.R. No. 86, S.D. 1, which was adopted by the House of Representatives on April 25, 2003.

Hse. Com. No. 609, returning S.C.R. No. 89, S.D. 1, which was adopted by the House of Representatives on April 25, 2003.

Hse. Com. No. 610, returning S.C.R. No. 130, S.D. 1, which was adopted by the House of Representatives on April 25, 2003.

CONFERENCE COMMITTEE REPORTS

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 687, S.D. 1, presented a report (Conf. Com. Rep. No. 145) recommending that S.B. No. 687, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145 and S.B. No. 687, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 768, S.D. 1, presented a report (Conf. Com. Rep. No. 146) recommending that S.B. No. 768, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146 and S.B. No. 768, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1680) recommending that H.C.R. No. 17, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1680 and H.C.R. No. 17, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF ILOCOS NORTE OF THE REPUBLIC OF THE PHILIPPINES," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1681) recommending that H.C.R. No. 51 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1681 and H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY ESTABLISH A PACIFIC OCEANIC ADMINISTRATIVE REGION WITHIN THE DEPARTMENT OF HOMELAND SECURITY TO BE HEADQUARTERED IN HONOLULU," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1682) recommending that H.C.R. No. 54 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1682 and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1683) recommending that H.C.R. No. 63, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1683 and H.C.R. No. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO CONSIDER THE WAIANAE SECOND ACCESS ROAD PROJECT IN ITS REGIONAL TRANSPORTATION PLAN OF 2004 AND TO IDENTIFY IMMEDIATE SOURCES OF FUNDING FOR THE PROJECT," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1684) recommending that H.C.R. No. 76 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1684 and H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1685) recommending that H.C.R. No. 77 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1685 and H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Thursday, May 1, 2003.

Senators Kawamoto and Ige, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 1686) recommending that H.C.R. No. 120 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1686 and H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE OF HAWAII PURSUE A WIRELESS E911 INTERIM WORKING GROUP," was deferred until Thursday, May 1, 2003.

Senators Kanno and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1687) recommending that H.C.R. No. 182, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1687 and H.C.R. No. 182, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF LABOR AND INDUSTRIAL RELATIONS AND HEALTH TO CONDUCT A STUDY RELATING TO THE OCCUPATIONAL AND HEALTH RISKS OF COUNTY REFUSE COLLECTION WORKERS," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1688) recommending that H.C.R. No. 188 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1688 and H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF ESTABLISHING FLYER STOPS WITHIN THE RIGHT-OF-WAY OF OAHU'S H-2 FREEWAY AND CONNECTING TO PARK-AND-RIDE FACILITIES," was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a

report (Stand. Com. Rep. No. 1689) recommending that H.C.R. No. 197, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1689 and H.C.R. No. 197, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO DETERMINE THE FEASIBILITY OF CONSTRUCTING A MULTI-USE PATH ALONG THE WAIANAE COAST FROM MAILI BEACH PARK TO MAKAHA SURFING BEACH," was deferred until Thursday, May 1, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1690) recommending that the Senate advise and consent to the nomination of DIANA C. TIZARD to the Statewide Independent Living Council, in accordance with Gov. Msg. No. 306.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1690 and Gov. Msg. No. 306 was deferred until Thursday, May 1, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1691) recommending that the Senate advise and consent to the nominations to the Statewide Independent Living Council of the following:

KENNETH TERUYA AKINAKA MRA, in accordance with Gov. Msg. No. 370; and

PATRICIA LOCKWOOD, in accordance with Gov. Msg. No. 371.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1691 and Gov. Msg. Nos. 370 and 371 was deferred until Thursday, May 1, 2003.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1692) recommending that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

RENE BERTHIAUME, in accordance with Gov. Msg. No. 416;

GENE R. DESCALZI, in accordance with Gov. Msg. No. 417;

NANCY G. KINGHORN, in accordance with Gov. Msg. No. 418;

RICHARD W. SMITH, in accordance with Gov. Msg. No. 419;

VIRGINIA G. TOMPKINS, in accordance with Gov. Msg. No. 420; and

BARBARA J. WARD, in accordance with Gov. Msg. No. 421.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1692 and Gov. Msg. Nos. 416, 417, 418, 419, 420 and 421 was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1693) recommending that the Senate advise and consent to the nomination of JEFF

GOLDSMITH to the State Highway Safety Council, in accordance with Gov. Msg. No. 369.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1693 and Gov. Msg. No. 369 was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1694) recommending that the Senate advise and consent to the nomination of JOYCE CASSEN MD to the Medical Advisory Board, in accordance with Gov. Msg. No. 372.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1694 and Gov. Msg. No. 372 was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1695) recommending that the Senate advise and consent to the nomination of FRANK A. CRUZ to the Advisory Board on Veterans Services, in accordance with Gov. Msg. No. 401.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1695 and Gov. Msg. No. 401 was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1696) recommending that the Senate advise and consent to the nomination of CAROL H. MCNAMEE to the State Highway Safety Council, in accordance with Gov. Msg. No. 411.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1696 and Gov. Msg. No. 411 was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1697) recommending that the Senate advise and consent to the nomination of BRYAN S. WAUKE to the State Highway Safety Council, in accordance with Gov. Msg. No. 412.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1697 and Gov. Msg. No. 412 was deferred until Thursday, May 1, 2003.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1698) recommending that the Senate advise and consent to the nomination of JOHN ROMANOWSKI to the Commission of Transportation, in accordance with Gov. Msg. No. 422.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1698 and Gov. Msg. No. 422 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1699) recommending that the Senate advise and consent to the nomination of WILFRED S. PANG to the Board of Massage Therapy, in accordance with Gov. Msg. No. 312.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1699 and Gov. Msg. No. 312 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1700) recommending that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

LINDA D. HAMILTON, in accordance with Gov. Msg. No. 339; and

REBECCA S. WILLIAMS, in accordance with Gov. Msg. No. 340.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1700 and Gov. Msg. Nos. 339 and 340 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1701) recommending that the Senate advise and consent to the nominations to the Board of Acupuncture of the following

GARY K. SAITO, in accordance with Gov. Msg. No. 341; and

MIKE HASHIMOTO, in accordance with Gov. Msg. No. 342.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1701 and Gov. Msg. Nos. 341 and 342 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1702) recommending that the Senate advise and consent to the nomination of KEVIN H.M. CHONG KEE to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 356.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1702 and Gov. Msg. No. 356 was deferred until Thursday, May 1, 2002.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1703) recommending that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

PETER T. DYER, in accordance with Gov. Msg. No. 357;

RANDALL M. HASHIMOTO, in accordance with Gov. Msg. No. 358; and

SHAWN USHIJIMA, in accordance with Gov. Msg. No. 359.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1703 and Gov. Msg. Nos. 357, 358 and 359 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1704) recommending that the Senate advise and consent to the nominations to the Board of Medical Examiners of the following:

WENDELL K.S. FOO MD, in accordance with Gov. Msg. No. 373;

RONALD H. KIENITZ DO, in accordance with Gov. Msg. No. 374;

PETER A. MATSUURA MD, in accordance with Gov. Msg. No. 375;

JOHN T. MCDONNELL MD, in accordance with Gov. Msg. No. 376; and

MARIA BRUSCA PATTEN DO, in accordance with Gov. Msg. No. 377.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1704 and Gov. Msg. Nos. 373, 374, 375, 376 and 377 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1705) recommending that the Senate advise and consent to the nomination of DAVID D.S. CHUN to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 378.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1705 and Gov. Msg. No. 378 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1706) recommending that the Senate advise and consent to the nomination of SHERYL L. THOMPSON to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 379.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1706 and Gov. Msg. No. 379 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1707) recommending that the Senate advise and consent to the nomination of THERESA SAKAI RN to the State Board of Nursing, in accordance with Gov. Msg. No. 380.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1707 and Gov. Msg. No. 380 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1708) recommending that the Senate advise and consent to the nominations to the Board of Pharmacy of the following:

DULCE TOMI ONAGA, in accordance with Gov. Msg. No. 383; and

KARL H. MIYAMOTO, in accordance with Gov. Msg. No. 414.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1708 and Gov. Msg. Nos. 383 and 414 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1709) recommending that the Senate advise and consent to the nominations to the Board of Psychology of the following:

LAURA E. OZAK RN JD, in accordance with Gov. Msg. No. 384; and

WILLIAM C. REZENTES III PH.D., in accordance with Gov. Msg. No. 415.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1709 and Gov. Msg. Nos. 384 and 415 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1710) recommending that the Senate advise and consent to the nomination of TRUDY I. NISHIHARA to the Real Estate Commission, in accordance with Gov. Msg. No. 386.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1710 and Gov. Msg. No. 386 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1711) recommending that the Senate advise and consent to the nomination of ROGER M. KONDO DVM to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 402.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1711 and Gov. Msg. No. 402 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1712) recommending that the Senate advise and consent to the nomination of DELLA K. MARTIN (YOUNG) to the State Boxing Commission of Hawai'i, in accordance with Gov. Msg. No. 406.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1712 and Gov. Msg. No. 406 was deferred until Thursday, May 1, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1713) recommending that the Senate advise and consent to the nomination of JAN N. WIEDMAN to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 413.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1713 and Gov. Msg. No. 413 was deferred until Thursday, May 1, 2003.

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1714) recommending that the Senate advise and consent to the nomination of GILBERT COLOMA-AGARAN to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. Nos. 241 and 263.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1714 and Gov. Msg. Nos. 241 and 263 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1715) recommending that the Senate advise and consent to the nomination of ERIC D. WEINERT to the Board of Directors of the Agribusiness Development Corporation, in accordance with Gov. Msg. No. 280.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1715 and Gov. Msg. No. 280 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1716) recommending that the Senate advise and consent to the nomination of SIDNEY A. QUINTAL to the Board of Directors of the Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 281.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1716 and Gov. Msg. No. 281 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1717) recommending that the Senate advise and consent to the nominations to the Kaneohe Bay Regional Council of the following:

DAVID A. KRUPP PH.D., in accordance with Gov. Msg. No. 308; and

ROBIN GAY MAKAPAGAL, in accordance with Gov. Msg. No. 309.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1717 and Gov. Msg. Nos. 308 and 309 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1718) recommending that the Senate advise and consent to the nomination of RAE MCCORKLE to the Land Use Commission, in accordance with Gov. Msg. No. 311.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1718 and Gov. Msg. No. 311 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1719) recommending that the Senate advise and consent to the nomination of GEORGE W. MAIOHO to the Molokai Irrigation System Water Users Advisory Board, in accordance with Gov. Msg. No. 313.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1719 and Gov. Msg. No. 313 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1720) recommending that the Senate advise and consent to the nominations to the Hawai'i Community Development Authority (HCDA) of the following:

WILLIAM J. AILA JR., in accordance with Gov. Msg. No. 344;

PAUL K. KIMURA, in accordance with Gov. Msg. No. 345;

EVELYN E. SOUZA, in accordance with Gov. Msg. No. 346; and

MAEDA C. TIMSON, in accordance with Gov. Msg. No. 424.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1720 and Gov. Msg. Nos. 344, 345, 346 and 424 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1721) recommending that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides of the following:

BARBARA A. BROOKS PH.D., in accordance with Gov. Msg. No. 381; and

RONALD F.L. MAU, in accordance with Gov. Msg. No. 382.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1721 and Gov. Msg. Nos. 381 and 382 was deferred until Thursday, May 1, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1722) recommending that the Senate advise and consent to the nomination of STEPHANIE A. WHALEN to the Commission on Water Resource Management, in accordance with Gov. Msg. No. 404.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1722 and Gov. Msg. No. 404 was deferred until Thursday, May 1, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1723) recommending that the Senate advise and consent to the nomination of MANOJ SAMARANAYAKE CPA to the Board of Taxation Review, 1st Taxation District (Oahu), in accordance with Gov. Msg. No. 399.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1723 and Gov. Msg. No. 399 was deferred until Thursday, May 1, 2003.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1724) recommending that the Senate advise and consent to the nomination of MATT H. TAKATA to the Board of Taxation Review, 4th Taxation District (Kauai), in accordance with Gov. Msg. No. 400.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1724 and Gov. Msg. No. 400 was deferred until Thursday, May 1, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1725) recommending that the Senate consent to the nomination of LONO J. LEE to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 5.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1725 and Jud. Com. No. 5 was deferred until Thursday, May 1, 2003.

ORDER OF THE DAY

FINAL READING

Conf. Com. Rep. No. 88 (S.B. No. 1462, H.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 88 be adopted and S.B. No. 1462, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Kim then offered the following amendment (Floor Amendment No. 10) to S.B. No. 1462, H.D. 2, C.D. 1:

SECTION 1, Senate Bill No. 1462, H.D. 2, C.D. 1, is amended by amending Section 9 to read:

“SECTION 9. There is appropriated out of the tourism special fund the sum of \$8,000,000, or so much thereof as may be necessary for fiscal year 2003-2004, for purposes stated in section 8 of this Act and to improve the operational efficiency of the Hawaii tourism authority; provided that the sum appropriated shall be in addition to sums appropriated out of the tourism special fund in the general appropriations Act or any other Act.

The sum appropriated shall be expended by the Hawaii tourism authority for the purposes of this part.”

Senator Kim moved that Floor Amendment No. 10 be adopted, seconded by Senator Taniguchi.

Senator Kim noted:

“Mr. President, the floor amendment corrects the error that was inadvertently made when the conference draft of S.B. No. 1462 was prepared. On page 19, lines 13 to 14 of the C.D. 1, the appropriation to the HTA to respond to the adverse effects of the world conflicts, and etc., the intention was made to come out of the tourism special fund. Inadvertently, the general fund was placed instead.

“Also, on line 16 the reference for the use of the fund to Section 7 is an error. The proper reference is to Section 8.

“Thank you.”

The motion to adopt Floor Amendment No. 10 was put by the Chair and carried.

At 10:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:36 o'clock a.m.

Senator Kim then moved that Conf. Com. Rep. No. 88 be received and placed on file, seconded by Senator Taniguchi and carried.

By unanimous consent, S.B. No. 1462, H.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” was placed on the calendar for Final Reading on Thursday, May 1, 2003.

Conf. Com. Rep. No. 89 (S.B. No. 44, S.D. 2, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 89 be adopted and S.B. No. 44, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble then offered the following amendment (Floor Amendment No. 11) to S.B. No. 44, S.D. 2, H.D. 2, C.D. 1:

SECTION 1. The language in Senate Bill No. 44, Senate Draft 2, House Draft 2, Conference Draft 1, is deleted and replaced with the following language to read as follows:

“SECTION 1. The September 11, 2001, terrorist attacks on the United States have severely impacted Hawaii's economy. Business experience catastrophic revenue losses as a result of decreases in the number of visitors to Hawaii. The nation has

been engaged in a war against terrorism on a global scale, including the conflict with Iraq. The war on terrorism is expected to continue for some time. With the increased risk of further terrorist attacks around the world, the economic welfare of the State is further threatened.

Airport concessions depend in large part on passengers and visitors traveling through Hawaii's airports. Precipitous declines in the number of visitors to Hawaii can have immediate and drastic impact on these airport concessions. The purpose of this Act is to confer upon the governor certain powers to provide immediate relief to airport concessionaires during a period of economic emergency.

SECTION 2. Notwithstanding any law to the contrary, the governor may, in the event of an economic emergency, grant rent relief to some or all airport concession lessees in amounts and upon such terms and conditions as determined by the governor, in the governor's sole discretion. As part of the authority granted to the governor hereunder, the governor may, or may permit the department of transportation to: (1) negotiate changes to the airport concession leases with the lessees and modify the airport concession leases to implement the grant of relief and (2) waive, suspend, or defer any contract obligation owed to the State during the economic emergency period, upon such terms and conditions as the governor shall deem necessary to minimize losses that are attributable to the economic emergency.

SECTION 3. If deemed necessary by the governor to implement the grant of rent relief in section 2, the governor may suspend the effect of section 171-13 as it applies to airport concession leases that are terminated during the economic emergency period.

SECTION 4. An economic emergency is an event that satisfies the following conditions:

(1) the airport concession lessees at a state airport, collectively suffer a fifteen per cent reduction in gross receipts for a period of sixty (60) days or more, computed on their collective average monthly gross receipts for the eighteen (18) months just prior to the date from which the initial request for relief is received from an airport concession lessee or lessees at the state airport; and

(2) either of the following two conditions:

(a) the occurrence of an event that is sudden, extraordinary, and generates relatively immediate severe adverse economic impacts for the State of Hawaii such as a natural disaster, civil defense emergency (as determined by the governor pursuant to chapter 128, HRS), or acts of terrorism similar to the events of September 11, 2001; or

(b) the governor finds that from and after the date the initial airport concession lessee or lessees at a state airport request relief, there has been a significant decrease in airline passenger departures (hereinafter 'enplanements') from the state airport of twenty per cent or more for a period of sixty days or more, computed on that state airport's average monthly enplanements for the eighteen (18) months just prior to the date from which initial request for relief is received from an airport concession lessee or lessees at the state airport.

SECTION 5. The period of economic emergency shall remain in effect for only so long as the governor determines, in the governor's sole discretion, to be appropriate to grant the necessary rent relief to some or all of the airport concession leases.

SECTION 6. This Act shall take effect upon its approval."

Senator Trimble then moved that Floor Amendment No. 11 be adopted, seconded by Senator Hogue.

At 10:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:02 o'clock a.m.

Senator Trimble rose to speak in support of the measure as follows:

"Mr. President, some of my colleagues think of me as Dr. No. I would like to change my image and become Dr. Yes.

"I think all of us have had a chance to read the floor amendment. I'm not loquacious; I'm not elegant, but what it does is instead of mandating, instead of invalidating contracts, it allows the Governor, and the Governor through her representatives, to negotiate. And this amendment meets the concerns of the attorney general with the previous bill 44.

"Since we've all had a chance to read it and review it, unfortunately most of you didn't do it on the Floor, I will ask for your support and conclude my remarks.

"Thank you."

Senator Kawamoto rose in opposition and said:

"Mr. President, I rise in opposition of the amendment.

"Mr. President, these amendments were received by your Conference Committee on April 24 and we reviewed it and both Conference Committee Chairs and members felt that at this time we would go with the current S.B. No. 44.

"For example, in Section 2(a) there is no assurance that the reasonable levels of relief will be provided. Thus, a concession may not be able to afford the rents demanded. If the concessionaire cannot afford the rent due to the limited relief, it will then be forced to give up its performance bond and be barred from doing business with the State for five years as required under these present laws.

"In section b, Section 171-13 of the HRS, provides that you are barred from doing business with the State for five years if you default on your state contract. Under this proposed section of the bill, the Governor may terminate your contract but only suspend the provisions of the law. Plus, there is no guarantee that you will not be barred from doing business with the State for five years if your contract is terminated.

"Many questions were made about the 15 percent in Caucus. Again, this 15 percent is not something new. It's something that we have established and had precedence when we equated this after the 9/11 tragedy in 2001.

"So therefore, also in paragraph 3, it says that the Governor can provide relief in accordance with her soul discretion. It could be only for a 30-day period. After the bill becomes law, or perhaps not at all, still further it provides that the Governor does not have to grant relief to all concessionaires who may qualify for relief, but only through some airport concession leases. There is no assurance that everyone will be treated fairly since the Governor may only give some relief to some.

"Mr. President, I request a Roll Call vote."

The motion to adopt Floor Amendment No. 11 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 11. Noes, 14 (Aduja, Baker, Bunda, Chun Oakland, Espero, Fukunaga, Ige, Inouye, Kanno, Kawamoto, Kokubun, Menor, Sakamoto, Taniguchi).

At 11:07 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:08 o'clock a.m.

Senator Kawamoto rose to speak in favor of the measure as follows:

"Mr. President, I rise in favor of this bill.

"Mr. President, this bill is all about fairness. This is all about providing the people that have provided the airports and the concessionaires and the airports the opportunity to run the airports as efficient as possible. It provided the opportunity where we can run the airports and receive our visitors in a timely and efficient manner.

"It's time for us to help those that have helped us for a long time, and this is what this bill is about. Thank you."

Senator Hogue rose and said:

"Mr. President, Roll Call vote."

At 11:09 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:12 o'clock a.m.

Senator Kim rose in opposition and said:

"Mr. President, I rise to speak in opposition to this bill.

"Mr. President, while I would like to support the concessionaires and I believe they need to have some help, I have a number of concerns with this bill. There seems to be a lot of pukas in it.

"The bill would allow any airport concessionaire to terminate their contract if there is 15 percent reduction in gross receipts during a 60-day period for a myriad of reasons including strikes, boycotts, labor disputes. I believe this sets a bad precedence for unions the reasons that they do strike is to give the employer economic problems so that they can come to some resolution. And I believe if we set this precedent, then we're saying that unions certainly, one, can terminate their contract should their receipts go below 15 percent.

"It also says they can walk from their contract for hostilities (I don't know what that means), acts of public enemy. So if their receipts drop 15 percent, they can get out of the contract for acts of public enemy. They can get out for actions of superior government authority. I'm not sure what that means, actions of superior government authority. Are we a superior government authority, this body? Also, for whether conditions, so if there happens to be a storm or something and their receipts drop, then they can walk from the contract, and when they walk from the contract, there is no penalty. They can bid again for the very same contract when they terminate the contract.

"I think, Mr. President, this has serious connotations, more than I think what was anticipated when the negotiations began

for the relief for the concessionaires. And for these reasons, Mr. President, I will be voting 'no.'

"Thank you."

Senator English rose in opposition to the measure and stated:

"Mr. President, I rise in opposition.

"Like the previous speaker, Mr. President, I'm having a difficult time with the bill as it is because it does allow for an unfair set of circumstances. We didn't define what a 15 percent drop of revenue is, and what happens if a business, through bad management, loses 15 percent of its business? Under this bill, they can simply walk away and then come back and re-bid without any penalties.

"Now, I really believe that we should be fair to all businesses across the board and this sets up a very unfair business practice for concessionaires only. And if we're going to do this, I can predict that other businesses with contracts with the State of Hawaii will come and ask for the exact same type of consideration and they'll be right to do so because we granted it to one class of business.

"So, without the amendments, Mr. President, I cannot support this measure. It goes against value-based decision making as we talked about earlier, and I just cannot support it.

"Thank you, Mr. President."

Senator Kawamoto rose to speak in favor and said:

"Mr. President, we can 'what if' everything to death if we wanted to – what if this, what if that, what if this, what if that. What has set the precedence? Precedence is that 9/11 came and the business went down. How would you like to have a business where you control the people that come to your market? How would you like to have guards outside controlling that market? That's the reason why we asked for this bill.

"The small business people, you know, think about it. Think, if you had a business and you had guards and people coming out controlling your market and with recourse for yourself or someone else. It wasn't your fault that somebody attacked and the fact that we decided that we need security and we're going to control your market to 50 percent or less. The requirement is there. Yes, we can what if the thing to death, and have we done nothing. We haven't done anything, because of the fact that other forces control over 50 percent of the market. We set the precedent for assistance during 9/11, which continue to be a good precedence for small business.

"Thank you."

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"Unfortunately, I will continue to be known as Dr. No. The problem . . . I must . . . Since when is pestilence and war a new occurrence?

"What this bill does is essentially invalidate the meaning of the term contract when it comes to airport concessionaires – pure and simple. The contract no longer has any meaning. The businesses are no longer taking a risk. For this, I must vote 'no.'"

Senator Espero rose to speak in support of the measure as follows:

“Mr. President, I’d like to rise in support of this measure.

“This bill is not a handout, Mr. President. It’s not a sweetheart deal to help certain individuals. A time happened where one of the greatest tragedies to our country occurred and many people and businesses were impacted. Here at the Legislature, part of our job is to help businesses, to help individuals, to help organizations that need assistance and at times need relief.

“The concessionaires have played a major role at our airports. I’m sure many of them have made money and have prospered, and at that time, our State has also prospered and we have benefited. But right now, they come to us asking for assistance. They’re asking us for some help in these hard difficult times because right now they are having problems. And we can turn our backs on these airport concessionaires who’ve been there for many, many years, decades for some of them.

“This is a bill that’s been negotiated many, many months. We discussed it last Session in many meetings and I’m not certain there is language here that says that they can get out of this for bad management. I don’t think that’s one of the issues that was mentioned earlier, but it is an opportunity for us to help stabilize the airport small businesses, and big business, for that matter. But this is a bill which will help the people. It will help all of the employees that are employed there. It will help get these people on their feet, and that’s what we are here to do.

“Thank you, Mr. President.”

Senator Sakamoto rose to speak in support of the measure and said:

“Mr. President, I rise in support of the measure.

“It’s a sad day when we need to be here debating this measure. These businesses, or any others, did not have control of the events that occurred and which could have been resolved and should have been resolved. The ‘Governor may,’ but didn’t. The kind of amendment we voted down was that the ‘Governor may’ but didn’t. The ‘Governor should have’; she could have . . .

“Mr. President, many contracts do have a force majeure. Many contracts do have a provision for fairness by the bigger party, be it the landlord, be it the state, be it the county. Perhaps these contracts didn’t, and perhaps this isn’t the right measure. However, Mr. President, it’s out of frustration that this measure still exists on this Floor today.

“For me, I am in support of those who have been frustrated with trying to deal with an unfair situation thrust upon them. I’m voting in favor because of their frustration that said let this measure go forward in the frustration that we’d like the state to deal with us in a fair and more equitable way.”

Senator Hanabusa rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“Mr. President, I agree with my colleague from Moanalua that yes, it is a sad day. It is a sad day when we do have a measure like this before us. It is also a sad day when we fail to look at exactly what this measure provides.

“The amendment, which I had supported, speaks to an emergency situation. We all looked at this in 2001 during the

emergency situation and we passed appropriate legislation at that time. The question now is, what is before us and is this a measure that’s going to address that emergency situation that we want to assist the concessionaires with? And Mr. President, we assisted them in the past.

“Now, however, look at what we have. We have a situation like my good colleague to my left, the Senator from Kalihi Valley, has said that talks about other situations. Look at the reference to strikes, boycotts, and labor disputes. Mr. President, just by analogy, we have in our statutes 383-4, which talks about unemployment benefits in the event of a labor dispute and what is considered to be a substantial curtailment of a business operation. Let’s at least be consistent.

“Under that law and the case law that has developed in the Hawaii Supreme Court, a substantial curtailment does not occur unless there’s a 20 percent drop in a business. Mr. President, this gives it to you for 15 percent – 15 percent. And what is a labor dispute? It doesn’t only mean when you have labor unions, but that’s, of course, the easiest way of looking at it.

“When you look at the national labor relations acts, when you act in a concerted matter, meaning two people getting together and saying, hey, we’ve got some kind of a dispute here, that’s really all that you need. So you can claim a strike; you can claim a boycott; you can claim a labor dispute for a 15 percent reduction for the prior 60 days measured against a one-year period.

“Mr. President, when we look at whether businesses have to pay striking employees, we look to 20 percent and we do not simply say whether it’s 20 percent for the prior 60 days or the prior year. We look at a history because we’re looking at what the trends are. This bill doesn’t do it.

“At the very minimum, if we’re going to do this, understand the consequences. Understand the consequences of what it means. It means a lot of these people can lose their jobs. It means for ulterior motives, things can happen because this bill, as it now stands, is not well written.

“Think about who we’re trying to protect. Yes, we are concerned about the concessionaires, but we are just as much concerned about those employees who work for them. We do not want to have a situation where for 15 percent reduction for indicia that are not clear enough under this bill that we can, in essence, terminate operations, have them re-bid with no consequence. That is not what we want to do and set as a priority for this state.

“We have an obligation to look at the revenues. People enter contracts, and yes, unfortunate situations may arise, but this bill is not going to cure that.

“Thank you, Mr. President.”

Senator Hemmings rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this legislation.

“Mr. President, there are members of your Minority Party that voted in favor of the amendment and will likewise be voting in favor of this legislation, and it bears explanation. It is indeed unfortunate that this particular problem has reached a point in the waning moments of this Legislative Session that we have to consider this relief. It is all our hope that something could have been done earlier to resolve this matter.

“We believe the most important thing that should have been done that could have been done through the amendment, or hopefully through the passage of this bill is that both parties sit down and sincerely negotiate, resolving this dilemma.

“Those speaking against this bill mentioned employees. If these businesses go under, which they’re threatened with, all the employees lose everything, therefore the State of Hawaii loses something.

“There was talk about fairness. All these concessionaires entered into a contract in a situation where not only were passengers going to the gate, but non-passenger family members and others were going to the gate. It is a tremendous occurrence that 9/11 changed that situation and they immediately, because of security reasons and only passengers being allowed past the security point, lost a huge portion of their customer base.

“If you enter into a contract, let’s say Ala Moana Center, to rent retail space, and when you entered into that contract you assumed that 20,000 people walk by your door everyday, you think that’s a pretty good deal because you speculate, through good business and marketing advertising, the customer base is there to make income to pay your rent, pay your employees, and make a profit. If all of a sudden, for reasons beyond your control, Ala Moana Center or whomever you’re leasing the property from says okay, we’re going to stop 30, 40 percent of your customers from going by your front door, that’s unfair. And that’s exactly what happened to these concessionaires.

“There’s another point that’s extremely relevant and I find somewhat befuddling, and that is, when you look at the airport fund, it’s my understanding there’s approximately \$550 million in it – a lot of money. I think it’s enough money to sustain the airport through this difficult time in negotiating a settlement with these people, which this bill will allow to happen.

“But what is really befuddling is the fact that no one has blinked an eye at the fact that the airlines who pay into this fund have gotten tremendous relief both federally and through the state. Federally, they’ve literally gotten billions of dollars in direct financial relief. They’ve also gotten relief in landing fee waivers. When you measure that against the fact that the majority of the money, and I think it was 60 percent, in the airport fund was put in by the concessionaires, not the airlines, I think the least we can do is provide them relief.

“It’s my hope that by passing this bill today, that we’ll bring both parties to the table in earnest – the executive branch of government and the concessionaires – and work out a solution where everybody can win, rather than having a situation where everyone loses, as we have now. So I’m urging my colleagues to please vote in favor of this bill.”

Senators Baker, Ige, and Kokubun requested their votes be cast “aye, with reservations,” and the Chair so ordered

The motion was put by the Chair and carried, Conf. Com. Rep. No. 89 was adopted and S.B. No. 44, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” having been read throughout, and Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (English, Hanabusa, Hooser, Ihara, Kim, Trimble, Tsutsui).

Conf. Com. Rep. No. 133 (H.B. No. 512, H.D. 1, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 133 be adopted and H.B. No. 512, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Baker then offered the following amendment (Floor Amendment No. 12) to H.B. No. 512, H.D. 1, S.D. 2, C.D. 1:

SECTION 1. H.B. No. 512, H.D. 1, S.D. 2, C.D. 1, is amended by replacing the contents of PART II with PART II of H.B. No. 512, H.D. 1, S.D. 2, to read as follows:

“PART II

SECTION 7. The legislature finds that the continued provision of mental health services is vital to the community. It is essential that providers be able to efficiently submit and collect available insurance reimbursements for such services. Insurance reimbursement claims typically require information on the patient treated. Therefore, any statutory authorization for the release of patient medical records must be limited in scope and ensure the privacy of the patient.

Accordingly, the purpose of this part is to permit mental health service providers to release records for billing purposes under limited circumstances while preserving a patient’s right to confidentiality.

SECTION 8. Section 334-5, Hawaii Revised Statutes, is amended to read as follows:

§334-5 Confidentiality of records. All certificates, applications, records, and reports made for the purposes of this chapter and directly or indirectly identifying a person subject hereto shall be kept confidential and shall not be disclosed by any person except so far (1) as the person identified, or the person’s legal guardian, consents, or (2) as disclosure may be deemed necessary by the director of health or by the administrator of a private psychiatric or special treatment facility to carry out this chapter, or (3) as a court may direct upon its determination that disclosure is necessary for the conduct ~~[of]~~ proceedings before it and that failure to make the disclosure would be contrary to the public interest, or (4) as disclosure may be deemed necessary under the federal Protection and Advocacy for Mentally Ill Individuals Act of 1986, Public Law 99-319, to protect and advocate the rights of persons with mental illness who reside in facilities providing treatment or care~~[-]~~, or (5) as disclosure is made to the person’s health care insurer to obtain reimbursement for services rendered to the person, except for records subject to Title 42 Code of Federal Regulations Part 2, confidentiality of alcohol and drug abuse patient records; provided that disclosure shall be made only if the insurer informs the person that a reimbursement claim will be made to the person’s insurer, the person is afforded an opportunity to pay the reimbursement claim directly, and the person does not pay. For the purposes of this section, ‘facilities’ shall include, but not be limited to, hospitals, nursing homes, community facilities for mentally ill individuals, boarding homes, and care homes.

Nothing in this section shall preclude disclosure, upon proper inquiry, of any information relating to a particular patient and not clearly adverse to the interests of the patient, to the patient, the patient’s family, legal guardian, or relatives, nor, except as provided above, affect the application of any other rule or statute of confidentiality. The use of the information disclosed shall be limited to the purpose for which the information was furnished.”

SECTION 2. H.B. No. 512, H.D. 1, S.D. 2, C.D. 1, is amended by adding a new section to read as follows:

“SECTION 9. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act, which can be given effect without the invalid provision or

application, and to this end the provisions of this Act are severable.”

SECTION 3. H.B. No. 512, H.D. 1, S.D. 2, C.D. 1, is amended by re-numbering the sections to conform to drafting convention.

Senator Baker then moved that Floor Amendment No. 12 be adopted, seconded by Senator Taniguchi.

Senator Baker noted:

“Mr. President, colleagues, the floor amendment for H.B. No. 512, C.D. 1, inserts language that was agreed to in Conference and deletes language (the next of kin language in Part II of the Conference draft) that was not agreed to.

“The substance of this floor amendment will allow the disclosure of a mental health patient’s medical records for insurance reimbursement claim purposes. Hospitals are frequently unable to obtain payment for services rendered to mental health patients because they are required to obtain specific consent from the patient prior to the release of the patient’s mental health records. There is no exception to this rule such as in the HIV law, which is HRS 325-101, which allows for the release of information after the patient has been afforded the opportunity to make the reimbursement but chooses not to.

“It is extremely difficult to obtain consent from certain patients. As a result, hospitals are frequently unable to receive payment for service even though a patient has insurance. Queen’s hospital for example has been unable over the past two year to bill approximately \$500,000 for services rendered because Queen’s was unable to release records containing mental health diagnoses to the patient’s insurance company. Likewise, the Hawaii Health Systems Corporation Hospitals report similar losses.

“The floor amendment to H.B. No. 512, C.D. 1, will again insert the language that was agreed to in Conference but inadvertently omitted and delete language that was inserted that was not agreed to in Conference. This substance of this provision will enable the hospitals to bill for services while protecting the confidentiality of the patient. I ask my colleagues to vote ‘yes’ on this amendment.

“Thank you.”

The motion to adopt Floor Amendment No. 12 was put by the Chair and carried.

Senator Baker moved that Conf. Com. Rep. No. 133 be received and placed on file, seconded by Senator Taniguchi and carried.

By unanimous consent, H.B. No. 512, H.D. 1, S.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” was placed on the calendar for Final Reading on Thursday, May 1, 2003.

Conf. Com. Rep. No. 140 (H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 140 be adopted and H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Taniguchi then offered the following amendment (Floor Amendment No. 13) to H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1:

SECTION 1. H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1, is amended by amending section 55 to read as follows:

“SECTION 55. The legislature determines that there is in the special land and development fund at least \$3,000,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the special land and development fund to the general fund the sum of \$3,000,000 or so much thereof as may be necessary for fiscal year 2004-2005.”

SECTION 2. H.B. No. 1152, H.D. 1, S.D. 1, C.D. 1, is amended by amending section 66 to read as follows:

“SECTION 66. This Act shall take effect on July 1, 2003, provided that:

- (1) Sections 1, 2, 3, 4, 5, and 6 shall take effect on June 29, 2003;
- (2) Sections 9, 10, 11, 12, 13, 14, 15, and 16 shall take effect on June 30, 2003; and
- (3) Sections 7 and 8 shall take effect on July 1, 2004; provided further that any remaining balances in the Hawaii capital loan revolving fund and the Hawaii strategic development corporation revolving fund shall lapse to the general fund.”

Senator Taniguchi then moved that Floor Amendment No. 13 be adopted, seconded by Senator Kokubun.

Senator Taniguchi noted:

“Mr. President, this floor amendment will make two basically technical amendments to the bill. One, we had the wrong fiscal year, and the other was to eliminate a double repeal date.”

The motion to adopt Floor Amendment No. 13 was put by the Chair and carried.

Senator Taniguchi moved that Conf. Com. Rep. No. 140 be received and placed on file, seconded by Senator Kokubun and carried.

By unanimous consent, H.B. No. 1152, H.D. 1, S.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATE FUNDS,” was placed on the calendar for Final Reading on Thursday, May 1, 2003.

At 11:34 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o’clock a.m.

RECOMMITTAL OF HOUSE BILL

Conf. Com. Rep. No. 141 (H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 141 and H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Kim.

Senator Taniguchi noted:

“Mr. President, just for the record, we did get the correspondence this morning indicating that the impact of this

tax credit would be very significant and would impact our financial plan. That's why we're asking for this recommittal."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 141 and H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," were recommitted to the Committee on Conference.

FINAL READING

Conf. Com. Rep. No. 142 (H.B. No. 200, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 142 be adopted and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator K Kobun.

Senator Taniguchi rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President and colleagues, H.B. No. 200, C.D. 1, is the executive budget. It will be our financial guide for the next two years. Before I begin my comments on the bill, which will be brief, I need to acknowledge a few people who were integral in the making of this bill. My staff deserves my deepest appreciation. They worked extremely hard and in a very professional manner. Mr. President and colleagues, you can be proud of these people and the high quality of the budget bill before you. This is the result of the tremendous job done by the Ways and Means Committee staff.

"I would also like to thank the House, Speaker Say, the members of the Finance Committee, the Finance staff, and especially Chair Dwight Takamine. It was a real honor and pleasure to work with him these past three years. I also want to acknowledge you, Mr. President, the Senate Leadership, the Committee Chairs, and the members of the Ways and Means Committee. You all deserve credit for this bill and our entire financial plan being balanced. I especially want to thank my hardworking Vice Chair for sitting through hours and hours of hearings, briefings, and meetings, and meetings, and meetings. I appreciate his loyalty and work on a number of bills that are up for vote today.

"Finally, I would like to again acknowledge the love and support of my family, especially my wife Jan. She, more than anyone, keeps me balanced, like the budget, and able to do my best.

"Mr. President, I'm glad to report to you that your conferees for this bill have unanimously approved this bill, something that has not happened in my tenure as Ways and Means Chair. I must be slipping, Mr. President.

"In broad terms, because of our economic situation, the Senate adopted many of the cuts recommended by the administration. If anyone says that this budget represents an increase in spending, they would be wrong. Much of what was added to the budget bill are collective bargaining increases that were approved two years ago and are being included in our budget base for the first time this year. This is an accounting update, not an increase in the size of government, or in government spending.

"I'm most proud of the fact that we were successful in convincing our House colleagues to restore cuts recommended by the administration to our public schools. Education has

always been my top priority. It's been a top priority of many of us here, and I'm glad we were able to do that.

"We have done our job, Mr. President. We have a balanced budget, and I ask all members to vote in support. Thank you."

Senator Hemmings rose to speak in favor and said:

"Mr. President, I rise to speak in favor of Conf. Com. Rep. No. 142, H.B. No. 200, the state budget.

"I do want to recognize that the good Chairman of the Senate Ways and Means Committee has slipped, and he's slipped into a good area, an area where good Legislators work with the executive branch of government to try to solve some of our problems. But likewise, in many areas I think your loyal Minority would say we haven't done enough to moderate and cut state spending. But the good news is that we're definitely headed in the right direction, as opposed to the left direction. (Another try at humor that missed the mark.)

"This legislation does balance the state budget without the threat in tax increases. This is a huge victory for the economy, the workers, and businesses, and most importantly, the laborers of Hawaii. This budget does moderate spending. This budget does work with the executive branch of government, the Governor and her staff, in making cuts. This budget does acknowledge and subsequent bills do acknowledge that special funds need to be re-examined. This budget does acknowledge that there are a number of vacant positions and the funding of which has been unaccountable in the past. And when you measure it in its totality, it is going to make a difference.

"I do think it's important that when we recognize that the actual expenditures by state government are going up, and we do acknowledge the good Senator from Manoa's point that this is because of collective bargaining agreements negotiated two years ago that have to be put in the budget, that this sends a message to us, because we'll have additional collective bargaining bills to act on today. And I hope we consider very, very closely the impact of these bargaining increases. Even though they may not be salary increases, they are indeed tremendous increases.

"As we measure the economic impact, we're coming to the point where the state has to make difficult decisions, and under the leadership of the Senate Ways and Means Chairman, we have started to make those decisions. But we cannot pay for everybody all the time and everything they want, and this budget definitely is a step in the right direction of moderation and we support it.

"Thank you, Mr. President."

Senator Kawamoto rose to speak in favor of the measure as follows:

"Mr. President, as the senior member of the Ways and Means Committee, nine years, I rise in favor of the budget bill. I just want to say that I've never seen the Ways and Means process go as smoothly as we have seen it done this year.

"Again, congratulations on the leadership of the Chair. And of course, I echo his comments about his staff – outstanding people. I just want to say that nine years ago we were in this body and I was a member of the Ways and Means, and this year has been the smoothest that I've seen in a long time.

"Thank you, I urge my colleagues to vote 'aye' on this bill."

Senator Kim rose to speak in favor and said:

“Mr. President, I also rise in favor of H.B. No. 200, C.D. 1.

“Mr. President, as a junior member of the Ways and Means Committee, I’d like to add to the sentiments that my esteemed colleague from Waipahu had to say.

“This was not an easy budget, Mr. President. There were many cuts that had to be made. I want to commend the Ways and Means Chair for his sensitivity to the member’s needs in also having to balance the cuts and balance the needs of the members on this Floor.

“He worked with Leadership; he worked with the executive branch, and I certainly take my hat off to him and to the Vice Chair. I had the opportunity to come in on the weekends and see the working of the staff behind the scenes and after hours, and I can attest to the amount of hours that they put into it. So, I really want to thank the Ways and Means staff and our Chairman and Vice Chairman.

“Thank you.”

Senator Kokubun rose in support of the measure and said:

“Mr. President, I stand in support of H.B. No. 200, C.D. 1.

“There have been many accolades delivered this morning, and I also want to add to that by acknowledging the stellar leadership demonstrated by the Chairman of the Ways and Means Committee.

“Serving as Vice-Chair of the Ways and Means Committee has been a tremendous educational experience for me, and I am very grateful for that opportunity and am very appreciative of the many qualities and skills that Chairman Taniguchi demonstrated. The Chairman is generous in terms of sharing his wealth of knowledge gained over many years of service. He is fair in terms of attempting to meet the various needs of all of you and your constituents as well as government services in general in the face of lean economic resources. He is very courageous in terms of proposing measures to generate more resources that obviously were very forward thinking but not necessarily acceptable to all parties. And most of all, I want to thank him for demonstrating his ability to work in a cooperative manner. Chairman Taniguchi did mention in his comments that he worked well with the House Finance Committee Chairman, and I would attest to that having been included in many of their meetings. I think that that cooperative working relationship was really the basis for us having such a relatively smooth time this year in deliberating on some of the more difficult budgetary issues.

“Lastly, I would also like to share my acknowledgment and deep appreciation for the dedication and forthrightness demonstrated by the staff of the Ways and Means Committee. They are very outstanding, excellent and dedicated workers. I also want to thank the Chairman for those good times after our serious meetings, because it is also in those opportunities that we learn more about and appreciate each other’s individual perspectives and philosophies. Those were the real learning experiences for me.

“Mr. President, thank you.”

Senator Kanno rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, I’d like to commend the Ways and Means Chair, Vice Chair, and Ways and Means staff. During uncertain times, our priorities have not wavered. We can be proud of the support provided for education, human services, and for our retirees.

“I urge my colleagues to vote ‘aye.’ Thank you.”

Senator Baker rose to speak in support as follows:

“Mr. President, I, too, rise to speak in support of this measure.

“Mr. President, not having served on Ways and Means this year, I wanted to say how much I appreciate the information, the support, the communication from both the Chair and the Vice Chair, as well as the staff. It’s difficult sometimes when you’re not sitting on the Committee to understand the workings, understand all the nuances that are going in, but because of the openness and commitment to communication that we had from the Chair and Vice Chair, it made being on the outside a lot less frustrating.

“I have some additional written remarks in support of the budget I’d like inserted in the Journal. Thank you.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of H.B. No. 200, C.D. 1, the executive budget bill.

“Although this is one of the smallest budget bills I’ve seen during my extended tenure, I believe that this is a budget bill we can support, and I want to thank the Chair and Vice Chair of the Ways and Means Committee and their staff for all of their efforts.

“I commend the Chair and Vice Chair for the time and effort they have put into developing a balanced financial plan and this biennium budget. During this period of budget shortfalls, theirs is an extremely difficult job: many competing and worthy projects; few resources; and mostly unpleasant alternatives. I also want to extend my appreciation to the members of the Ways and Means Committee, and to the hard-working committee staff who have spent many long hours trying to find ways to balance this year’s budget.

“I appreciate the willingness of WAM to restore some of the cuts made to the Department of Health in the Executive Budget request and to find room in the financial plan for emergency and vital health and human services programs. I also appreciate the collaborative manner in which WAM worked with your Committee on Health to explore other funding strategies for additional baseline services. Theirs was a difficult balancing act, and they did it well, despite the enormous constraints placed upon them.

“This measure continues to preserve and protect our citizenry’s health, safety and welfare, as part of our government’s core functions. By providing needed resources for the Community Mental Health Plan and the Hawai’i State Hospital Remedial Plan, WAM has helped the Adult Mental Health Division move forward a prudent, cost-effective plan to improve services and comply with court decrees.

“The restoration of funding and positions for Developmental Disabilities Services Branch is equally as important. This Legislature several years ago made a commitment to the well being of our developmentally disabled citizens in a client-

centered community setting. These funds and positions help fulfill that commitment.

"I applaud the Committee's decision to restore the general practice dental residency program for disabled patients to access care, and provide equipment for Emergency Medical Services. Ensuring that our primary and secondary responders are prepared to deliver necessary critical care while on duty will only serve the best interests of the State in the long run. Adequate dental care still remains a concern in our State and, unfortunately, will not be fully addressed in this resource challenged environment, although this appropriation together with the oral health funding in Senate Bill 1305 is a positive start.

"I also want to thank WAM for understanding the importance of the Hawai'i Health Systems Corporation to the neighbor island healthcare system. Without the general fund subsidy provided in this measure, our community hospitals would be hard-pressed to provide adequate health care services to our citizens on the neighbor islands.

"H.B. No. 200, C.D. 1, along with S.B. No. 1305 and related previously passed Senate bills, provide the minimum resources necessary to ensure the viability of our health care safety net in Hawai'i. I appreciate the work of the Committee on Ways and Means to address the vital service needs of our State, and I urge my colleagues to join me to support this important measure and other measures mentioned by the WAM Chair.

"Mahalo."

Senator English rose to speak in support of the measure and said:

"Mr. President, I rise in support of the bill.

"I'd like to add my aloha and thanks to the Chairman, the Vice Chairman, and members of the Committee who crafted this budget and point out that besides having to draft this particular bill, the Committee and the Chair, especially, had to take into account all the various other bills that contain money – things like emergency medical services and helicopters for Maui County, things like funding Moloka'i General Hospital, Hana Community Health Center, and a very important one, Mr. President, is the extension of the solar tax credits. And all of these had to be considered in the budget deliberations even though they were not in the budget bill and there were allowances made for these very important items in our community.

"So, in recognition of that, I extend my thanks to the Chair, the Vice Chair, the members of the Committee, as well as the members of the House Finance Committee, and Leadership in both houses.

"Thank you, Mr. President."

Senator Hogue rose to speak in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"Mr. President, I also want to give accolades to the Chair and the Vice Chair of Ways and Means. Their easy-going demeanor is a breath of fresh air and they are truly balanced in their personality as well as in the budget. So I appreciate the way that they've worked very hard on this.

"I also want to give accolades, though, and I think we would be remiss if we did not in the fact that the Ways and Means

Chair and the people that worked on it also got some information from our Minority Research and I know that I appreciate that as they looked at ways to tackle issues like special funds and also vacant positions. So, thank you very much for working with the Minority Research. I think it's very important that we can be very helpful in this particular process.

"I also want to follow up on the comments made by the Majority Floor Leader talking about this being one of the easiest sessions as far as the budget is concerned. I think that's a reflection on the executive branch of our government. I think the department heads worked very hard, feverishly to provide the information that in some past sessions has not been provided. I think that we need to give accolades to the Budget and Finance Director as well as these department heads. So I think we would be remiss if we did not give accolades to that as well.

"I encourage all of my colleagues to vote 'yes.' Thank you, Mr. President."

Senator Slom rose to speak in support of the measure and said:

"Mr. President, I, too, rise in support of the measure.

"I do offer my apologies to the Chair of Ways and Means, however. When I spoke in favor of his retaining his position eight months ago before the start of this Session, I said he was fair and open, and he would do everything possible. In the past, he's always made it possible for me to either vote 'no' on the budget or to at least vote with very strong reservations, but he failed this year and I am voting straight up. So I know he is very sad about this as well. (Laughter.)

"I, too, offer my congratulations to the Senate Chair of the Committee, the Vice Chair, and both the Majority and Minority staffs who did a yeoman's task.

"And as the Minority Floor Leader just pointed out, I think one of the reasons that things went differently and smoothly this year is because you had a Governor in the executive branch that was cooperative and collaborative. And what a refreshing change that was – someone that was actually involved and someone who set a vision and a course from the very beginning. And that vision was fiscal restraint – the idea that we want to take care of people but we must prioritize and we must live within our means. I think we cooperated better in that Committee and as a bipartisan group than at any other time during the Legislature and on any other issue. And since it's the biggest issue, I think that there's enough praise to go around.

"Just a couple of points, however, good points. I think that the budget picked up on something that a number of us had been arguing for years and that is to do away with the vacant positions that have been there, many of them vacant for eight, nine, ten years while still drawing funds for other purposes unrelated to the positions; dealing with the very knotty and thorny problem of overtime, particularly in the area of public safety. I think the Committee and the leaders of the Committee did an excellent job in dealing with those areas.

"I'm not absolutely sure that this budget is balanced. I know that the numbers seem to indicate that the revenues and the expenditures match, but they depend on a number of other bills, and a number of other measures, and a number of other things happening as well. But I'm secure and I sleep well at night knowing that we have a strong new Governor with a very sharp pen and ability to use the line item veto. So, I'm sure that that will be taken care of.

“Also this question of whether or not this budget is larger or smaller or whatever, our figures indicate that in fact it is 4.8 percent larger for fiscal year '04 and 7.9 percent larger for fiscal year '05. I was amused by the new term ‘accounting update.’ It’s not an increase; it’s an accounting update. I think that came from the Enron book of lexicon. I’m not sure. But any way you look at it, we’re spending a great deal of the people’s money – \$7.5 billion – and that’s just in the budget bill; we have other appropriations as well.

“But I, like other speakers, am proud to have been part of the process. And again, the Chairman gets a great deal of respect and admiration for the openness. I think the best discussions and best debates during this entire Session were held within the confines of the open Ways and Means Committee. However, I am a little disappointed. The Vice Chairman mentioned off-hours social events, and we in the Minority must have missed those memos or e-mails. Maybe Senator Kim has those e-mails. (Laughter.) We can check later.

“So, thank you, Mr. President. I urge all my colleagues to strongly support this budget.”

Senator Hooser rose to speak in support of the measure as follows:

“First of all, Mr. President, I wanted to thank you and the members for the privilege and opportunity to serve on the Ways and Means Committee. As one of a small group of freshman, I found the experience to be a positive one and interesting, and I’d like to offer my kudos and compliments and aloha to the Chair and the Vice Chair and the Ways and Means staff who’ve done an excellent job and have not become impatient with the questions of a freshman and newcomers trying to learn the process. I really appreciate that, the ease of communication and the accessibility of the Chairman and the Vice Chair and the staff.

“I really admire the ability to hang on to the small items. We’re dealing with billions of dollars, and to many people in our community, small items of \$50,000 or \$100,000 or \$20,000 are critical to certain programs. I was afraid that some of these details might get lost with all the big boys, but the Chairman and his staff managed to hold on to those items, and I appreciate that.

“I think, number one, is I appreciate the Chairman’s commitment to education. I think it’s a sincere and committed dedication to education. I appreciate that. I appreciate the fact that through that perseverance and commitment we were able to restore the previous cuts to education, preserve adult education and many other good programs.

“So, I want to thank the Chairman for that and look forward to increasing our support of public education in the State of Hawaii. Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 142 was adopted and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE BUDGET,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:11 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:10 o’clock p.m.

Conf. Com. Rep. No. 9 (H.B. No. 980, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 980, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL SETTLEMENTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 10 (H.B. No. 1217, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 1217, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (H.B. No. 287, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 287, H.D. 3, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 15 (H.B. No. 1165, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 1165, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 16 (H.B. No. 10, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Menor and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 10, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 18 (H.B. No. 807, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 807, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHAPTER 291E,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32 (H.B. No. 1003, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 1003, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39 (H.B. No. 1509, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 1509, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 40 (H.B. No. 1613, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 1613, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (H.B. No. 507, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 507, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL TECHNICIANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 48 (H.B. No. 1465, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 48 was adopted and H.B. No. 1465, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (H.B. No. 1164, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 49 was adopted and H.B. No. 1164, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (S.B. No. 1319, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 58 was adopted and S.B. No. 1319, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (S.B. No. 837, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 60 was adopted and S.B. No. 837, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (S.B. No. 41, H.D. 1, C.D. 1):

On motion by Senator Kim, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 41, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (S.B. No. 665, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 665, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE PLAN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (S.B. No. 1395, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 63 was adopted and S.B. No. 1395, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64 (S.B. No. 946, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 64 was adopted

and S.B. No. 946, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (S.B. No. 830, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator English and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 830, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (S.B. No. 1324, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator English and carried, Conf. Com. Rep. No. 69 was adopted and S.B. No. 1324, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCILIATION PANELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (S.B. No. 255, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Aduja and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 255, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 80 (S.B. No. 1309, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 80 was adopted and S.B. No. 1309, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (S.B. No. 1505, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 82 was adopted and S.B. No. 1505, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (S.B. No. 528, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 91 was adopted and S.B. No. 528, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 95 (S.B. No. 1258, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 95 was adopted and S.B. No. 1258, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 104 (S.B. No. 614, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 104 was adopted and S.B. No. 614, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 105 (S.B. No. 855, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 105 was adopted and S.B. No. 855, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 106 (S.B. No. 1286, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Menor and carried, Conf. Com. Rep. No. 106 was adopted and S.B. No. 1286, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 115 (S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 115 was adopted and S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 116 (S.B. No. 574, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 116 was adopted and S.B. No. 574, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

Stand. Com. Rep. No. 1674 (H.B. No. 475):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Stand. Com. Rep. No. 1674 was adopted and H.B. No. 475, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

Conf. Com. Rep. No. 3 (H.B. No. 595, H.D. 1, S.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 3 be adopted and H.B. No. 595, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"When you look at the committee report, it says that this measure is necessary to level the playing field. It's kind of difficult to level the playing field when there is only one person in town. The issue here, when they talked about making it equal to other states, the last time I checked, you couldn't cash a check on the Internet. You couldn't get in your car to drive to another state, let alone in Hawaii to another county.

"Voting for this measure will be a vote for increased poverty, increased gambling, increased drug use, more hungry children. By allowing them to issue a check for 32 days, they can then issue a check to pay off the last check that's coming due. And we're raising the amount that they can owe or pay for the service from \$45 to \$90. Ninety dollars for 32 days for a check of \$600, that's 180 percent per year.

"I know it is difficult to protect people from themselves, but on the other hand, I see no reason to line the pockets of those that, can we say, prey on the least fortunate in our society. Thank you."

Senator Sakamoto rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support with reservations and just briefly acknowledge that the Chair did retain the 15 percent as opposed to increasing that to 20 percent. That did improve the measure.

"Thank you."

Senator Ihara rose to speak in support of the measure with reservations and said:

"Mr. President, please note my reservations for this in support of this bill."

Senators Inouye, English, Kim and Chun Oakland requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 3 was adopted and H.B. No. 595, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hooser, Trimble).

At 1:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:19 o'clock p.m., with the Vice President in the Chair.

Conf. Com. Rep. No. 4 (H.B. No. 29, H.D. 1, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 4 be adopted and H.B. No. 29, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and stated:

"Madame Chair, I rise in opposition to this bill.

"This bill has had a very checkered and storied past. In the past we've had versions of this bill that sought to require when employers must give a meal break or other break. There have been indications of trying to require that the breaks be paid breaks. Now we have breast-feeding included in this bill, although we have breast-feeding as a separate law of public policy. At the present time, this version does not require paid meal breaks.

"I don't know of any small business that does not give meal breaks to its employees. I don't know of any problem that has required additional regulatory legislation by this state. There was no testimony from employees that were attesting to a problem. There was opposition by a number of different employers, employer groups, and the Department of Labor.

"As the bill finally went through the Conference process, Madame President, I noticed that there have been exclusions for common carriers of passengers, power generating utility companies, operators of continuously operational facilities with an environmental permit, and those businesses covered by collective bargaining agreements. However, there is no exemption for retail businesses or for the flexibility of employers.

"So, I would call on my colleagues who earlier today made such wonderful statements about this Legislature's role in supporting small businesses and standing behind small businesses because small businesses do not want, do not need more mandating and more requiring, particularly when a problem does not exist. So, I urge all my colleagues to vote 'no' on this bill.

"Thank you."

Senator Ihara rose and said:

"Please not my reservations in support of this bill."

The Chair so ordered.

Senators Aduja, Fukunaga and English requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 4 was adopted and H.B. No. 29, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Hemmings, Hogue, Ige, Sakamoto, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Conf. Com. Rep. No. 5 (H.B. No. 1157, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 5 was adopted and H.B. No. 1157, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 6 (H.B. No. 1285, H.D. 1, S.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 6 be adopted and H.B. No. 1285, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Trimble rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this measure.

"On April 8, I read to this body that portion from the Hawaii Revised Statutes that dealt with the crime of disturbing historic and burial grounds. The penalty at that time still remains \$10,000 a day per occurrence. I see no reason why we should be introducing more law when it is already against the law. And if you read the bill carefully, what we are trying to put into the Hawaii Revised Statutes is that which more properly be considered rules or regulations.

"So, I ask that you vote against this measure."

Senator Hogue requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 1285, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Conf. Com. Rep. No. 7 (H.B. No. 426, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 7 be adopted and H.B. No. 426, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose in opposition to the measure and stated:

"Madame President, I rise in opposition to this measure.

"In this case, we are conveying on three lessees a selected benefit. If it is a worthwhile idea, then we should apply it to all state leases, but to single three out and treat them differently than all others, I feel is inappropriate.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 426, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Conf. Com. Rep. No. 8 (H.B. No. 564, S.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 8 be adopted and H.B. No. 564, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Hooser rose to speak with reservations and said:

"Madame Chair, I rise with reservations.

"My reservations are concerning the broadness of this bill. I think we all concur that drugs are bad; drugs are very, very bad. They ruin families. They ruin lives. They destroy much in our community. They have the potential.

"I want to say it's better than it was when I last saw it because the focus has narrowed it. It makes possession of any controlled substance of any amount with the intent to distribute in schools, a class C felony and at parks. And I agree 100 percent that drugs have no place in our schools, and anyone foolish enough to bring them in with the intent to sell should be a class C felony.

"However, I do think that expanding it to public parks and keeping it any amount of any substance is too broad. The record shows that 40 percent or more of our young people experiment with marijuana. This bill considers marijuana and heroine in the same breath and we risk a class C felony for young people making foolish mistakes in parks. A class C felony could cost a young person who makes a stupid mistake in a park, a prison term of up to five years.

"For those reasons, I have reservations on the bill."

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 564, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 11 (H.B. No. 135, H.D. 1, S.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 11 be adopted and H.B. No. 135, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Trimble rose to speak in opposition to the measure as follows:

"Madame President, I speak in opposition to this measure.

"I remember reading about a divorce that was granted in 1913 or thereabouts. I think it was in Wyoming or Montana where mail-order brides were not uncommon. The issue in question related to the age of the bride. The groom had reason to be convinced on statements made by the bride that she was 25. The reason for the divorce was that the day after the wedding, her 20-year-old daughter showed up to move in.

"What specifically bothers me about this piece of legislation is that it's one way. It provides that there be disclosure from the person in the United States, but not disclosure from the person coming from abroad.

"The other thing that bothers me is that if we start going down this path, where does the responsibility of government end? We will need government oversight to ensure that this really is being done, and that will lead to further government involvement and a higher cost of that involvement.

"So, for this reason and the reason stated before that, I oppose this measure."

Senator Baker rose to speak in support of the measure as follows:

"Madame President, I rise to speak in support of this measure.

"This measure allows persons living abroad who use for-profit matchmaking services to access criminal conviction and marital history information about prospective spouses residing in the United States.

"The Immigration and Naturalization Service estimates that as many as 6000 United States citizens marry persons who were introduced to them through a for-profit international matchmaking organization. Currently, about 2700 international matchmaking organizations operate worldwide, approximately 500 in the United States alone, and at least a dozen operating in Hawaii. Many foreign women from poor economic conditions are recruited by these organizations. The language barrier, isolation from family and friends, and unfamiliarity with the law put these women at an extreme disadvantage if forced to deal with an abusive new spouse.

"Requiring the prospective Hawaii spouse to provide criminal and marital history information, and requiring that the matchmaking organization inform recruits of the availability of this information, will allow a more open matchmaking process and will allow recruits to make informed decisions about a prospective marriage.

"It seems to me that good relationships are based on open communication. This measure promotes that sort of communication. I urge my colleagues to support this important measure.

"Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 135, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Bunda).

Conf. Com. Rep. No. 12 (H.B. No. 373, H.D. 2, S.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 12 be adopted and H.B. No. 373, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Hogue rose to speak in opposition to the measure as follows:

"Madame President, I rise to speak in opposition to this matter.

"Colleagues, this is squarely a freedom of speech versus property rights issue just going head to head. Because I believe in property rights and landowner's rights to set the parameters of what should and should not be on their property, I believe that when it comes to political signs, that goes over the line.

"For those reasons, plus the problems that this will also create with condominium associations with regards to posting of signs in common areas, I will be voting 'no.' Thank you, Madame President."

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 373, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SPEECH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Bunda).

Conf. Com. Rep. No. 14 (H.B. No. 1214, H.D. 2, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 14 be adopted and H.B. No. 1214, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Kanno rose and said:

"Madame President, I have remarks that I'd like inserted into the Journal. Thank you."

The Chair having so ordered, Senator Kanno's remarks read as follows:

"Madame President, the bill provides to the state and counties a blanket waiver of liability on public lands. I have a number of concerns about the bill language.

"The bill states that it shall be conclusively presumed that the public is warned if signs are placed and the signs are approved by the Board of Land and Natural Resources. The bill establishes a risk assessment working group that is to be consulted to approve the warning signs. The Risk Assessment Working Group is required to have a person knowledgeable in warning sign design. I believe the group should also include independent experts in recreational hazards, parks, hiking and geology, and a representative from the visitor industry.

"The bill was amended in conference to require the state and counties to periodically inspect the warning signs. However, if the sign is stolen, vandalized or illegible, this conclusive presumption extends 120 days from the date of the last inspection. This means the sign could be down for as long as

119 days or nearly 4 months, if it is not 'discovered' by the state and county, and the state and county is still not liable. If we're talking about a blanket waiver of liability, the state and counties should be held to a higher standard. To protect against liability from slips and falls, stores like WalMart are required to conduct periodic inspections for possible spills in the store.

"The purpose section states that an equitable balance is needed. I couldn't agree more. Unfortunately, the blanket waiver of liability for the state and counties goes too far.

"The bill implies that what we're addressing are individuals who participate in hazardous recreational activities who choose to ignore warning signs. Unfortunately, the bill affects all people and on all public lands, improved and unimproved.

"What if there was a boulder on unimproved state land and the state received a report that the boulder was at risk of dislodging and falling down a hillside and had a high probability of doing so. The bill states that the state or county shall not have a duty to warn for dangerous natural conditions on unimproved public lands.

"I am not speaking for individuals who ignore warning signs, whose behavior contributes substantially to injuries. I am speaking out for all others who I believe deserve to hold someone responsible for injuries that may have happened through no fault of their own. I'm not talking about a blank check. I am speaking about someone having their day in court to make a case that is to be decided by an independent party.

"I urge my colleagues to vote 'no.' Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 1214, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kanno). Excused, 1 (Bunda).

Conf. Com. Rep. No. 17 (H.B. No. 324, H.D. 1, S.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 17 be adopted and H.B. No. 324, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aduja.

Senator Aduja rose and said:

"Madame President, please note my reservations."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 324, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 19 (H.B. No. 298, H.D. 2, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 19 be adopted and H.B. No. 298, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hogue rose in opposition to the measure and stated:

"Madame President, I rise to speak in opposition to this bill.

"Colleagues, obviously there is a pressing need for additional correctional facilities, however, this is not the correct way to go about it. This bill: (1) inappropriately puts a mandate on the executive branch. In its testimony, the administration has already stated that it intends to consider the remaining Halawa property, as well as several other sites; (2) the Department of Public Safety should be able to explore options without being directed to a particular place, which this bill does. They should be able to decide what location will most appropriately meet Hawaii's needs and how to best address the inmate population growth; and (3) the statutes that we currently have, already provide adequate direction for the Department of Public Safety to accomplish this task – in other words, this bill is unnecessary.

"Thank you very much, Madame President. I'll be voting 'no' and I urge all my colleagues to do so as well."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 19 was adopted and H.B. No. 298, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Fukunaga, Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Conf. Com. Rep. No. 20 (H.B. No. 736, H.D. 1, S.D. 2, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 20 be adopted and H.B. No. 736, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Trimble rose to speak with reservations and said:

"Madame President, I rise to express reservations.

"The fact that we are considering this measure this year indicates that we did not do a very good job last year. When we consider the process of how it works and how it doesn't work, I would like you to think between now and next year's Session about repealing the bill that this act seeks to amend.

"I think that if we reflect for a moment, perhaps some of the difficulties that the Senator from Waipahu is going through, concentrating power to influence lives and people's profession into increasing numbers of groups, is bad policy. So, in the next 10 months, let's figure out how we can correct these types of problems.

"I will be voting for this bill, but with reservations."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 736, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 21 (H.B. No. 133, H.D. 1, S.D. 3, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 21 be adopted and H.B. No. 133, H.D. 1, S.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Trimble rose to speak in favor of the measure and said:

“Madame President, I rise to make a statement in favor of this bill.

“It’s an interesting bill. It’s, in a sense, creating new law and a new direction because the aim is protection of the child. If I am correct in assuming that anonymity is granted to the person dropping off the child, it does raise questions as we go forward as to the rights of the biological father and whether in the future we should consider that.

“Thank you.”

Senator Slom rose in opposition to the measure and stated:

“Madame President, I rise in opposition to this bill.

“I was fully intending to support the bill as we had the first drafts and as we discussed it, the idea being that the welfare of the child is more important than liability of the parents. But several things had happened by the time we got to the final conference draft. First of all, there was a very real issue about the power and authority of the sheriffs. And they were involved in child abandonment cases and child custody cases and yet they don’t have authority to handle these and to expedite for the safety of the children. And so, up until the conference draft, they were conferred that authority. The conference draft took that away from them and left the law as it is. I see that as a problem, particularly in incidents that have occurred on state property, notably at the airports.

“Secondly, the idea of putting the child first of course is what we’re all about here in the Legislature, or at least what we espouse, but there’s another issue, and that issue is, whether we call it liability or responsibility, certainly accountability. And if we’re not going to hold anybody accountable, it has many ramifications socially as well as fiscally because we have to take care of these children. Oftentimes they have very serious medical problems and so forth. There may have been abuse, even for newborns. And what we’re doing here is giving a blanket authorization of non-responsibility, non-accountability.

“So, for all the people that say that they always put the keiki first, I think that this sends the wrong message. We certainly can craft a bill that will say that under certain circumstances or under every issue, the child comes first, but there’s got to be some accountability if there is either wrongdoing or there are long-term fiscal implications, and this bill just doesn’t do that.

“Thank you.”

Senator Chun Oakland rose in support to the measure as follows:

“Madame President, I wasn’t planning to speak on this bill, but I did want to respond to the previous speaker.

“I was hopeful that part II of the bill would have also been in, but we could not get agreement with the House. However, to the point that you brought up, this bill only covers unharmed newborns. If there has been harm to the child, this particular law would not apply. I just wanted to let you know.

“I do support this measure. Thank you, Madame President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 21 was adopted and H.B. No. 133, H.D. 1, S.D. 3, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO

CHILD PROTECTION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Bunda).

Conf. Com. Rep. No. 22 (H.B. No. 562, S.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 22 be adopted and H.B. No. 562, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Slom rose to speak in support to the measure and said:

“Madame President, I rise in strong support of this measure.

“Several years ago in a culmination of more than a decade of public outcry, this Legislature did the right thing and passed an age of consent bill. At the time, Hawaii had the lowest age of consent in all of the United States and it was an outrage for many of us. The Governor subsequently vetoed that bill after we had all of the hearings, after we had all of the public input, after we had conferences, after we made changes. After we did all that, the Governor vetoed the bill, and for the first time in 37 years, this Legislature overrode a governor’s veto. But the act was only made temporary.

“So, for all of the efforts, there were a lot of the public that were cynical and they questioned our real commitment to protecting our young people, in particular, young women in this community. With this bill, I think we’ve finished the job and I’m very happy to support it.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 562, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 28 (H.B. No. 968, H.D. 1, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 28 be adopted and H.B. No. 968, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this bill.

“As I’ve mentioned before, colleagues, earlier this year, every employer in the state got a notice of an increase in their unemployment compensation tax. Even though it says contributions, I’ve never contributed to unemployment taxation in my life. No employee pays for unemployment compensation tax. The State of Hawaii has either the first or the second highest rate of unemployment compensation tax in the nation. It particularly harms the smallest of businesses with one or more employees.

“And what this bill will do is to increase benefits and thus the potential for increasing unemployment compensation tax on small businesses. I urge a ‘no’ vote.

“Thank you.”

Senator Aduja requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 968, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Hemmings, Hogue, Ige, Sakamoto, Slom, Trimble, Whalen). Excused, 1 (Bunda).

Conf. Com. Rep. No. 29 (H.B. No. 1303, S.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 29 be adopted and H.B. No. 1303, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Hemmings rose to speak against the measure as follows:

"Madame President, I rise to speak against this legislation.

"OHA is going to have to come to grips sooner or later with its destiny concerning sovereignty. As recently as the Rice decision, it was argued by some in OHA that OHA indeed was a quasi state agency. It's continued to be argued that the Hawaiians at the national level need protection so that they eventually can become independent and sovereign.

"In contradiction to that whole movement is this bill and others that further tie OHA to the state government and further increase their dependency and also management by state government. Therefore, I think this bill is a step in the wrong direction. The eventual solution for the Hawaiians is to become independent with their own trust, such as the Alii Trust, and this bill represents a step towards dependency, not independence.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 1303, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Hemmings). Excused, 2 (Bunda, Taniguchi).

Conf. Com. Rep. No. 37 (H.B. No. 1579, H.D. 1, S.D. 2, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 37 be adopted and H.B. No. 1579, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose to speak in opposition to the measure and stated:

"Madame President, I rise in opposition to this measure.

"My question is, where's the beef? We talk about economic development. We talk about economic diversification, but from what we have done in the last three months, it has not been a priority. We cannot achieve economic development or diversification with mere words alone.

"So I will be voting against these words not because I dislike them, but there is nothing behind it in terms of dollars, in terms of appropriation so that we can begin the process of furthering economic diversification.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 1579, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 3 (Bunda, Hanabusa, Menor).

Conf. Com. Rep. No. 38 (H.B. No. 317, H.D. 2, S.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 38 be adopted and H.B. No. 317, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Trimble rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this measure.

"What we have here is the University of Hawaii making its own law, and then they come to us and ask us to make them whole. I think that before we accept their mere statements, we need to have a good audit of what they've actually been doing. Marion Higa has provided us with the rationale for believing that we should do this. We were told it was not a cost item, but until we check, we don't know it. And I really don't like the University of Hawaii going out on its own and making its own law.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 317, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Trimble). Excused, 3 (Bunda, Hanabusa, Menor).

Conf. Com. Rep. No. 42 (H.B. No. 914, H.D. 2, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 42 be adopted and H.B. No. 914, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Baker rose to speak in support of the measure as follows:

"Madame President, I rise to speak in support of H.B. No. 914, C.D. 1.

"This measure mandates the Department of Health to conduct unannounced visits of all adult residential care homes and expanded adult residential care homes. I would like to commend the Chair of your Committee on Human Services for her success in bringing both sides together to support this conference draft. I would also like to acknowledge AARP for

their tireless efforts on behalf of elders, especially the frail and most vulnerable of our seniors.

“According to the State Long-Term Care Ombudsman, there are 8,400 elders living in licensed nursing homes, assisted living facilities and adult residential care homes. These homes and facilities provide care and services for some of our frailest elderly who are no longer capable of caring for themselves. While these caregivers provide a much-needed service for our elderly, we must continue to do everything we can to ensure a quality standard of care.

“Last year there were 155 complaints received and investigated and after further examination of the complaints, three adult residential care homes were closed by the Department of Health. Although the majority of adult residential care homes are run by reputable caring individuals, there are some individuals that are taking advantage of our seniors and must be more closely monitored and inspected. H.B. No. 914, C.D. 1, gives the Department of Health the tools necessary to ensure the health, safety and welfare of all of our seniors in adult residential care home settings.

“This bill is not intended to cast aspersions on the care home industry, nor is it the intent of this measure to make care home management more onerous. Rather, it’s purpose is to ensure that all care homes are providing the level of care and the quality of care they have promised to their residents. Furthermore, this measure is an important step forward to maintain proper oversight and protection of our frail elderly, who may have no family to look out for them and may not be able to access the Ombudsman or other advocate groups should abuse or neglect occur.

“Hawaii’s senior citizens have greatly contributed to the success of this State. We must assure them that we will see to it that their well being in their later years and their most vulnerable years is taken care of. Unannounced inspections of adult residential care homes and expanded adult residential care homes, like the unannounced inspections in our other long-term care facilities, will help ensure that our elders receive the quality of care they so rightfully deserve.

“For these reasons, I urge my colleagues to join me in voting ‘yes’ on this bill.

Senator Espero rose to speak in support of the measure and said:

“Madame President, I’d like to rise in support of this measure.

“I’d also like to congratulate the Chairs of the Health Committee and Human Services Committee for working with our House counterparts to come up with a compromise which everybody can live with and support.

“Of course, the controversy on this issue was not on the unannounced inspections, but rather on the annual license renewal. Nobody doubts that we need to protect our elderly, and no one disagrees to that statement, and of course we are going to do that with this bill. However, the care home operators had some concerns regarding their annual license renewal which basically deals with their livelihood. I believe a compromise was worked out that everyone can live with and I’d like to acknowledge that on all parties involved.

“Thank you very much.”

Senator Slom rose to speak in support to the measure as follows:

“Madame President, I, too rise in support of this measure.

“As one of the outspoken spokespeople for the elderly caucus here in the Senate, and one who voted against this bill earlier, I, too, am very happy that we were able to reach a compromise – a reasonable and rational compromise. The issue was never to overlook abuse, or to overlook health and safety violations, or to overlook the responsibility for care. The issue always was whether or not there would be reasonable inspections related to the health and safety of those residents and occupants of the care facilities.

“This shows that we are capable of reaching these compromise conclusions so I, too, want to thank the Chairs of the various Committees. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 914, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Hanabusa).

Conf. Com. Rep. No. 43 (H.B. No. 32, H.D. 2, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 43 be adopted and H.B. No. 32, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Hogue rose in opposition to the measure and stated:

“Madame President, I rise to speak in opposition to this particular matter.

“There are a couple of problems with this particular bill, colleagues. The first one is somewhat manini, but I want to point it out – and that is, in section 4 of the bill it says each school shall provide a copy of the current list of textbooks and instructional materials upon the request of a student or a parent or a guardian of a student attending the school. The list shall be available not later than the first day of class in each school year. Well, as a former teacher myself, I realize that you need to have flexibility as a teacher. In most cases, the attempt is made to have that list. But for us to mandate that that list be available on the first day of school kind of oversteps those particular bounds.

“There are going to be times when textbooks are going to be made available after the first day of the school year, and sometimes books are going to come to mind after the first day. So, that’s one section of this particular bill that should not be here.

“The most onerous part of this bill is a change in policy, and that is in section b of section 4 it says that each school may assess and collect from each student or the student’s parent or guardian, a textbook and instructional materials fee not to exceed \$20 per student per school year. This means we are going to charge students, or we may charge students, a fee for a textbook. That’s a step in the wrong direction. It’s a user fee for going to school.

“I realize that these are very difficult times that we live in, but this is definitely a step in the wrong direction. We cannot be starting this practice and setting up user fees for items that must be inherent in anyone’s education. I know that the Senator from Hawaii Kai will argue the point that school is free. I know

he brings up that point over and over again that we as taxpayers obviously pay for our school. But a free and appropriate education means that students who go to school should not have to pay for the most elementary items, including their textbooks.

"Now, I know that there is a carve out in the bill which talks about particular poor students and that they wouldn't have to pay this fee, but for all others they would. So it's a step in the wrong direction. For these reasons, I'll be voting 'no.'

"Thank you, very much."

Senator Sakamoto rose to speak in support of the measure and said:

"Madame President, I rise in support of this measure.

"This measure does authorize schools to collect fees on textbooks up to \$20. It also clarifies the process for restitution for lost, stolen, or damaged books. Also, yes, it does require the schools to compile the annual list of textbooks from which parents and students are allowed to purchase their own book.

"I think in regard to the previous speaker, certainly, if at the beginning of school, whatever that teacher has available would be the list, and if subsequently, additional items are added, I think those would be welcomed additions.

"Research has shown that millions of dollars have been lost over the years due to textbooks and other instructional materials which have been lost or damaged by students, in which cases the restitution for the loss has been generally minimal. As recently as March of 2003, I received a board of education report that stated that the department had a deficit of approximately 134,000 textbooks. If we say perhaps at \$50 a book, that's over \$6 million.

"By charging a fee, this minimal fee, the school would be able to perhaps at least stay ahead or keep up with the funds they need for textbooks, workbooks, and those similar types of materials. Hopefully, the students will be more responsible because of the dollars that they or their parents are putting in, and they'd be more aware of the cost of these textbooks and other instructional materials, therefore, they would hopefully be more accountable.

"I think all of us remember early on in the year there was a survey by one of the papers stating that 77 percent of people would pay more to aid schools. I've distributed to members a survey that we did to the school community where in essence a higher percentage said they would be willing to pay the half percent tax for schools. Certainly the population in the school, in order to improve their own school and directly benefit their child, would be higher than this general public 77 percent. I have no doubt that people want a better education, and I have no doubt that people would be willing to assist in that effort.

"In regards to the point about the free and appropriate education, which is in the IDEA (Individuals with Disabilities Educational Act) legislation, we did check with the attorney general on whether that meant a fee, such as textbooks, would not be appropriate. Their response was that, just as in other things, a fee would not be disallowed in the terms of it would not conflict with that particular measure. And we tried to accommodate the children for free and reduced lunch, but certainly my hope, Madame President, is that we would see fit to move this measure forward and have people at least help us with a system that needs help and certainly help address the textbook shortage that we have.

"Thank you."

Senator Trimble rose to speak against the measure and stated:

"Madame President, I rise to speak against this measure.

"I wasn't going to say anything, but after the last remarks I just had to get up and say something about good taxes and bad taxes, good fees and bad fees.

"No discussion so far has been directed to who was going to collect this fee. Is it going to be the teacher? Who is going to account for the money and deposit it? Is it going to be the teacher? How much it's going to cost for every \$20 bill to account for it and keep records. And if we're going to start down this process, why don't we be consistent with what we did last year and keep records of those who paid or did not pay. And if they became a doctor or a licensed technical or professional worker, remind them that in addition to their college loans, there were some school fees.

"It's not only a bad direction. It is not only inefficient, but if we need to fund the schools, then let's get our economy going so we can do it properly."

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, as unaccustomed as I am to stand and speak (laughter), I want to register my opposition to this bill too.

"I think probably it's a microcosm of so many of our problems. And as the last fine speaker, Dr. No, had pointed out, here we are, we're addressing a problem but we're not really addressing the problem and we've got a mechanism but we don't spell it out. We have no accountability. We don't know where the money is going to go. We don't know who's going to watch it. We don't know what's going to happen to it. It'll probably wind up in a special fund and then it will be raided in a couple of years anyway.

"There were two points that the good Senator from Moanalua brought up and one is about the lack of textbooks themselves. This has been a 30 year problem, which neither the past state administration, the current DOE, nor the Legislature has addressed. Everybody has complained about it (the lack of textbooks) but we just didn't make that a priority. We didn't want a priority for textbooks. Instead, we wanted computers and we wanted other things. So now we're talking about textbooks.

"The second issue was of the up to \$6 million loss for damaged and misplaced and lost and (I don't think anybody really steals a textbook, but) books that did not return. This is government's response: not to seek restitution, not to seek accountability from the people that didn't have the textbooks, but to tax everyone else and to make everyone else pay for it. That's fine. The good Senator said that the average cost of the textbook is \$50, probably that or more, although we are going more and more to the Internet and to wireless textbooks. But the point is even \$20 we would still have a net loss and you would be penalizing a lot of people, the majority of people, that are responsible and accountable and take care of their things. And so, as always in society, the government says it's too difficult to make people be responsible or to hold them accountable so we'll tax everyone else.

"And I'm sure the good Senator doesn't want to go into an argument on the half percent increase and the fallacious use of the Advertiser 77 percent survey.

“Thank you, Madame President.”

Senator Hooser rose in support to the measure and stated:

“Madame President, I rise in support.

“I’m not sure if everyone’s reading the same bill that I’m reading. I want to make sure we’re on . . . is it H.B. No. 32, S.D. 1? Is that the bill?”

The Chair replied: “That’s correct, Senator.”

Senator Hooser continued:

“Okay. A brief read of this bill simply says that public schools may assess up to \$20 per student, per year. It’s not government doing anything other than that – empowering local schools and local principals. Isn’t that what we’ve been talking about. As long as I can remember, anyway, it’s empowering local schools to make their decisions on a local level. This is not the DOE; it’s not the Legislature. This is saying this school can look at its population, look at its needs, and if it determines that it wants to charge \$20 per student, per year to have better books or more books, then it may do so. It doesn’t say they have to do it.

“I just fail to see the downside of that. It’s about empowering local schools, local principals to make those decisions working with their local school communities. So, I urge my colleagues to vote in support.

“Thank you.”

Senator Sakamoto rose and said:

“Madame President, I’m rising in response to some of the comments made.

“First, schools do collect lunch fees, bus fees, other fees, so there are mechanisms currently in place. And if this measure does go through and the school does choose, we’re not setting up a whole new mechanism to do this.

“In regard to the \$6 million, those are not only lost or stolen or misplaced books. Certainly, books get old; some schools have complained about books that are over a decade old. So we’re trying to address, we the Legislature are trying to address, the problem that perhaps, as the Senator from Hawaii Kai said, could have, should have been resolved. I suggest that this is our attempt to help to resolve it.

“And certainly, people can say that the use of a poll result in a targeted manner may be fallacious. I think, certainly, some people who portray to put out truthful information fallaciously misrepresent or other things, but I don’t believe this poll or my commenting on it would be fallacious use. I’m attempting to show how people intend to support schools, and if the general public intends to say we’re willing to put dollars out, I think certainly the people directly at hand would be as well.

“Thank you.”

Senator Hogue rose in rebuttal and said:

“Madame President, I rise in rebuttal.

“I just wanted to bring up a couple of the points here. I know that we’ve had some of these discussions in our Education Committee, and it has been brought up that this textbook fee is somewhat analogous to lunch fees or bus fees. Maybe that

wasn’t exactly the point but at least the point was brought up here. Certainly, there’s nothing in the way that we run our schools that says that schools have to provide a lunch. So, I think that textbooks are totally a different animal than lunches or bus transportation, or even athletics, which I think the point can be made that they are or should be paid for by the users that actually utilize them.

“As far as the point that was made about whether this is local empowerment, well, it is local empowerment of the principal, but only the principal is going to decide whether or not the \$20 fee should be charged. There is nothing in this bill that says that he’s going to get input from the community, which is what we’ve been talking about, what we mean local empowerment.

“Then the other part of the bill that is problematical and the biggest reason that I have a problem with it, Madame President, is the fact that it sets up the policy of user fees for standard items such as textbooks – this year, \$20; next year, \$25, \$30, \$50? I mean, we’ve seen over the years, colleagues, how things are put in motion, and then when we run into problematical times, that those numbers increase. And we have no idea what future legislative bodies will do.

“So, it’s a bad policy to get started with this and in encourage all of my colleagues to vote ‘no.’ Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 32, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 7 (Espero, Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 44 (H.B. No. 130, H.D. 1, S.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 44 be adopted and H.B. No. 130, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Trimble rose to speak in opposition to the measure and stated:

“Madame President, I rise in opposition to this measure.

“What’s interesting is that this bill started out as a spousal consent bill. It is no longer spousal consent, it’s spousal notification. I am somewhat curious how many people here have actually retired from the State of Hawaii and gone through the process . . . oh, I’m sorry, I must be the only one. It was a painful experience. It’s something that I shared with my wife. I wouldn’t want to do it again. We had to make decisions over which we had no knowledge – like who would live longer. But every effort by the employee retirement system was to include the spouse in the process. Codifying, making this into law of a practice they already attempt to do, I think, will have some consequences that may not be desirable at this particular time.

“The employee retirement system is significantly underfunded. They are working as hard as they can with the existing staff. I’m not sure that I want them to devote more staff time, which may result in less money available for the benefits to be paid out. And there is also a liability question if somebody, somehow should make a mistake, and believe it or not, that always happens.

"I don't urge my colleagues to vote 'no.' It's not really that important. I just think that at the present moment, it's not necessary.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 130, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Slom, Trimble). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 46 (H.B. No. 531, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 46 be adopted and H.B. No. 531, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this bill.

"This bill seeks to undermine the changes to the collective bargaining and civil service reform acts, specifically Act 253 two years ago. What it says is that excluded employees should be treated exactly as everyone else and be paid exactly the same amount and given the same benefits. Well, if they were, they would not be excluded employees. That was the whole basis. There are classifications of employees. There are good reasons for doing so and it is both a fiscal and managerial decision, and it's one that should be recognized and honored.

"So I urge my colleagues a 'no' vote on this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 46 was adopted and H.B. No. 531, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 4 (Bunda, Hanabusa, Sakamoto, Taniguchi).

Conf. Com. Rep. No. 59 (S.B. No. 1051, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 59 be adopted and S.B. No. 1051, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Kawamoto rose to speak in favor of the measure as follows:

"Madame President, I rise to speak in favor of this bill.

"This bill is an extension of the wheelchair. It allows people like me a great deal of freedom. It provides the opportunity to travel here and there without the need of an automobile. We've had testimony and e-mails in support of this bill from as far away as Kona and other counties that they support the bill.

"So Madame Chair, I urge all my colleagues to vote 'aye.'"

Senator Trimble rose to speak in favor of the measure and said:

"Madame President, I rise in favor of this measure.

"I would be wearing sneakers on the Senate Floor if it weren't for the Senate Clerk. (Laughter.) If you had to give up your driver's license for a week, maybe you could see the reason why having alternatives for people that don't drive is important in our society.

"I'm not as eloquent as the previous speaker, but I would like to cast my vote on giving the residents of our community more choices. It's particularly important as those of you continue to age and get as old as I. It is also important that we recognize that approving this type of measure of reducing reliability on the automobile will have important long-term consequences for our society.

"So when you approve this measure, I also suggest that you think about also increasing appropriations to expand sidewalks and make them wider.

"Thank you."

Senator Hogue rose to speak in support of the measure as follows:

"Madame President, I also rise to speak in support of this particular measure but I just want to oppose one last bit of testimony, and that is that I think, Senator from Waikiki, you are every bit as eloquent as the speaker that spoke before you.

"Thank you very much, Madame President." (Laughter.)

The motion was put by the Chair and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 1051, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Baker, Chun Oakland, Fukunaga, Ihara). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 65 (S.B. No. 1201, S.D. 2, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 65 be adopted and S.B. No. 1201, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to the bill.

"The bill would seek to add or restore additional regulation by the state over motor vehicle franchisees and manufacturers. And in addition, it sets up the possibility of additional fees and does include two new fees – a \$1,000 fee and a \$500 registration fee.

"So, I'll be voting 'no.' Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 1201, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES," having been read

throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 4 (Bunda, Hanabusa, Hooser, Taniguchi).

Conf. Com. Rep. No. 66 (S.B. No. 931, S.D. 2, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 66 be adopted and S.B. No. 931, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Trimble rose in opposition to the measure and stated:

“Madame President, I rise in opposition to this measure.

“Good government policy has broad categories. In this case, instead of picking out one characteristic at a time and saying it is worthwhile doing it for this reason, this reason, this reason, this reason, why don’t we just have one category – paid time off. Since every family’s or every person’s needs are different, he can allocate among that which is available his own personal time off for whatever reason he or she needs.

“I ask my colleagues to oppose this measure. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 66 was adopted and S.B. No. 931, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAII VICTIMS LEAVE ACT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 6 (Hemmings, Hogue, Sakamoto, Slom, Trimble, Whalen). Excused, 4 (Bunda, Hanabusa, Hooser, Taniguchi).

Conf. Com. Rep. No. 70 (S.B. No. 1492, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 70 be adopted and S.B. No. 1492, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Whalen rose in opposition to the measure and stated:

“Madame President, I speak in opposition to this bill.

“I’m a little bit surprised about the moratorium. I know that there has been problems trying to figure out a way to regulate or, to phrase it another way, to ensure the safety of different ones. But I don’t see a need to put a moratorium. Although theoretically it’s short, it certainly sends a message through the industry or those who are interested in doing this type of housing project that they could be on shaky ground.

“We have a number of them in Kona that are very successful. Some are quite expensive, others aren’t, but everyone that I’ve talked to says that this is a tremendous gap group type filler thing that keeps our elderly out of homes or hospitals and allows them to stay in an environment, usually where they lived anyway.

“So I’m not sure why we’re putting a moratorium on there and I think it sends a bad message at a time when we’re trying to increase and encourage these types of options within the state.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 1492, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ASSISTED LIVING FACILITIES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Hemmings, Hogue, Slom, Whalen). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 72 (S.B. No. 975, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 72 be adopted and S.B. No. 975, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Kanno rose and said:

“Madame President, I have remarks that I’d like to have inserted into the Journal. Thank you.”

The Chair having so ordered, Senator Kanno’s remarks read as follows:

“Madame President and Colleagues, I rise to speak against S.B. No. 975, C.D. 1, Relating to Government.

“This bill provides for tort immunity from claims arising from the use of public skateboard parks. It provides for limited liability for the state and counties when they are engaged in the designing, building and operation of a skateboard park. I am voting against this bill because it absolves the government from possible negligent action on its part in an activity primarily engaged in by our youth.

“Although I recognize the argument, especially of the county of Hawaii, that this bill is needed to encourage the establishment of skateboard parks, on balance, I cannot accept the fact that it leaves our youth at risk if there is negligence on the part of the county or state. The bill takes away certain rights enjoyed by our citizens to recover compensation from a government entity when it may be negligent in constructing or operating a skateboard facility and where that negligence was the cause of a person’s injury.

“Whenever the legislature makes a major change in existing concepts of law, whether it be tort law or some other area of law, I feel that it is our duty to examine all the facts to make a deliberate and reasoned decision. In this case there was no testimony or factual information of any law suits filed against the state or any county for injuries arising out of the use of any public skateboard park. I interpret this as an indication that the situation that this bill is attempting to address is based on incorrect assumptions or based only on the fear that someone may sue the county because of an injury.

“The civil justice system takes into consideration the fact that the activity may be a ‘dangerous’ activity and that the participant and potential injured person assumes responsibility and may be partially liable for his or her injury thereby resulting in no recovery or at least a reduction in any possible award.

“Although the state or counties would be held to the same standard of negligence for its failure to repair or maintain a skateboard park, I feel that government should be held to a standard of care where they would be responsible for the design and construction of any recreational facility that especially caters to the youth of our state.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 72 was adopted and S.B. No. 975, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kanno). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 73 (S.B. No. 740, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 73 be adopted and S.B. No. 740, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Trimble rose to speak in opposition to the measure as follows:

"Madame President, reading the committee report we noticed that since 1923, or for the last 80 years, this activity has been occurring within the territory and the State of Hawaii. If we've managed to get along for 80 years, I don't see any reason to change the law now.

"Thank you."

Senator Baker rose to speak in support of the measure and stated:

"Madame President, I have remarks in support of this measure I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Madame President, I rise to speak in support of S.B. No. 740, C.D. 1, which establishes in statute the Public Health Nursing Services Program within the Department of Health. This measure formally recognizes the important roles and functions that public health nurses have been providing to Hawaii's people.

"The public health nursing program was established by the department of health in 1923 to provide services in the areas of communicable disease control, infant welfare and nutrition. Public health nurses perform home visitations to monitor and follow up on health conditions, and to identify, screen and assess children for early intervention programs. These nurses continue to play a prominent role in prevention and control of communicable diseases and immunization activities, and also provide an immediate response to epidemics and other catastrophic disasters and traumatic emergency events affecting the community. They are also heavily involved in Felix-related services and breast and cervical cancer prevention programs, among others. Clearly, PHN has become an indispensable program for the State.

"By establishing the Public Health Nursing Services Program within the Department of Health, we recognize the importance of the program as part of the State's infrastructure to protect the health of Hawaii's citizens. S.B. No. 740, C.D. 1 assures PHN's continued existence and the continued provision of nursing services to thousands around Hawaii. I urge my colleagues to join me to support this important measure.

"Mahalo."

Senator Hogue rose on a point of personal privilege as follows:

"Madame President, I rise on a point of personal privilege.

"I noticed that the good Senator who is a Minority colleague of mine seems to have great personal knowledge about occurred in 1913 and 1923. So, I was just wondering if he has any other further comments about what happened early in the twentieth century.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 73 was adopted and S.B. No. 740, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Trimble). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 74 (S.B. No. 38, H.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 74 be adopted and S.B. No. 38, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and stated:

"Madame President, I rise in opposition to this bill.

"Attorneys, attorneys, attorneys – God must love attorneys; he's created so many of them. The discussion in this bill originally was to allow the Hawaii Tourism Authority to hire its own legal counsel because the complaint was that under the prior administration and the prior attorney general, the HTA, like other departments, including the Department of Education, did not get prompt, efficient, talented legal assistance. The new attorney general made a personal commitment that that would change, and the HTA brought up the issue that their contracts somehow were so specialized and unique that the nearly 200 deputy attorney generals in our state attorney general's office would not have the knowledge to work with those kinds of specialized contracts.

"However, in our most recent hearings, which you conducted, Madame President, so well you conducted those hearings, a questioning of the executive director of HTA said that he is very satisfied with the legal services he's getting, that he is very confident that they have the competency to take care of all of the specialized legal contracts like turf grass, and how much you pay for a hot dog down at the stadium, and things like that. So therefore, I don't think we need any additional attorneys at taxpayer expense.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 74 was adopted and S.B. No. 38, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Hemmings, Hogue, Ige, Slom, Whalen). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 76 (S.B. No. 1423, S.D. 2, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 76 be adopted and S.B. No. 1423, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hooser.

Senator Hogue rose to speak in opposition of the measure as follows:

“Madame President, I rise in opposition to this.

“I’m a father. I’m a proud father of four. I certainly don’t need a commission telling me how to be a father. We don’t need to have a commission on fatherhood. This is a ridiculous intrusion of government into the home. I’m proud to be a father and I certainly don’t need the government telling me how to be one.

“So, for these reasons, it seems like a ridiculous bill. I’ll be voting ‘no.’ Thank you.”

Senator Kanno rose to speak in support of the measure and said:

“Madame President, I rise to speak in support of the measure.

“I am offended that my colleague finds this legislation to be ridiculous. The Commission on Fatherhood is very important. Recent research proves the active involvement of fathers in the upbringing of their children results in children doing better health-wise, as well as in school, and it keeps them out of trouble.

“This is important because government funds a large number of services provided to children and families, and if you think about those services, most of those services get provided only through the mother. So part of the Commission on Fatherhood, as stated in the bill, is to promote and encourage the active involvement of fathers, which would result in better outcomes for their children.

“The commission is set up as a temporary two-year commission attached to the Office of the Lieutenant Governor. I think there has been a lot of misunderstanding about the bill and that maybe the commission is about telling people how to be fathers, rather it’s about how government can better serve families by involving fathers in the services they already provide.

“Thank you very much.”

Senator Slom rose to speak in opposition of the measure as follows:

“Madame President, I, too, rise in opposition to this bill.

“I think we’ve got it backwards here. As a father who admits at least to four sons that I know of, none of whom look that much like me, the point should not be government involvement. Government involvement has never made a better father or a better mother. If government wants to help fathers and mothers, it can reduce taxes and regulations so people don’t have to spend so much time working and away from their children to provide for the upkeep of government.

“A good father, a responsible father, like a good mother, is one who takes their responsibility seriously, loves their children and understands that it’s a lifetime commitment, and no government body or commission is going to make that something that they’re required to do.

“So, we can talk about this; it may be ‘feel good legislation.’ I don’t know whether it’s ridiculous or not, but in the grand scheme of things, if the government really wants to help fathers

and mothers and families and children, then it should reduce its impact on their daily lives, not increase it.

“Thank you.”

Senator Chun Oakland rose to speak in support of the measure with reservations and said:

“Madame President, I speak in favor of this measure.

“I am in support of this measure because, like the Senator from Kapolei, I feel that we need to raise the awareness of our community about how important fathers are in a child’s life. I’m glad that these dads here speaking acknowledge that important role that you play. There are no public funds that will be involved in this. The Lieutenant Governor has graciously allowed us to attach it to his office so that we can raise the awareness in the community.

“So, I do support this measure. Thank you.”

Senator Hogue rose and said:

“Madame President, I’m just kind of curious, could I . . .”

The Chair interjected:

“For what reason do you rise?”

Senator Hogue replied:

“For a question. For a question, seriously. And I didn’t mean to impugn your integrity when I called the bill ridiculous, but the point here is that it seems that we are getting involved here, government involvement with fathers. I’m curious why you didn’t just call this relating to a commission on families or something like that because that seems to be the intent that you’ve expressed and also the good Senator from Kalihi. I could support something like that, but actually to have a commission on fatherhood, that’s the part that I have problems with.

“So, why was that?”

Senator Kanno responded:

“Actually, Hawaii is slow on the uptake. There is a fatherhood movement sweeping the country. A number of states have established commissions on fatherhood for exactly the same reasons we are.

“Although we’re not trying to focus on fathers at the exclusion of mothers, we really do believe it’s important to put a focus on fathers. As I said earlier, the government programs that are provided through the Department of Health and the Department of Human Services are mostly provided directly to the mother. For our generation, our primary caregiver as children were our mothers. For today’s generation, we expect our fathers today to do so many other things. Fathers today are expected to be in the delivery room; that’s different. We are really asking fathers today to be something different than our own fathers were.

“If you think about all the services government provides, even with our schools and the bill that’s up next on the agenda, it all impacts us as well. We want parents involved in the education of our children. We have to make sure that we’re able to involve fathers as well as mothers. We are not trying to exclude the mother in any way, but unless we put a special focus on fathers, fathers will be excluded, and they do play a critical role in the lives of their children.

“The multitude of services that government provides, whether it be WIC (Women, Infants and Children), or the Department of Health maternal child health branch, what happens to the fathers in the equation? Across the country, states are looking at welfare reform, as well as reforms to their child support law because they recognize the need to involve fathers in a positive way. One of those ways is helping fathers to get back to work. That will help fathers in the area of welfare as well as child support.

“There are many areas for us to tackle. Hawaii is really behind the ball. If you look at the legislation that’s evolving across the country, in Congress, as well as being generated by our President, they are all looking at father-specific legislation because it’s been lacking in these areas.

“Thank you.”

Senator Hemmings rose to speak against the measure and said:

“Madame President, I rise to speak against this legislation. I wasn’t going to do it. (Laughter.)

“I find it quite ironic that the rationale for this bill is to involve fathers in the welfare of their children. But quite ironically, earlier in this Session we passed a bill that allows, for the purposes of convenience, a mother to abandon her child without involvement of the father. So, along with the many other contradictions that government has put into the relationship between men and women, this is especially contradictory, especially with these two bills coming to the Floor today to be voted upon.

“With this bill, we’re asking fathers to be held accountable and to get involved in their children’s lives. And with another bill, we’re telling a mother, for the most part, leave your child on the doorstep of some stranger and you’re totally without liability, and quite frankly, we don’t care what the father thinks. This is the kind of contradiction and kind of government involvement that drives most fathers and most mothers somewhat crazy.

“Anyway, I hope we can ruminate on this, and after doing so, vote ‘no.’”

Senator Trimble rose to speak with reservations and said:

“Madame President, I speak with reservations on this matter. I was just curious what ruminating meant. Is that something a cow did? (Laughter.)

“Anyway, I take umbrage at the sexist remarks made by the gentleman from over there. Men are not whiners. Men realize that we live in a sexist society and we’re the brunt of many comments, many jokes, and discrimination in the law. But that’s all right. We have broad shoulders; we can stand up and take it.

“What bothers me is that we continue to try and divide society into little interest groups. Why don’t we try and look at it from the whole? We are a body of diverse people. Our strength is in our diversity. We do not need commissions for this group – women; this group – the aged. Each commission we set up does have a cost. They print a report, and the next thing they’re going to want to do is change the law and increase government involvement.

“I will be voting for this measure with reservations this year only.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 76 was adopted and S.B. No. 1423, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 3 (Hemmings, Hogue, Slom). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 77 (S.B. No. 205, S.D. 3, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 77 be adopted and S.B. No. 205, S.D. 3, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Slom rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this measure.

“This actually is a continuation, in many respects, to what we just did, although what this does is to require paid parental leave for public employees for up to two hours per semester to attend either a conference with a teacher or with a caregiver. Now, I sat through the hearings in the Labor Committee and there was not one person who came forward and said there was a problem. There was not one person that said that there was not flexibility in either the public or private sector workplaces. So why do we always think of more government? And that’s what that last argument was about; that’s what this argument is about – getting the government involved – government services, government programs, government intervention.

“There’s another point to this little story here as well, and the people that testified said, basically they are doing this already. I don’t know of any private employers that if there is an issue where a parent, mother or father, wants to be involved with their children, has an important conference, that they can’t have the flexibility to work it out. That’s what people do, particularly in small businesses.

“Also, however, employees today, if they go to a doctor they are generally required to provide a doctor’s note since they’re paid for that time off. If they vote or when they vote while they’re given time off, they’re still asked to bring in the stub that they have actually voted. This bill doesn’t require anything. It sets up the time that they’re off, ostensibly, to go to one of these conferences but does not require any proof that in fact they did, that they just had the time off.

“And the bottom line on all this is, it does not improve parenting. Good parents are involved. Good employers recognize good employees and provide for the flexibility. We do not need additional bills like this.”

Senator Kanno rose to speak in support of the measure as follows:

“Madame President, I rise to speak in support of the measure.

“I was at the same hearing as the Senator from Hawaii Kai and I heard something different. One of the testifiers got up and said that S.B. No. 205 will provide a needed and welcomed benefit for working dads so that they can balance their role as provider and nurturing father. Dads will be able to take needed time off for important events in their children’s lives such as parent-teacher conferences.

“While many of us believe employers should value their employees needs to attend to the health and education of their children, the reality is that parents are often unable or unwilling to ask their employers for leave to attend to such important matters.

“The bill is actually codifying a practice that’s currently underway for state employees as well as employees of the County of Maui and the County of Kauai. For state employees, it was an administrative directive back in 1993. It’s been in place since then. The bill, one, puts it in statute, codifying that practice as well as expanding the privilege to employees of the City and County of Honolulu as well as Hawaii County. That’s why the measure is important.

“Thank you.”

Senator Trimble rose in opposition to the measure and stated:

“Madame President, as a government employee, former government employee, I wish to speak to confirm what the . . . I’m sorry, I’m rising in opposition to this measure.

“As a former government employee, I want to confirm that it is a practice to give time off, that a note is required signed by the teacher, that you may have as many times off as you need. The first two hours and the second two hours per semester was generally done by a memo I think from Budget and Finance, but supervisors and managers, as a matter of course, provided it whenever it was needed.

“But this gets back to a bigger issue – what are a person’s responsibilities? We continue to say and look at time off, paid time off, in this category, that category – giving blood is good, give him time off for it; going to a parent-teachers conference is good, give him time off for it. In one sense we’re talking about fringe benefits, and that should be negotiated by the union. From another sense we’re talking about trying to direct other people’s lives. I think that the role of government in some senses should be limited and that the people have to be responsible for what they’re supposed to do.

“So, I continue to oppose creating additional or codifying additional small ingredients here, there, and there until after a while it really is going to add up to real money, a higher cost of doing government.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 77 was adopted and S.B. No. 205, S.D. 3, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 3 (Bunda, Hanabusa, Taniguchi).

At 2:38 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:58 o’clock p.m.

Conf. Com. Rep. No. 84 (S.B. No. 459, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 84 and S.B. No. 459, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 87 (S.B. No. 1333, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 87 be adopted and S.B. No. 1333, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Hogue rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this particular measure.

“Madame President, I know that there has been much discussion about the fact that judges deserve raises because we need to get the highest level of potential judge in this particular position. However, I stand before you today in opposition to increases for any of the branches of our government, whether they be the judiciary, legislative, or the executive branch of government.

“We live in austere times, colleagues, and I think that we as Legislators need to take the lead and say ‘no’ to salary increases now or in the near future, and this goes for judges as well. It is not prudent to be discussing raises at this time, not for the judiciary, the legislature, or any other state employees. Above all, the judiciary, legislature, and the executive branch all stand in public service and they are public servants and so they should not be looking at this at an opportunity to make great money. Would I love to make more money than I make right now? You bet I would. Would judges like to make more money? You bet they would. But we are and they are all public servants.

“For these reasons, I encourage all of my colleagues, especially in these austere times, to vote ‘no’ on this measure. Thank you, Madame President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 87 was adopted and S.B. No. 1333, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 6 (Bunda, Hanabusa, Kawamoto, Menor, Taniguchi, Whalen).

At 3:01 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:02 o’clock p.m.

Conf. Com. Rep. No. 90 (S.B. No. 464, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 90 and S.B. No. 464, S.D. 2, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 92 (S.B. No. 1262, S.D. 1, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 92 be adopted and S.B. No. 1262, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aduja.

Senator Ihara rose to speak in support of the measure with reservations and said:

"Madame President, I still have the same concerns that I raised at the second crossover vote so I'd like to just mention that those are my reservations."

Senator Trimble rose in opposition to the measure and stated:

"Madame Chair, I rise in opposition to this measure.

"Procurement is a people problem. It's more than a process problem. In my 27 years working for state government, even though there were problems in other divisions and other departments, it worked well when I tried to execute it because the people involved had good intentions and were held accountable for their actions.

"What bothers me most about this is that we continue to change procurement code. It doesn't seem to make it any better, and we still don't hold people accountable. This measure also increases the future cost of government by creating a body at the UH Law School (I've forgotten its name). Even though it may be no cost in the beginning, it will, after the first year running, be a cost to all of us, and having another body looking at procurement will not in and of itself produce results.

"I urge my colleagues to vote 'no' on this measure. Thank you."

Senator Kawamoto rose to speak in favor of the measure and said:

"Madame President, I rise to speak in favor of the bill.

"Madame President, the basis of this bill was an administration bill and her desire to change the procurement code to best fit small business, contractors, unions, and all those involved with the state procurement. The desire is to level the playing field. The desire is to try to do something that is going to be different from what we had in the past.

"In the past we had contracts that were awarded, and one month down the line you had a protest and the project would stop, and that would add cost to everything, to everybody. This bill was a bill in the making as it started out to be. We got the small contractors. We got the specialty license people. We got the crafts. We got the unions. We even got Mr. Saito. Mr. Saito spent about 15 hours in my office just hammering away to get a bill drafted. This is a bill both the administration and our Committee worked hard for and wants very much. This is a bill I think the Governor . . . I talked to her yesterday as we went to the change of command ceremony at Hickam and she talked about the procurement bill and she talks about it as something that she would like to see happen.

"This bill is a bill that's going to be changing our procurement code. It's going to bring back some integrity. Again, I believe that there's no physical impact. I ask all my colleagues to vote 'aye' on this bill."

Senator Slom rose in support of the measure and stated:

"Madame President, I rise in support of this measure.

"I'd like to echo many of the statements by my good friend and colleague and older classmate from the University of Hawaii. This was a process bringing in a number of different individuals and groups to try to make a better procurement law. We don't have a perfect procurement law. I doubt that we ever will. What we can do is continue to improve it and to try, as the Governor says, to make it more transparent.

"One of the added benefits from this procurement law as drafted right now is that it will solve a number of the problems in the campaign spending area because it will make reforms that will make giving to government officials a lot less lucrative since it changes the decision making process and again makes it more open and visible to the general public before, during, and after the actual bidding or procurement process.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 92 was adopted and S.B. No. 1262, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Trimble). Excused, 4 (Bunda, Hanabusa, Taniguchi, Whalen).

Conf. Com. Rep. No. 96 (S.B. No. 1403, H.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 96 be adopted and S.B. No. 1403, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Trimble rose in favor of the measure and stated:

"Madame President, I rise to speak in favor of this issue.

"It's a worthy bill. It's long overdue, and when we pass this bill, maybe we should revisit it next year and transfer lands that have been removed from the jurisdiction of the harbors division back to them. Specifically, I'm talking about piers 1 and 2, and piers 8 and 9 around the Aloha Tower, so that the agency that is responsible for insuring that our life blood to Hawaii is developed in a manner that takes care of the long term interest of the state, as well as any commercial development interest.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 96 was adopted and S.B. No. 1403, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME-RELATED USES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Hanabusa, Taniguchi, Whalen).

Conf. Com. Rep. No. 100 (S.B. No. 1332, S.D. 2, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 100 be adopted and S.B. No. 1332, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

"Madame President, I rise in opposition to this bill.

"In adding to the words of the Senate Minority Leader from Kaneohe, the Floor Leader, earlier, this is a time that those of us in public office are trying to tell everybody else you have to tighten your belt and you have to do with what you have, and so I urge a 'no' vote on this commission to adjust salaries for the executive branch. Now, a lot of people argue that we're not really voting here to raise salaries; we are authorizing a salary

commission in the case of the judiciary, the executive, and the legislative branches. However, a review of history since we have enacted the commission laws shows that in each and every case, the commission comes up with an increase. And the onerous part is that the Legislature has to vote no, otherwise, the increases become law.

“The other part about this, the executive branch, which is pretty interesting, even though the executive branch is supporting this and they had people attending hearings saying that you get what you pay for and that they need bigger salaries, better salaries, we could not ask for a better group of cabinet appointees in the 16 people that have been assembled and confirmed by the Senate, assembled by the Governor. All of them seem to be overqualified. All of them we know can do better in the private sector in terms of salary and compensation, but it was that extra component that the Senator from Kaneohe was talking about – public service. And that should not be lost, particularly at this time when we’re asking people to make cuts and do without.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 100 was adopted and S.B. No. 1332, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 5 (Bunda, Hanabusa, Kawamoto, Taniguchi, Whalen).

Conf. Com. Rep. No. 110 (S.B. No. 748, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 110 be adopted and S.B. No. 748, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Trimble rose to speak against the measure and said:

“Madame President, I rise in opposition to this measure.

“Colleagues, consider this – an aye vote is the same as a vote of no confidence to the Board of Regents and the University of Hawaii. What good is it to talk about a world class university if the most essential needs of our community go unmet? Specifically I’m talking about the failure of the nursing education program at the University of Hawaii and the college of education. In both regards, they are not turning out a sufficient number of employees to fill the current amount of jobs that are now available.

“We would be remiss if we thought that we could solve the problem of bad management by adding to the bureaucracy by creating a loan program. I think that we need to hold people accountable to get them to make the proper choices, to set the right priorities, and I urge you that if you don’t vote ‘no,’ at least consider what I’ve been saying.

“Thank you.”

Senator Baker rose to speak in support of the measure as follows:

“Madame President, I rise to speak in support of this measure.

“Madame President, I’m not certain that the Senator from Waikiki was looking at the same bill that I’m looking at when I look at the conference draft on S.B. No. 748. This measure is not about management at the university. It’s about a nursing shortage that looms before us.

“The bill, as we originally passed it across to the House and as we considered it in Conference, had both a nursing loan program and additional funding for faculty staff. The problem that we sought to address with this measure was the fact that there are individuals in our community who would like to pursue a nursing career and are perhaps older students. They are looking for a career change and cannot, without some financial assistance, go forward into that career option.

“Unfortunately, because of the financial crisis that our own budget was facing, we were unable to fund faculty positions which would have allowed more entrants into the nursing program, and we were unable to put dollars into the program. We’ve setup the framework hoping that in the near future, and looking to the private sector, we may be able to provide additional funds for this important endeavor.

“It’s not a slap at the university; it’s acknowledging a need, particularly called to our attention after the nursing strike this year, that we need to pay attention to this very important area in our community. And although it’s imperfect, I ask all my colleagues to vote in favor of this measure.

“Thank you.”

Senator Hogue rose to speak in support of the measure and said:

“Madame President, I rise in support of this particular measure.

“Colleagues, as all of us have seen, there is a severe nursing shortage that exists not only in the State of Hawaii, but all over the country, just as there is a teacher shortage that exists here in the State of Hawaii and all over the country. I think it is good public policy to look to ways to encourage those people to get into these much needed fields.

“So this is a step in the right direction and I encourage all of my colleagues to vote ‘yes.’ Thank you.”

Senator Trimble rose in rebuttal as follows:

“Madame President, I rise in rebuttal.

“The last time I looked, the budget at the University of Hawaii was what, \$700 million? The support provided by the State of Hawaii was in the hundreds of millions of dollars. They may say that they do not have enough money, but I question whether in that \$700 million or the hundreds of millions of dollars the state is providing them, they could not find the money necessary to expand the college of education and the nursing program to handle those that are able and willing to go to the University of Hawaii for a quality education.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 110 was adopted and S.B. No. 748, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NURSING EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Trimble). Excused, 4 (Aduja, Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 113 (S.B. No. 1321, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 113 be adopted and S.B. No. 1321, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Slom rose to speak in opposition of the measure and said:

“Madame President, I rise in opposition to this measure.

“This measure has been part of the prepaid healthcare act and mandated policies for a number of years and was scheduled to sunset. This bill in this version does a number of things. First of all, it eliminates the sunset provision. Secondly, it expands the definition of serious mental illness. Thirdly, I add new mandated health benefits which would be covered.

“Madame President, I know that mental illness has been a growing concern in our community and nationally as well, and certainly there are reasons to provide medical or insurance care. However, up to this point, the definition has been narrowed and been specific enough that doctors have been able to prescribe treatment and to have some way of accounting for the results.

“What this bill does, really, is take out all restrictions, all limitations, and allows for, as I said, additional definitions and additional benefits. This would be seen as a major cost driver, particularly for those in the small business community that have to foot the bill for the prepaid healthcare act.

“So, we’re doing a number of different things. We’re not really looking at the problems that prepaid healthcare has caused us because a lot of people are finding it very expensive or almost impossible to get basic medical health. And what we keep doing is loading up on additional mandates, which may be sought and may be needed for certain people, but they come at a greater cost.

“I also point to items in our budget, which we all passed unanimously this morning, that cover appropriations for adult mental health. And I caution that while we are looking right now at amounts of money to add to these different kinds of programs, that we should be very cautious and we should be aware that this can be the next area that will develop into a Felix area where the juveniles who have been treated for special education and now become adults are going to need continuing medical services, and it seems that the definitions continue to increase on a monthly basis.

“So, I think we have a number of concerns here, not the least of which is the cost driver effect, but also the part of accountability for these services and also the rationale for trying to measure any kind of acceptable response.

“So, for these and other reasons, I urge a ‘no’ vote on this bill. Thank you.”

Senator Baker rose to speak in support of the measure as follows:

“Madame President, I rise to speak in support of this measure.

“I actually wish that I could stand here and say that what the Senator from Hawaii Kai said was true, because if what he said were true, we would be close to full parity. Unfortunately, this bill is very narrow. It doesn’t add any new definitions. It

clarifies that bipolar mood disorder is bipolar types I and II. It takes out all of the additional mental health illnesses that the administration had requested and that this Senate had passed over to the House and had hoped to restore in this particular measure.

“This bill is very limited. It makes the limited parity that was passed in previous legislation permanent, but it does not expand the definition. As a matter of fact, this measure just takes a baby step towards making mental health benefits equal to benefits for physical illnesses and injuries.

“There have been two studies done in recent history. One in 1997, we had a sunrise review but that wasn’t enough for the House to go forward with additional mental illness identification. We had one done at the request of the Legislature in 2000 by Session Laws Act 243, and that measure said that approximately 2.2 percent of overall health insurance costs are costs associated with mental health and substance abuse – 2.2 percent. Mental health benefits are hardly a cost driver. Prescription drugs, now that’s a cost driver . . . but for the overall system, but not mental health benefits.

“Of the plan members that use both mental health and substance abuse, there’s approximately 4.1 percent – 1.1 percent of that is for serious mental illness, 2.8 percent for other mental illness. We’re not talking about a huge amount, and this bill doesn’t even expand to a whole range of serious mental illness. We’ve taken out depression, major depression. We’ve taken out dissociative disorder, compulsive disorder. The items that are listed in the bill are already the ones that are on the books. All this measure does is to make this particular baby step towards parity permanent.

“This measure falls short of full and comprehensive parity for the treatment of mental illness, that has been the goal of your Health Committee and this Senate. But S.B. No. 1321, C.D. 1, preserves previous gains and takes an important step forward in providing nondiscriminatory coverage for all illnesses that affect many members of our community. It does help to reduce the stigma for persons that need mental health services.

“In addition, a recommendation at the close of this Session will be made that the Senate agree with the House amendments to S.C.R. No. 116 to continue to demonstrate that parity is not a costly benefit. S.C.R. No. 116 requests a sunrise study of mandatory health insurance coverage for mental health, alcohol, and drug abuse treatment. We expect this study to confirm the 1997 auditor’s report and the 2000 report of the Insurance Task Force on Mental Health that mental health services originally outlined in this measure will not add significantly to the cost of providing such coverage. We already know that the coverage of this bill, its limited coverage, does not add to the cost. Perhaps armed with that supplemental information, we’ll be able to allay the fears articulated by our House colleagues and bring full parity to final action next year.

“For now, I ask that my colleagues join me in supporting this measure which will bring a small step of treatment parity to those with serious mental illness.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 113 was adopted and S.B. No. 1321, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MENTAL HEALTH,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Hogue, Slom). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 114 (S.B. No. 1446, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 114 be adopted and S.B. No. 1446, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ige.

Senator Trimble rose in opposition to the measure and stated:

“Madame President, I rise in opposition to this measure.

“We should be judged by not what we say we want to do but what we actually do. This year, this Session, we create a special fund. Next year, maybe there’ll be some money in it . . . then we can take it out and move it into the general fund.

“It has been our practice, our standing practice, for the last several years, and there is no reason to believe that our behavior is going to change this time. So, instead of saying take money from A and put it in B and then into C, why don’t we just eliminate some of the bureaucracy and move the funds directly from A to C.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 114 was adopted and S.B. No. 1446, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Trimble). Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 120 (S.B. No. 576, H.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 120 be adopted and S.B. No. 576, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Trimble rose to speak on the measure as follows:

“Madame President, students pay tuition because they think it’s going to go towards their cost . . .”

Senator Baker interjected:

“Point of order. For what purpose does the Senator rise?”

Senator Trimble replied:

“I rise to speak against this measure.

“This is an inappropriate use of money – to take money from the tuition fund and use it for the alumni association. I’ve risen on several previous occasions and said that the priorities of the University of Hawaii are not what they should be. We talked about nursing. We talked about education. And here we have another example of those misplaced priorities seeking to use money in the tuition fund, tuition paid by students for their education for an activity that is not immediate and direct to that education.

“Thank you.”

Senator Sakamoto rose to speak in support of the measure and said:

“Madame President, I speak in support of the measure, and in part to clarify the previous comment.

“At one point in the progress of this measure, it did include the alumni activities. And as I note in the summary, it’s stated there, but in Conference we removed that contribution from this measure. The foundation remains, as well as was added, reports and the auditor’s ability to access the records of the foundation. So, I’m in agreement with the previous speaker that perhaps the alumni activities would find more appropriate funding. But that is not in this measure.”

Senator Trimble noted:

“Madame President, can I change my ‘no’ vote?”

The Chair responded:

“You just did.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 120 was adopted and S.B. No. 576, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 123 (S.B. No. 1237, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 1237, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Hanabusa, Taniguchi).

Conf. Com. Rep. No. 125 (S.B. No. 17, S.D. 1, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 125 be adopted and S.B. No. 17, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Kanno rose for a conflict ruling as follows:

“Madame President, I would like to request a ruling on a possible conflict. I have a daughter whose fifth birthday will be on October 13, 2005 and will be included in the first group of ‘gap group children’ affected by the legislation.”

The Chair ruled that Senator Kanno was not in conflict.

Senator Kanno then rose to speak in support of the measure with reservations as follows:

“Madame President, I rise to speak in support with reservations.

“I would like to commend the Education Chair for his hard work on this legislation. There are strong points to this bill. I would also like to share some concerns.

“The bill says that in 2005, the DOE shall offer appropriate educational programs, including but not limited to junior kindergarten or pre-kindergarten for ‘gap group children’ born between August 2nd and January 1st. The bill then directs DOE to conduct a feasibility study on these programs.

“Conducting a feasibility study implies that one option is that it is not feasible. Is the Legislature giving the DOE the choice of whether it wants to implement this? If not, it may have been appropriate to direct the DOE to develop an implementation plan instead of a feasibility study.

“The legislation directs the DOE to assess whether pre-kindergarten should be permanent or transitional. We are committed to offering pre-kindergarten, but why would we offer it for only a limited time. Children for years to come will need these services and we should not be providing a back door to the DOE to escape from these commitments. I ask my colleagues to remember that we are restricting children from entering kindergarten. We need to provide an educational alternative to the children we turn away – and not only for the first year; this will affect children every year.

“The feasibility study does not address curriculum. I contend that curriculum is one of the most important items to address and yet it is not.

“I would also suggest that DOE develop a recommendation on whether pre-kindergarten programs should be offered by public employees or by the private sector.

“The bill allows for privately-operated pre-kindergartens on school campuses. Unfortunately, it does not allow the DOE to access private programs that are on DOE campuses.

“I urge my colleagues to support the measure. Thank you.”

Senator Chun Oakland rose to speak in support to the measure as follows:

“Madame President, I also stand in support of this.

“I appreciate what the Chair of Education has done to make this bill better. I do share some of the concerns of the previous speaker and am glad to see that there is a mandatory provision to require that preschool opportunities be provided to the children that will not be able to enter kindergarten who are born after, I believe it’s August 1st.

“I do hope that for any school that does not have the facilities to provide that preschool option, that we have some kind of process in place that will allow the child to attend a school within that school complex. I don’t believe that we should be requiring the families to have to travel very far to be able to provide that preschool opportunity for their children. It should be within their neighborhood.

“I also am very grateful, I believe, that the Chair and Vice Chair of the Ways and Means have placed in the budget a position for the pre-plus coordinator within the Department of Human Services. This is a critical piece in order to have preschool options on school campuses in our elementary schools.

“So with that, again, Chairman of Education, our Committee, and all of you, thank you very much.”

Senator Sakamoto rose to speak in support as follows:

“Madame President, I rise in support of the measure.

“I appreciate the comments of the previous two speakers. And in regard to the comments from the speaker from Royal Kunia and other areas, certainly the intention is that we go ahead. I think there are concerns in the House regarding cost concerns; therefore, they wanted the measure to at least allow the department and others to come back on cost concerns, and the House continues to have some concerns.

“However, I think we in the Senate feel that it’s important that these children get age appropriate education, not be left on the streets. The Senator from Alewa’s concerns of no one being left out are certainly our concerns as a Senate, and we hope the measure can survive, but certainly we’d like these children to have age appropriate education.

“Thank you.”

Senator Slom rose to speak in opposition of the measure and said:

“Madame President, I rise in opposition to the bill.

“This is a troubled bill, and it’s not just between the Senate and the House. There are so many different things that have been put into this bill and so many things that it has come along from the initial version. At one time, this bill was going to make kindergarten mandatory.

“We’re basing an awful lot on age. We’re basing an awful lot on studies. We’re basing it a lot on theories of age appropriateness and so forth. What we’re leaving out are the parents and flexibility, and I think what this shows once again, instead of really going for educational reform and decentralization, we’re tinkering with the deck chairs as to how to require more people and more of the bureaucracy. We are adding at least one more position.

“Initially, this bill was supposed to be a cost-saving device. There’s not going to be any cost savings in this bill. There’s going to be cost additions, and that’s clear. But the greatest troubling factor to me is the lack of flexibility and choice inherent in this bill.

“Thank you.”

Senator Hogue rose to speak in support of the measure as follows:

“Madame President, I rise in support of this particular measure.

“I want to talk specifically about parental choice and flexibility. I am one parent who has made the choice to enter my children who have late (latter part of the year) birthdays, and so I entered them in kindergarten, ironically, a junior kindergarten a year later. And I’m glad that they did because they advanced in schooling. They’ve become academically proficient leaders in their classes, doing well socially, athletically, and academically. So I’m really proud that I have been able to have that flexibility and to do that.

“I think that this bill actually does give flexibility. There is actually a part of this particular bill that will allow individual schools to grant exceptions for those children whose parents feel that the children should be enrolled at an early time. So, I really believe that parents should have this right if they feel that they have an exceptional child and should be given that right, and I think the bill does grant that.

“I think that we will, through the course of this particular bill, by allowing parents to make that choice and also by

following the lead of our counterparts on the mainland, we will give our children an age-appropriate education. We should not put them in harm's way by starting them late.

"My late wife was a teacher at Kaneohe Elementary School and she was a kindergarten teacher at the lowest level. And she came home one day (she taught half-day kindergarten) and she said, 'You know Bob, I can tell, as I look around the room and I can just actually look at the way that the children act, whether or not their birthdays are after July 1st,' because the children that squirmed, that were immature and really had trouble in her particular classroom, virtually every single one of those were after July 1st birthdays. Studies have proven that, so I think that that does back up with . . . I realize that it's anecdotal evidence, but I think it speaks to the studies that many kindergarten teachers and first grade teachers and elementary teachers have seen throughout time.

"There are some problems with this particular bill, and I think that the Senator from Kunia and that part of the island has spoken to it about the feasibility study. I know that there are some concerns in the Governor's Office about that particular portion of the bill. I would hope that the Governor would still allow this bill to go forward and those questions of the bill could be answered in the coming year.

"So, for these reasons, I encourage all of my colleagues to vote 'yes.' Thank you."

Senator Hooser rose to speak in support of the measure as follows:

"Madame President, I rise in support.

"The difference of a year, when you're four and five years old, developmentally is huge. A child born on January 1st compared to the child born a year later, that difference is developmentally just really, really big.

"Research clearly shows . . . and I'm glad that we're basing our decisions on research and studies and not just flying by the seat of our pants here. This has been studied and the research overwhelmingly shows that students who are in the older half of their class are typically able to cope with the class course better. The students are more engaged and focused. They are emotionally more mature and less prone to stress. They are able to deal with teachers and peers in a more comfortable manner, and by teaching a more homogeneous group that is more socially, emotionally, and academically ready to learn, teachers are prone to be more effective by teaching to classes that are appropriately mature for their grade level.

"Most mainland schools have September 1st for a cutoff date. Hawaii public school students are currently four months behind when measured against mainland schools in social, emotional, and intellectual maturity as they start their academic careers.

"SAT scores of non-special education students born in the second half of the year are statistically significantly below those students who were born in the first half of the year. A significant amount of younger children of non-special education students are classified as having learning disorders. By making sure our students are prepared for the grade level they are entering, we can avoid classifying our children as having those learning disorders when in fact in most cases they are just not ready and they will perform much better if held back that one extra year.

"For these reasons, and also on the flexibility point, it says clearly in the bill, 'the department shall establish procedures and criteria to determine the readiness of children for public

school kindergarten. Parents and guardians may request an assessment of the child and the department may grant an exception in the case of a child who is found to be ready for kindergarten.' I believe this is essentially the same process that's followed in private schools.

"I just believe in my heart . . . a lot has been said that we're not doing much for education, we're not doing much for education. This is a systemic change. This is a fundamental change that will affect every grade level from now on. The class of 2018 will benefit and the class of 2019 and beyond.

"This is real stuff. It's real important, and I encourage my colleagues to vote in support. Thank you."

Senator Menor rose and said:

"Madame President, please have the Clerk note that I'll be voting in favor of this bill but with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 17, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 127 (S.B. No. 789, S.D. 1, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 127 be adopted and S.B. No. 789, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure and stated:

"Madame President, I rise in opposition to the bill.

"The bill will add significant cost. This bill specifically does not have an appropriation, but the appropriated amount which is found in the budget is \$12.5 million and places cost implications on the employer for future contributions in Medicare part B.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 127 was adopted and S.B. No. 789, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Sakamoto).

Conf. Com. Rep. No. 128 (S.B. No. 1393, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 128 was adopted and S.B. No. 1393, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Sakamoto).

Conf. Com. Rep. No. 132 (H.B. No. 1456, H.D. 1, S.D. 1, C.D. 1):

Senator English moved that Conf. Com. Rep. No. 132 be adopted and H.B. No. 1456, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Slom rose in opposition to the measure as follows:

“Madame President, I rise in opposition to this bill.

“While this bill does make certain changes that are applicable to I think the soft drink part of the industry, it does not make changes to the entire industry or to the bill itself. Since I voted against the imposition of the bill last year and still believe that the bill should be abolished, I’ll be voting ‘no.’

“I also note that in the bill some of the dates have been changed and part of it is retroactive to October of last year. Thank you.”

Senator Trimble rose to speak in opposition to the measure and stated:

“Madame President, I also rise in opposition to this measure.

“I agree that waste and litter is a significant issue. What disturbs me about this bill is that it was changed as it went along so that manufacturers in Hawaii who produced beverages and or water products would pay the deposit or the tax even though their product was exported. I consider this a significant burden to a potential future industry that has no corresponding benefit to reducing litter in the State of Hawaii.

“Thank you.”

Senator Whalen rose and said:

“Madame President, actually, I have a point of inquiry for the Chair.

“I was a little bit confused reading the bill. If he would submit to the question, it appears to me that the manufacturers here in Hawaii would have to start paying the deposit fee but people cannot collect the deposit on those containers until . . . well, they start paying in 2002 and they won’t start collecting until 2005. Is that a correct reading of the bill?”

The Chair then inquired:

“Is there a response? No response.”

Senator Whalen continued:

“No, I don’t want to recess. I’ll just be in opposition, then. If he doesn’t know, then I don’t know why we’re voting for it.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 132 was adopted and H.B. No. 1456, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Slom, Trimble, Whalen). Excused, 1 (Sakamoto).

Conf. Com. Rep. No. 135 (H.B. No. 281, H.D. 1, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 135 be adopted and H.B. No. 281, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Trimble rose to speak in opposition to the measure as follows:

“Madame President, I rise in opposition to this measure.

“This is an amazing bill. If you read it, we can eliminate the backlog of \$540 million worth of school repairs just by writing reports and attending meetings. I contend that you can either do work or attend meetings, but you can’t do both at the same time, and that by adding further meetings and reports to the bureaucracy will make it increasingly bureaucratic.

“Finally, I think that our action today by voting yes by my colleagues that vote yes, we are in a sense giving a vote of no confidence to the board of education and the way they run the school system.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 135 was adopted and H.B. No. 281, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Slom, Trimble). Excused, 3 (Hanabusa, Menor, Taniguchi).

Conf. Com. Rep. No. 136 (H.B. No. 638, H.D. 1, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 136 be adopted and H.B. No. 638, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Trimble rose to speak against the measure as follows:

“Madame President, I spoke against this on April 8, so I rise to speak again.

“I suggested on April 8 that . . .”

The Chair interjected:

“To what reason do you rise?”

Senator Trimble responded:

“I am speaking in opposition to this measure.

“On April 8, I said that there are many worthy causes in Hawaii, including the fund for the widow of the Unknown Soldier. I suggest that as a body we decide how many we want to include. In California, I think the check off box is number 30. So instead of piecemealing it out one at a time and dealing with a different bill every year, why don’t we just consolidate and figure out how many we want and do it all at one time.

“So in the name of efficiency and keeping the cost of government in check, I urge you to vote ‘no.’

“Thank you.”

Senator English rose in support of the measure and stated:

“Madame President, I rise in support.

“I’d like to point out that there is no such thing as a fund for the widow of the Unknown Soldier because if it’s an unknown soldier, how do you know if the soldier is male or female? First, do you know if they have a widow? Second, how do you know if they’re married? So, we have to be very clear that there is no such thing as a fund for the widow of the Unknown Soldier.

“Thank you.” (Laughter.)

The motion was put by the Chair and carried, Conf. Com. Rep. No. 136 was adopted and H.B. No. 638, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 4 (Bunda, Hanabusa, Menor, Taniguchi).

Conf. Com. Rep. No. 137 (H.B. No. 289, H.D. 2, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 137 be adopted and H.B. No. 289, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hooser.

Senator Hogue rose in opposition to the measure and stated:

“Madame President, I rise in opposition to this particular measure.

“A couple of concerns that I have, one is a mandate which will take away flexibility, the other is that the question has been taken out of this particular measure.

“Essentially, colleagues, the Conference Committee has stripped this bill of any major school reform mandates. The bill’s only accomplishment is conforming statutes to reflect the new complex area structure. What we are doing is we are mandating 15 complex areas that already exist. Not only is this legislation unnecessary, but it takes away from any future flexibility of the Board of Education to make changes to school governance.

“Just think about it. It was just a couple of years ago that we went from seven districts to these 15 area complexes. So, if some future state board, if we decided to continue with centralization, came along, we would not be able to make changes because we’ve mandated it to be 15 area complexes.

“We in the Legislature are always looking to reform the school system year after year. Why stall any chance for future reform in the form of governance by passing this particular legislation.

“More importantly, rather than just that particular point, it’s just the fact that once again the people have not been given the opportunity to decide. The constitutional question was put into this particular measure. I know that the Senate debated this

over and over again. While I was not in accord with the final question, I did appreciate the Senate’s stand.

“I wish that rather than passing this particular legislation, we pass nothing at all and work very, very hard in the interim to allowing the people to decide. We need to allow the people to decide if in fact we should have decentralization. We need to put that particular question on the ballot so that the people can decide whether or not we should have a constitutional amendment. That is our job as an elected representative to work very hard for what our people want, and that, I believe, is local autonomy.

“For those reasons, I urge you vote ‘no.’ Thank you.

Senator Sakamoto rose to speak in support of the measure as follows:

“Madame President, I rise in support of the measure.

“I think rather than mandate, as the previous speaker perhaps has suggested, it does, yes, codify in statute, and the bill does establish complex-based management units, which are comprised of a high school, middle school or intermediate, and the feeder elementary schools. And the 15, yes, are in place, so we’re not mandating the department to do that, but sort of affirming that to correct what was in statute as formerly being districts. We’re correcting the statute in that regard.

“What I think, members and the Senator from Enchanted Lakes, the operative part in this measure, because we could put into statutes the complex, the part that I feel is very important, and we will move ahead on or should move ahead on is the part that says the complex areas shall insure that curricula within each school complex and as practicable within each complex area are aligned with statewide performance standards pursuant to Section 302A and demonstrate a coherent progression through all grade levels. So, by putting the complex in here, then we can start to get to the heart of the matter in the alignment within a complex. The individual schools, ideally I guess, would then organize curriculum calendars, etc., to accommodate the best use of alignment in the programs as well as professional development training and move forward as a K-12 unit.

“The systemic organization of complex-based management structures is essential, in a sense, to line up statewide content and performance standards. This management system would accommodate complex planning. We haven’t done some of the other measures, but I guess I’d like to assure the previous speaker that it is not my intention, nor do I believe it’s our Senate’s intention, to say this is in lieu of or in place of any other reform. I think we were hopeful to get some sort of question if indeed we could come upon one. Let’s hope next year that can be the case. But I think having the complex unit defined and hopefully pressing on the curricula alignment would be a step forward, and we can still do other reforms, government reforms, in the future.

“Thank you.”

Senator Ige rose to speak in support of the measure with reservations and said:

“Madame President, I stand in support with reservations.

“I support the concept that complex areas should be responsible for curriculum. My concern is that there are lots of bodies and resources in the state office that are assigned to curriculum, and although this measure gives the responsibility for curriculum to the complex, it doesn’t transfer any resources.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 137 was adopted and H.B. No. 289, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Bunda, Taniguchi).

Conf. Com. Rep. No. 138 (H.B. No. 1175, H.D. 2, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 138 be adopted and H.B. No. 1175, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hooser.

Senator Hogue rose in opposition to the measure and stated:

“Madame President, I rise to speak in opposition to this particular measure.

“Madame President, if we were just changing references from administrative superintendent to complex areas superintendent, I wouldn’t have much of a problem. They are always obviously all decided that even though I voted no, that we are going to support the area complexes.

“But what we are doing with this particular measure is we are allowing the DOE to increase administrative costs by increasing the salaries of what would be complex area superintendents and adding the positions of deputy and assistant superintendents.

“If you look in Section 8, page 13 of the particular bill, essentially, what would be allowed is a 50 percent increase for certain employees – a raise of up to \$40,000. In a budget crisis year when we are voting to charge student textbook fees, why are we spending money, big money, for administrative positions and raises?”

“Let us, as responsible Legislators, prioritize educational needs and wants and vote ‘no’ on this particular measure.

“Thank you, Madame President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 138 was adopted and H.B. No. 1175, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 3 (Bunda, Hanabusa, Taniguchi).

At 3:54 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:49 o’clock p.m., with the President in the Chair.

The President then made the following announcement:

“Members, we deferred some matters and we want to go back to page 38 to take up S.B. No. 459, campaign spending. Following that bill, we will go to page 26 to do H.B. No. 1400,

and after that we will come back to page 38 to do S.B. No. 464, relating to the fixed rail.”

FINAL READING

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 84 (S.B. No. 459, S.D. 1, H.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 84 be adopted and S.B. No. 459, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Hanabusa then offered the following amendment (Floor Amendment No. 15) to S.B. No. 459, S.D. 1, H.D. 1, C.D. 1:

SECTION 1. Senate Bill No. 459, S.D. 1, H.D. 1, C.D. 1, is amended by amending subsection (a) of section 11-204, Hawaii Revised Statutes, as amended by section 7 of the bill to read as follows:

“(a) (1) No person [~~or any other entity~~] shall make contributions to:

(A) ~~A candidate seeking nomination or election to a two-year office or to the candidate’s committee in an aggregate amount greater than \$2,000 during an election period;~~

~~(B)~~ (A) A candidate seeking nomination or election to a four-year statewide office or to the candidate’s committee in an aggregate amount greater than \$6,000 during an election period; [and]

~~(C) A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate’s committee in an aggregate amount greater than \$4,000 during an election period.]~~

(B) A candidate seeking nomination or election to a four-year term of a nonstatewide office, or the candidate’s committee, of an amount greater than \$4,000 in the aggregate, for that election in which the candidate seeks office; or

(C) A candidate seeking nomination or election to a two-year term of office, or the candidate’s committee, of an amount greater than \$2,000 in the aggregate, for that election in which the candidate seeks office.

These limits shall not apply to a loan made to a candidate by a financial institution in the ordinary course of business.

(2) For purposes of this section, the length of term of an office shall be the usual length of term of the office as unaffected by reapportionment, a special election to fill a vacancy, or any other factor causing the term of the office the candidate is seeking to be less than the usual length of term of that office.”

Senator Ihara rose and said:

“Mr. President, I assume we’re waiving the Senate Rule that requires floor amendments by 9:30 this morning, because I just got it about an hour ago . . . which is fine with me. Is that right?”

The President replied:

“Yes.”

Senator Hanabusa moved that Floor Amendment No. 15 be adopted, seconded by Senator Kawamoto.

Senator Hanabusa noted:

“Mr. President, Floor Amendment No. 15 speaks to an error in the C.D. 1. The C.D. 1 had in it an amendment which we do statewide election contributions to \$4,000 for the election period. What Floor Amendment No. 15 does is restore statewide election to the \$6,000 amount.”

The motion to adopt Floor Amendment No. 15 was put by the Chair and carried.

Senator Hanabusa moved that Conf. Com. Rep. No. 84 be received and placed on file, seconded by Senator Kawamoto and carried.

By unanimous consent, S.B. No. 459, S.D. 1, H.D. 1, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,” was placed on the calendar for Final Reading on Thursday, May 1, 2003.

RECONSIDERATION OF ACTION TAKEN EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 141 (H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1):

Senator Kim moved that the Senate reconsider its action taken earlier on the calendar in recommitting Conf. Com. Rep. No. 141 and H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1, to the Committee on Conference, seconded by Senator Taniguchi.

Senator Kim noted:

“Mr. President, as you know, we had laying on our desk a floor amendment 14 for this particular bill and there were some concerns about the tax impact. We have been in discussion with the tax department and there is some reconsideration of that, and we believe that we need more time and this item has to lay over until Thursday.”

The motion was put by the Chair and carried.

Senator Kim then moved that Conf. Com. Rep. No. 141 be adopted and H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Kim then offered the following amendment (Floor Amendment No. 14) to H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1:

SECTION 1. H.B. No. 1400, H.D. 1, S.D. 2, C.D. 1, is amended by deleting the contents of the bill and substituting the following:

“SECTION 1. In October of 2001, the legislature met in special session to approve legislation designed to ameliorate the negative effects that the September 11, 2001, terrorist attacks had on Hawaii’s economy. Act 10, Third Special Session 2001, raised the percentage of the tax credit for construction and remodeling of hotels from four to ten per cent for costs incurred prior to July 1, 2003, to assist the tourism industry in its efforts to attract more visitors to Hawaii. The legislature finds that this tax credit is an excellent means to boost Hawaii’s tourism and construction industries, and that extension of this tax credit is warranted.

SECTION 2. Section 235-110.4, Hawaii Revised Statutes, is amended to read as follows:

“**§235-110.4 Hotel construction and remodeling tax credit.** (a) There shall be allowed to each taxpayer subject to the taxes imposed by this chapter and chapter 237D, an income tax credit, which shall be deductible from the taxpayer’s net

income tax liability, if any, imposed by this chapter for the taxable year in which the credit is properly claimed.

The amount of the credit shall be ~~ten~~ eight per cent of the construction or renovation costs incurred during the taxable year for each qualified hotel facility located in Hawaii, and shall not include the construction or renovation costs for which another credit was claimed under this chapter for the taxable year; provided that the construction or renovation costs are incurred before July 1, ~~[2003-]~~ 2006.

In the case of a partnership, S corporation, estate, trust, association of apartment owners of a qualified hotel facility, time share owners association, or any developer of a time share project, the tax credit allowable is for construction or renovation costs incurred by the entity for the taxable year. The cost upon which the tax credit is computed shall be determined at the entity level. Distribution and share of credit shall be determined pursuant to section 235-110.7(a).

If a deduction is taken under section 179 (with respect to election to expense depreciable business assets) of the Internal Revenue Code, no tax credit shall be allowed for that portion of the construction or renovation cost for which the deduction is taken.

The basis of eligible property for depreciation or accelerated cost recovery system purposes for state income taxes shall be reduced by the amount of credit allowable and claimed. In the alternative, the taxpayer shall treat the amount of the credit allowable and claimed as a taxable income item for the taxable year in which it is properly recognized under the method of accounting used to compute taxable income.

(b) The credit allowed under this section shall be claimed against the net income tax liability for the taxable year.

(c) If the tax credit under this section exceeds the taxpayer’s income tax liability, the excess of credit over liability may be used as a credit against the taxpayer’s income tax liability in subsequent years until exhausted. All claims for a tax credit under this section, including amended claims, shall be filed on or before the end of the twelfth month following the close of the taxable year for which the credit may be claimed. Failure to comply with the foregoing provision shall constitute a waiver of the right to claim the credit.

(d) The director of taxation shall prepare any forms that may be necessary to claim a credit under this section. The director may also require the taxpayer to furnish information to ascertain the validity of the claim for credit made under this section and may adopt rules necessary to effectuate the purposes of this section pursuant to chapter 91.

~~[(e) The tax credit allowed under this section shall be available for taxable years beginning after December 31, 1998, and shall not be available for taxable years beginning after December 31, 2005.~~

~~(f) To qualify for the income tax credit, the taxpayer shall be in compliance with all applicable federal, state, and county statutes, rules, and regulations.~~

~~(g)~~ (e) As used in this section:

“Construction or renovation cost” means any costs incurred after December 31, 1998, for plans, design, construction, and equipment related to new construction, alterations, or modifications to a qualified hotel facility.

“Net income tax liability” means income tax liability reduced by all other credits allowed under this chapter.

“Qualified hotel facility” means [a]:

- (1) A hotel/hotel-condo as defined in section 486K-1~~[-and includes a];~~
- (2) A time share facility or project~~[-];~~ or
- (3) Commercial buildings and facilities located within a qualified resort area.

“Qualified resort area” means an area designated for hotel use, resort use, or transient vacation rentals, pursuant to county authority under section 46-4, or where the county, by its legislative process, designates hotel, transient vacation rental, or resort use.

"Taxpayer" means a taxpayer under this chapter, and includes:

- (1) Association of apartment owners; or
- (2) Time share owners association.

~~[(h)]~~ (f) No taxpayer that claims a credit under this section shall claim a credit under chapter 235D."

SECTION 3. Section 235-110.4, Hawaii Revised Statutes, is amended to read as follows:

"§235-110.4 Hotel construction and remodeling tax credit. (a) There shall be allowed to each taxpayer subject to the taxes imposed by this chapter and chapter 237D, an income tax credit, which shall be deductible from the taxpayer's net income tax liability, if any, imposed by this chapter for the taxable year in which the credit is properly claimed.

The amount of the credit shall be ~~eight~~ four per cent of the construction or renovation costs incurred during the taxable year for each qualified hotel facility located in Hawaii, and shall not include the construction or renovation costs for which another credit was claimed under this chapter for the taxable year; provided that the construction or renovation costs are incurred before July 1, ~~[2006-]~~ 2010.

In the case of a partnership, S corporation, estate, trust, association of apartment owners of a qualified hotel facility, time share owners association, or any developer of a time share project, the tax credit allowable is for construction or renovation costs incurred by the entity for the taxable year. The cost upon which the tax credit is computed shall be determined at the entity level. Distribution and share of credit shall be determined pursuant to section 235-110.7(a).

If a deduction is taken under section 179 (with respect to election to expense depreciable business assets) of the Internal Revenue Code, no tax credit shall be allowed for that portion of the construction or renovation cost for which the deduction is taken.

The basis of eligible property for depreciation or accelerated cost recovery system purposes for state income taxes shall be reduced by the amount of credit allowable and claimed. In the alternative, the taxpayer shall treat the amount of the credit allowable and claimed as a taxable income item for the taxable year in which it is properly recognized under the method of accounting used to compute taxable income.

(b) The credit allowed under this section shall be claimed against the net income tax liability for the taxable year.

(c) If the tax credit under this section exceeds the taxpayer's income tax liability, the excess of credit over liability may be used as a credit against the taxpayer's income tax liability in subsequent years until exhausted. All claims for a tax credit under this section, including amended claims, shall be filed on or before the end of the twelfth month following the close of the taxable year for which the credit may be claimed. Failure to comply with the foregoing provision shall constitute a waiver of the right to claim the credit.

(d) The director of taxation shall prepare any forms that may be necessary to claim a credit under this section. The director may also require the taxpayer to furnish information to ascertain the validity of the claim for credit made under this section and may adopt rules necessary to effectuate the purposes of this section pursuant to chapter 91.

(e) As used in this section:

"Construction or renovation cost" means any costs incurred after December 31, 1998, for plans, design, construction, and equipment related to new construction, alterations, and modifications to a qualified hotel facility.

"Net income tax liability" means income tax liability reduced by all other credits allowed under this chapter.

"Qualified hotel facility" means:

- (1) A hotel/hotel-condo as defined in section 486K-1;
- (2) A time share facility or project; or
- (3) Commercial buildings and facilities located within a qualified resort area.

"Qualified resort area" means an area designated for hotel use, resort use, or transient vacation rentals, pursuant to county authority under section 46-4, or where the county, by its legislative process, designates hotel, transient vacation rental, or resort use.

"Taxpayer" means a taxpayer under this chapter, and includes:

- (1) Association of apartment owners; or
- (2) Time share owners association.

(f) No taxpayer that claims a credit under this section shall claim a credit under chapter 235D."

SECTION 4. Section 235-110.4, Hawaii Revised Statutes, is repealed.

~~"§235-110.4 Hotel construction and remodeling tax credit.~~ (a) There shall be allowed to each taxpayer subject to the taxes imposed by this chapter and chapter 237D, an income tax credit, which shall be deductible from the taxpayer's net income tax liability, if any, imposed by this chapter for the taxable year in which the credit is properly claimed.

The amount of the credit shall be four per cent of the construction or renovation costs incurred during the taxable year for each qualified hotel facility located in Hawaii, and shall not include the construction or renovation costs for which another credit was claimed under this chapter for the taxable year; provided that the construction or renovation costs are incurred before July 1, 2010.

In the case of a partnership, S corporation, estate, trust, association of apartment owners of a qualified hotel facility, time share owners association, or any developer of a time share project, the tax credit allowable is for construction or renovation costs incurred by the entity for the taxable year. The cost upon which the tax credit is computed shall be determined at the entity level. Distribution and share of credit shall be determined pursuant to section 235-110.7(a).

If a deduction is taken under section 179 (with respect to election to expense depreciable business assets) of the Internal Revenue Code, no tax credit shall be allowed for that portion of the construction or renovation cost for which the deduction is taken.

The basis of eligible property for depreciation or accelerated cost recovery system purposes for state income taxes shall be reduced by the amount of credit allowable and claimed. In the alternative, the taxpayer shall treat the amount of the credit allowable and claimed as a taxable income item for the taxable year in which it is properly recognized under the method of accounting used to compute taxable income.

(b) The credit allowed under this section shall be claimed against the net income tax liability for the taxable year.

(c) If the tax credit under this section exceeds the taxpayer's income tax liability, the excess of credit over liability may be used as a credit against the taxpayer's income tax liability in subsequent years until exhausted. All claims for a tax credit under this section, including amended claims, shall be filed on or before the end of the twelfth month following the close of the taxable year for which the credit may be claimed. Failure to comply with the foregoing provision shall constitute a waiver of the right to claim the credit.

(d) The director of taxation shall prepare any forms that may be necessary to claim a credit under this section. The director may also require the taxpayer to furnish information to ascertain the validity of the claim for credit made under this section and may adopt rules necessary to effectuate the purposes of this section pursuant to chapter 91.

(e) As used in this section:

"Construction or renovation cost" means any costs incurred after December 31, 1998, for plans, design, construction, and equipment related to new construction, alterations, and modifications to a qualified hotel facility.

"Net income tax liability" means income tax liability reduced by all other credits allowed under this chapter.

"Qualified hotel facility" means:

- (1) A hotel/hotel-condo as defined in section 486K-1;
- (2) A time share facility or project; or
- (3) Commercial buildings and facilities located within a qualified resort area.

“Qualified resort area” means an area designated for hotel use, resort use, or transient vacation rentals, pursuant to county authority under section 46-4, or where the county, by its legislative process, designates hotel, transient vacation rental, or resort use.

“Taxpayer” means a taxpayer under this chapter, and includes:

- (1) Association of apartment owners; or
- (2) Time share owners association.

~~“(f) No taxpayer that claims a credit under this section shall claim a credit under chapter 235D.”]~~

SECTION 5. Act 10, Third Special Session Laws of Hawaii 2001, section 4, is amended to read as follows:

“SECTION 4. This Act shall take effect upon its approval; provided that[:

~~“(1) The] the amount of the tax credit under section 235-110.4(a), Hawaii Revised Statutes, amended by section 2 of this Act shall be four per cent for any hotel construction and renovation costs incurred prior to the effective date of this Act[; and~~

~~“(2) Section 2(1) and 2(2) of this Act shall be repealed on June 30, 2003, and section 235-110.4(a) and (c), Hawaii Revised Statutes, shall be reenacted in the form in which it read prior to the effective date of this Act].”~~

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval; provided that:

- (1) The amount of the tax credit under section 235-110.4(a), Hawaii Revised Statutes, shall be ten per cent for any hotel construction and renovation costs incurred after November 1, 2001, and prior to the effective date of this Act;
- (2) Section 3 shall take effect on July 1, 2006, and shall apply to any hotel construction and renovation costs incurred after June 30, 2006, and prior to July 1, 2010; and
- (3) Section 4 shall take effect on July 1, 2010.”

Senator Kim moved that Floor Amendment No. 14 be adopted, seconded by Senator Taniguchi.

Senator Kim noted:

“Mr. President, H.B. No. 1400 in Conference was agreed to that it would be an 8 percent tax credit nonrefundable for three years, and 4 percent for four years thereafter. What actually came out of the final draft was 8 percent for four years. So, we needed to fix that and amend it on the Floor, which is what this bill is actually doing.”

The motion to adopt Floor Amendment No. 14 was put by the Chair and carried.

Senator Kim moved that Conf. Com. Rep. No. 141 be received and placed on file, seconded by Senator Taniguchi and carried.

By unanimous consent, H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT,” was placed on the calendar for Final Reading on Thursday, May 1, 2003.

FINAL READING

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 90 (S.B. No. 464, S.D. 2, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 90 be adopted and S.B. No. 464, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Kawamoto rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of the bill.

“Mr. President, this bill was again, as we promised, reduced to just a study. In fact the Governor has already started part of the study and is informally meeting with members of this body, members of the House body, and members of the City Council and the DTS person. We’re all working together trying to resolve the concerns about fixed rail or some alternative means of transportation to address the commute concerns of the Leeward communities.

“I ask all my colleagues to vote ‘aye’ on this bill. Thank you.”

Senator Espero rose to speak in support of the measure and said:

“Mr. President, I’d also like to rise in support of this measure.

“Twenty years ago the city and county had an opportunity to build a light rail. Unfortunately, in the ‘80s with a new administration, the project was killed. In the ‘90s there was also an opportunity for a light rail fixed system, and again the City Council made the decision and it killed it.

“Now is the time to re-look at that. The situation out in Leeward, West Oahu, and other parts of the island is getting worse. This is an option that we have to seriously consider because we have let opportunities slip through our fingers. Now is the time for these sets of politicians within this body, within the state and city and county to take a hard look and make some hard decisions that will allow the commuters to avoid traffic jams, stalls, congestion, even the rain. A light rail fixed system will do that, and I hope my colleagues will support this.

“Thank you.”

Senator Hemmings rose to speak against the measure and said:

“Mr. President, I rise to speak against S.B. No. 464.

“Mr. President and colleagues, it’s been acknowledged already on this Floor that the Governor has put together a number of people that are looking at the vast alternatives that are available in the urban corridor of Honolulu to solve the problem of transit and traffic congestion. It’s way premature at this time to single out a fixed rail transit system as the only solution. The prudent thing to do is to wait until after additional information has been gathered by all the people involved and possibly move on this next Session if it is the prudent and the number one choice.

"In short, fixed rail may be a long-term solution but the real issue is it may not be, and it is premature at this time to make this commitment.

"Thank you, Mr. President."

Senator Kim rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of the measure.

"Mr. President, I was on that City Council 10, 15 years ago when, actually, fixed rail got voted down, and I want to go on record to say that I was in support of it. So I was not one that voted against it.

"Back then, Mr. President, I said 10 years from now, 20 years from now, we're going to need fixed rail or some kind of rail system. Our traffic problems are not going to lessen. And of course the opponents said, oh, we can do bus transit, and we can do dedicated lanes, and we can do all these zipper lanes. And we've done it, but we still have a bad traffic problem. And as I said back then, and I think it's still true today, that in the future it's only going to get worse. It's not going to get better, and we need to look at fixed rail or some kind of rail system in order to move our people in an efficient manner.

"So I urge my colleagues to support this. Thank you."

Senator Ihara rose and said:

"Mr. President, please note my reservations in support of this bill."

The Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 90 was adopted and S.B. No. 464, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

FINAL READING

MATTER DEFERRED FROM THURSDAY, APRIL 17, 2003

S.B. No. 637, H.D. 2:

On motion by Senator Chun Oakland, seconded by Senator Hanabusa and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 637, and S.B. No. 637, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

MATTER DEFERRED FROM WEDNESDAY, APRIL 16, 2003

S.B. No. 1068, S.D. 1, H.D. 2:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1068, S.D. 1, and S.B. No. 1068, S.D. 1,

H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

Conf. Com. Rep. No. 31 (H.B. No. 297, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 297, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (H.B. No. 1255, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 1255, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35 (H.B. No. 1361, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 1361, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 67 (S.B. No. 1312, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 67 was adopted and S.B. No. 1312, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 75 (S.B. No. 1352, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 75 was adopted and S.B. No. 1352, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 83 (S.B. No. 582, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 83 was adopted and S.B. No. 582, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (S.B. No. 1135, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 86 was adopted and S.B. No. 1135, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 101 (S.B. No. 540, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 540, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 102 (S.B. No. 317, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 102 was adopted and S.B. No. 317, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 103 (S.B. No. 1050, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 103 was adopted and S.B. No. 1050, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 107 (S.B. No. 1647, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Menor and carried, Conf. Com. Rep. No. 107 was adopted and S.B. No. 1647, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 108 (S.B. No. 585, S.D. 1, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 108 be adopted and S.B. No. 585, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Baker rose and said:

"Mr. President, I have remarks I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 585, C.D. 1, an emergency measure which appropriates funds from the Hawaii tobacco settlement special fund to the department of human services for children's health programs for the current fiscal year 2002-2003.

"Ten percent of the tobacco settlement moneys received by the Health Department is transferred to the department of human services to provide health care coverage to children under nineteen who are eligible under its children's health insurance program. However, during FY 01 and FY 02, portions of the tobacco settlement moneys meant for this purpose were unexpended. The funds remain in the Hawaii tobacco settlement special fund and may be used for payments to health care providers programs administered by the department of human services.

"This measure will allow the Department of Human Services to utilize surplus tobacco settlement moneys in FY 03. DHS understands that this is a one-time emergency appropriation. Given the extraordinary circumstances, this emergency appropriation is an acceptable approach. Senate Bill 585, C.D. 1, will enable us to provide vital and needed health care coverage to children under nineteen eligible for medical assistance programs. I urge my colleagues to join me in supporting this important measure.

"Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 108 was adopted and S.B. No. 585, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 112 (S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 112 be adopted and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Baker rose and said:

"Mr. President, I have remarks I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1279, C.D. 1, which consolidates the Cigarette Tax Stamp Enforcement Special Fund into the Tobacco Enforcement Special Fund. This measure provides the Department of the Attorney General with the necessary funding to carry out its mandate to enforce the cigarette tax stamp, in addition to enforcing the Master Settlement Agreement and administering tobacco prevention programs.

"Additionally, this measure assures our compliance with the Master Settlement Agreement by synchronizing timing of receipt of settlement moneys to match the timing of revenues and expenses utilized. This will ensure that settlement moneys to fund the activities of the tobacco enforcement unit will remain available when the schedule of payments changes in 2004.

"Senate Bill 1279, C.D. 1, will ensure that the State will continue to receive its share of the MSA settlement moneys and receives all of the cigarette tax stamp revenues to which it is entitled. I urge my colleagues to join me to support this important measure.

"Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 112 was adopted and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 117 (S.B. No. 1661, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 117 was adopted and S.B. No. 1661, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

Conf. Com. Rep. No. 24 (H.B. No. 1230, H.D. 1, S.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 24 be adopted and H.B. No. 1230, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"This is an omnibus bill that ostensibly talks about security for airports, harbors, transportation systems in all. In effect, it is a tax and fee increase bill. It introduces the passenger facility charge revenue fund, a thinly disguised special fund, and a new charge, the passenger revenue facility charge.

"In order to be consistent, Mr. President, I voted against this during a Democrat governor's administration and I'm going to vote against it during a Republican governor's administration. The plain fact is that it is going to be an additional charge, and in the guise of security, it is a revenue enhancement measure.

"There has been discussion that interisland flights are exempted from this new tax and that may be true, but anyone leaving for the mainland from international terminals from the neighbor islands or coming through Honolulu will still be taxed at an estimated \$4.50 per person per ticket.

"Thank you."

Senator Kawamoto rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of the bill.

"Mr. President, it's true that the departing Hawaii passengers going to the mainland would be charged this fee. It could be as high as \$4.50. But this fee, because we haven't charged this fee in the past, is being charged right now to our people and they allow two departures to charge this fee if you're taking a trip to the mainland.

"What this fee does is provides us the opportunity to charge that initial fee here in Hawaii. And the reason why we didn't do that before is because of the fact that we didn't have the waiver in which we would be waived from interisland flights because of the fact that we are an island state. So now we have the waiver. In October, 2001 we did receive the waiver to not charge the interisland people on interisland flights.

"So, it's an opportune time for us to receive about \$15 million for airport special funds. The other funds that are needed to get the federal funds that we have are to secure our ports. These monies will be used with the federal funds to secure our ports and for improvements to the harbors."

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"From a broader policy position, this is going in the wrong direction. We are isolated. We are an isolated community, and we're making it more expensive to leave here. From a social perspective, our attitude should be that anyone that wants to leave Hawaii we should facilitate that even if it were free.

"Think, Mr. President, if in the past you provided free exit visas and transportation for all dissident Republicans, what a nicer place this might have become. (Laughter.)

"On a more serious note, people come to Hawaii with the best of intentions. They run out of money. Some of them turn to crime to support themselves. From a social perspective, we should be looking at not raising the cost of leaving Hawaii but lowering it to enable people that wanted to leave for whatever reason to do so.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 24 was adopted and H.B. No. 1230, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 3 (Menor, Sakamoto, Taniguchi).

At 5:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:11 o'clock p.m.

Conf. Com. Rep. No. 25 (H.B. No. 1154, H.D. 1, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 25 be adopted and H.B. No. 1154, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, this is my third time this Session to talk about this bill. I rise in opposition to this measure.

“If this is good policy then why don’t we do the same thing for the Department of Taxation? What this bill does is say that budget and finance may write off all of their costs associating with the disposal of property, as a cost. It sort of ignores the scrutiny of this Legislature. It sort of fits the criteria that my colleague from the Diamond Head Crater normally speaks against.

“It is, essentially, a special fund. It is a special fund that does not get the scrutiny of this body with the same regard as every other fund. It is bad policy and I’m voting against it.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 1154, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Menor, Taniguchi).

Conf. Com. Rep. No. 26 (H.B. No. 422, H.D. 2, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 26 be adopted and H.B. No. 422, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the measure and stated:

“Mr. President, I rise in opposition to this bill.

“This bill creates the new center for nursing special fund. It also provides for fees and for monetary transfers.

“Thank you.”

Senator Baker rose to speak in support of the measure as follows:

“Mr. President, I rise in support of this measure.

“In addition to the fact that this is a program that was asked for by the nurses to help them address future problems facing nursing, they requested the fees. They’re all in support of it. I believe our colleagues should vote for it as well.

“Thank you.”

Senator Trimble rose to speak in opposition of the measure and said:

“Mr. President, I rise in opposition to this measure.

“The statement that all supported this tax, that all nurses supported this tax, I have not seen verified, and I truly question whether all nurses wish to be so assessed.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 422, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A CENTER FOR NURSING,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Menor).

Conf. Com. Rep. No. 27 (H.B. No. 320, H.D. 2, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 27 be adopted and H.B. No. 320, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“It also establishes yet another new special fund – the UH management risk special fund.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 320, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RISK MANAGEMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Menor).

Conf. Com. Rep. No. 30 (H.B. No. 282, H.D. 2, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 30 be adopted and H.B. No. 282, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

“Mr. President, I rise in opposition to this measure.

“This measure, pure and simply, is empire building by the Legislature. It does not include the judiciary in its audits. And third, I believe there is room for both legislative and executive audits and I believe it is better policy to keep the two separate.

“For those reasons, I urge my colleagues to vote against this measure.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 282, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AUDITOR,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Menor).

Conf. Com. Rep. No. 33 (H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 33 be adopted and H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“Actually, I’ve risen in opposition against this bill or similar bills for seven years now. We don’t seem to read the details about these bills, and we seem to be willing to payoff. I doubt that very many of my colleagues know what the total tab is on this bill right now because it’s not shown in either the committee report or in the summary, but it’s over \$14 million.

“It’s very interesting when you look at some of the claims. Some of the claims for malfeasance by public employees are being settled. We had a situation where \$7 million was being settled dating back to 1994 arising out of the QUEST program. But I like some of the individual settlements that are included, and I just have one that our research staff brought to my attention. It’s a \$30,000 settlement, and let me just give you the facts of the case here. It was a trip and fall case at an elementary school at parent/teacher night. The mother tripped in a hole that is 1½ inches deep and 1½ to 2 feet wide on a sidewalk between classrooms while carrying her baby. She landed on her knees and elbows to protect her baby. She sustained approximately \$7,400 in medical and rehab costs due to injuries. She sued the Department of Education for carpal tunnel syndrome; injuries to the back, neck and shoulders; headache; pain and suffering; ill effects on her activities as wife and mother (she was a housewife); and then the husband sued for loss of consortium because, quote, ‘he had to do more around the house,’ unquote. The injury occurred in August 2001. The suit was filed in May 2002. The state is willing to settle for \$30,000. This is just one example.

“I would suggest that what we should really do – and I’ve asked for this for seven years now, to no avail – is to look at each and every one of these individual cases and tell the Attorney General’s Office we do not want to settle. We do not want to continue to be taxpayer patsies. People view us, attorneys and others, as deep pockets. But it’s not us because no one in this room paying out the money. It’s the hardworking taxpayers of this state, and 14 million bucks is a big chunk of change.

“So I’m voting ‘no’ on this as a message. Thank you, Mr. President.”

Senator Trimble rose in opposition to the measure and stated:

“Mr. President, I also rise in opposition to this measure.

“Colleagues, there probably is not a nexus but was it on April 8th that we talked about, I think, H.B. No. 73 that would provide immunity from prosecution for civil or criminal penalties for law enforcement officials. And I’m sure that there is no connection to this bill, which also shows a settlement to Faith Evans who was employed, I believe, at the Department of Public Safety.

“The issue is deeper than who’s paying the taxpayer. The issue is when are we going to hold our public employees accountable for their actions or their misactions. And when we start doing that, claims against the state will go down.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Kim, Menor).

Conf. Com. Rep. No. 36 (H.B. No. 293, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 36 be adopted and H.B. No. 293, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise again in opposition to this bill.

“Again, this is a bill that’s been bouncing around for several years. What it would establish is a world class farmer’s market established by the state government. There is an appropriation now at \$7,000 in the final draft of this bill.

“I note that we don’t do anything in Hawaii unless it’s ‘world class.’ Everything we do is ‘world class.’

“We don’t need a study, nor do we need an appropriation of taxpayer funds for a farmer’s market. We have dozens of farmer’s markets that are operating at world class levels in most regional and community neighborhoods throughout our state. They’ve done quite well without any government or public support.

“So again, this is a situation where the government need not apply. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 293, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE FARMERS’ MARKET,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Kim).

Conf. Com. Rep. No. 45 (H.B. No. 290, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 290, H.D. 2, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Kim).

Conf. Com. Rep. No. 47 (H.B. No. 1362, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 47 be adopted and H.B. No. 1362, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose to speak with reservations and said:

“Mr. President, I rise with reservations on this measure.

“Several things should be considered as we look at this again. The first statement was it won’t cost us anything. I believe that statement to be false. We are giving the consumers in Hawaii more choices in what to invest their money in, and as a result of this and measures like this, things that people in this community probably support. There will be purchases of these tax-free bonds by individuals that not normally would be purchasing tax-free or as many tax-free bonds. This will affect the amount of income taxes they pay to the State of Hawaii.

“The second statement in regard to these is that the state has no liability. I suggest, colleagues, that regardless of whether the state has liability or not, if one of these loans or bond issuances goes south, that this body will be so concerned about the widows and orphans that lost money that we will make their corpus whole just as we did with Manoa Finance three decades ago.

“Third, I have not seen any study that indicates how much these institutions will wind up paying in interest because there will be a fairly substantial difference between the interest that investors get on the bonds and what these institutions pay. And I think this body may regard this form of assistance less desirable when they know the true cost to the institution issuing the bonds.

“So, I must vote on this measure with reservations, and all similar spurs in the future. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 47 was adopted and H.B. No. 1362, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, English, Hooser, Tsutsui).

At 5:23 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:26 o’clock p.m.

Conf. Com. Rep. No. 50 (H.B. No. 1652, S.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 50 be adopted and H.B. No. 1652, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Slom rose in opposition to the measure and stated:

“Mr. President, I rise in opposition to this bill.

“This is very curious. We are appropriating \$500,000 in this bill for activities associated with, quote, ‘securing approval for the waiver from the centers for Medicare and Medicaid services for the expansion of prescription drug benefits under the Medicaid program,’ unquote. There has never been, in the history of the center, a waiver to any state or locality. We did apply for such a waiver, and that waiver was denied. I think all of my colleagues received notification of that within the last couple of weeks that it was denied. So why we would spend another \$500,000 chasing a waiver which is not going to be given, boggles my mind.

“In addition to that, a number of my colleagues were invited on a bipartisan basis to meet with the Governor a couple of weeks ago along with the Department of Health head, the Department of Human Services, and so forth to discuss this very issue. And what the administration and the executive branch is doing, since the waiver has been denied, they are collaboratively and collectively working, both here and with other states, trying to find other means of bringing meaningful prescription drug reform.

“But to pass a bill like this and to waste a half a million dollars chasing a waiver, which has been denied and which will not be given, is fiscally irresponsible.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 1652, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Ige).

Conf. Com. Rep. No. 78 (S.B. No. 1443, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 78 be adopted and S.B. No. 1443, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hemmings rose to speak in favor of the measure as follows:

“Mr. President, for the record, I want to speak in favor of S.B. No. 1443 making this appropriation.

“Briefly and to the point, the Minority members of the Senate are very concerned about future costs of labor, with the exception of firefighters and police. We believe that these two public organizations deserve all the support we can give them, especially when there is no private sector alternative to fill in the void in case of an emergency, and therefore will be supporting this initiative in contrast to the other collective bargaining benefits being handed out.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 78 was adopted and S.B. No. 1443, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79 (S.B. No. 1444, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 79 be adopted and S.B. No. 1444, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hemmings rose to speak against the measure and said:

“Mr. President, I rise to speak against this appropriation.

"We all know that the state finances are extremely tight and we saw this morning in passing the budget the very astute Chairman of the Ways and Means Committee said that the growth in the budget, which is about 4.8 percent this year, is due in most part to previously negotiated collective bargaining increases.

"Though we're not getting actual money out in some of these collective bargaining increases, we're giving out a tremendous amount of assistance that's going to cost the taxpayers a lot of money in the future regarding benefits. It's important to note that the entire state is tightening their belts both in private sector employment with unions and non-union employees so much so that there is threatened job security for many people in the state of Hawaii. Nevertheless, we're continuing to give out these benefits. Come collective bargaining, it's going to cost all of us more money than we have in the future.

"It's also important to note that the benefit package for the employees of the State of Hawaii is one of the most benevolent in the nation. For instance, with our 14 paid days of holidays, we are number one in the nation for that. Every year there are 14 days off that are paid for by the taxpayers that most other states do not get anywhere near that number. It usually averages around 10 or 11, looking over the list. Sick leave is one of the most attractive in the nation. We just earlier in the day passed formalizing a procedure where employees can leave state employ to go to conferences regarding their school and children's school programs, and the list goes on, and on, and on. I think it is extremely unfair to the working men and women in Hawaii that continue to pay for this alleged public service while they themselves are suffering.

"Second, and more importantly, is that I think the labor union leaders really have to start looking at the bigger picture here. How much longer are they going to be able to get these benefits and expect job security to exist. I think all of us don't want to see anybody laid off, but there may be a day when we cannot afford to have everybody in employ and continue to pay these benefits that are not enjoyed by their counterparts in the private sector.

"So, for this reason and others, some of us will be voting consistently against appropriations for collective bargaining cost items.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 79 was adopted and S.B. No. 1444, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Conf. Com. Rep. No. 81 (S.B. No. 1040, S.D. 1, H.D. 1, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 81 be adopted and S.B. No. 1040, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak against the measure as follows:

"Mr. President, I'll be voting 'no' on this bill.

"The bill basically mandates that 10 percent, after a certain limit, of the TAT go to the special fund for statewide trail and

access. Certainly, tourist and our visitors use trails and accesses. Certainly, we should maintain them, but I think the larger issue here is, as we've seen before, different departments, different individuals, different special interest come in and want to take chunks of the transient accommodation tax for either niche marketing, as is the case here, or for repairs and maintenance of existing facilities that should be done by other departments and have not been done.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 81 was adopted and S.B. No. 1040, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Slom).

Conf. Com. Rep. No. 85 (S.B. No. 1134, S.D. 1, H.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 85 be adopted and S.B. No. 1134, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hogue rose in opposition to the measure and stated:

"Mr. President, I'll be extremely brief in opposition.

"Two new fees . . . I can only have one vote, and I'll make it 'no.'

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 85 was adopted and S.B. No. 1134, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Conf. Com. Rep. No. 93 (S.B. No. 254, S.D. 2, H.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 93 be adopted and S.B. No. 254, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hemmings rose to speak against the measure as follows:

"Mr. President, I, likewise, will be very brief speaking against S.B. No. 254.

"Mr. President, this sets a bad precedence. Pretty soon we'll be building bridges for private owners throughout this state because everyone who needs a bridge over some public stream is going to claim that it was done in this particular area and why can't they do it in ours, and we can't afford it.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 93 was adopted and S.B. No. 254, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

AGRICULTURE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Slom).

Conf. Com. Rep. No. 94 (S.B. No. 534, S.D. 2, H.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 94 be adopted and S.B. No. 534, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Trimble rose to speak with reservations and said:

“Mr. President, I rise with reservations.

“This is another in a series of bills that we should not have to consider. An aye vote here would be, again, a vote of no confidence in the administration and the board of regents of the University of Hawaii. There are certain things that are so fundamental and so important to our community that they should prioritize those items and fund them without us coming in, and for that, I will be voting with reservations.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 94 was adopted and S.B. No. 534, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 97 (S.B. No. 1496, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Espero and carried, Conf. Com. Rep. No. 97 was adopted and S.B. No. 1496, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 98 (S.B. No. 1440, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 98 was adopted and S.B. No. 1440, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Conf. Com. Rep. No. 99 (S.B. No. 1441, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 99 was adopted and S.B. No. 1441, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Conf. Com. Rep. No. 109 (S.B. No. 745, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 109 be adopted and S.B. No. 745, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition to the measure and stated:

“Mr. President, I rise in opposition to this measure.

“Emergency ambulance service or emergency medical service is a statewide problem. This bill is limited to a very narrow area. It specifies a very narrow type of equipment and it specifies a very narrow set of procedures. I think that it’s more appropriate to examine funding all communities, all rural communities, equal with this regard and treating everyone in our state equally.

“Thank you.”

Senator Baker rose to speak in support of the measure and said:

“Mr. President, I rise to speak in support of this measure.

“Actually, this measure does just that because Maui County is the last of the rural areas without this particular type of emergency services, and I have remarks I’d like to have included in the Journal.

“Thank you.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of S.B. No. 745, C.D. 1, which requires the Department of Health to integrate emergency aeromedical services into statewide emergency medical services. Ensuring the health, safety and well-being of our citizens should be one of our government’s top priorities. When citizens are in need of emergency medical care, it is our responsibility to ensure that services exist to save lives.

“As I’ve noted previously, Maui County has been without emergency medical helicopter service since 1997. Since then, we on Maui, Molokai and Lanai have been trying to find a way to restore viable emergency medical helicopter service to our county. For the county’s four islands, emergency medical helicopter transport is a key component of an effective medical rapid response and transport system for our county. Yet Maui County with a clear need for emergency medical helicopter service is without such service. This measure will assist in reestablishing that vital service, integrating ground, fixed and rotor transport services with our 911 system.

“This measure appropriates \$611,500 for fiscal year 2004-2005 to fund the provision of emergency aeromedical helicopter services for the county of Maui. We have asked the county of Maui for a one-to-one match before the funds are made available, and the Maui County Council has already responded favorably with a matching sum.

“Additionally, \$388,500 has been appropriated to integrate additional ground ambulance services with the emergency aeromedical helicopter services. These funds will be used to provide emergency medical service personnel to crew the helicopter. These personnel will also provide additional staffing for ground ambulance service, serving to extend hours for areas currently with less-than-24-hour service.

“This measure also requires emergency helicopter aeromedical services to use triage protocols and national

aeromedical, triage, and transport guidelines established by the Association of Air Medical Services, the American College of Surgeons, and the National Association of Emergency Medical Services Physicians. This will ensure that such services will be used in an efficient and appropriate manner.

"I want to thank the Ways and Means Committee, especially your Chair and Vice Chair, for assisting your Committee on Health in funding this crucial emergency service appropriation. The Ways and Means committee has been very supportive of restoring aeromedical helicopter services for Maui County, and I appreciate all that they have been able to do for Maui's citizens. My only regret is that we were unable to fund the ground ambulances for the other areas of our State in much need of these services. Future legislatures must find a way to address this growing need in our State.

"Senate Bill 745, C.D. 1, will enable us to take steps to address some very serious emergency medical service needs. I ask my colleagues to join me in supporting this measure.

"Mahalo."

Senator Kokubun then rose and said:

"Mr. President, I'd like to insert comments into the Journal."

The chair having so ordered, Senator Kokubun's remarks read as follows:

"Mr. President, I strongly support the passage of S.B. 745 because it will provide critical and essential health and safety services for Maui County. The provision of an emergency aeromedical helicopter for the four islands of Maui County is obviously necessary to address the geographical circumstances faced by residents and visitors alike. As an intra-county emergency health and safety program, this measure has received unanimous support from the general community, Maui's emergency medical services personnel, Maui County government officials and Maui's medical provider community. In fact, Maui County has agreed to participate as a cost-sharing partner with the state to accomplish the purpose of this measure. Clearly, this demonstrates a truly collaborative and united effort.

"It is also necessary for me to acknowledge the strong leadership of the Health Committee Chair. She was able to gather dedicated support from all segments of her community to design a program to provide essential services that is practical and achievable in terms of implementation. In fact, Maui Senators effectively worked together as a well coordinated team to bring this critical measure forward. It has been a pleasure to assist them in this endeavor."

"Thank you, Mr. President."

Senator English rose and stated:

"I'd like to insert comments, please."

"The chair having so ordered, Senator English's remarks read as follows:

"Mr. President, as one of the author's of this bill, I am asking for your support of its passage here today. I live in Hana, Maui and represent the islands of Molokai, Lanai and Kaho'olawe as well as East and Upcountry Maui. My constituency – these islands – desperately needs this service.

"Some would argue that establishing an aeromedical service for Maui County would open the state to liability and lawsuits

from other citizens residing in the other three counties (Kalawao county would be serviced along with Maui County under this bill). This is simply untrue.

"First, the state has sovereign immunity, and thus is not open to any lawsuits. Second, the other three counties all have some form of aeromedical services. Maui County and Kalawao County are the only counties without access to these types of services. If the first argument were to hold, then the citizens of Maui and Kalawao counties should have the right to sue the state right now for not providing equal services. The absurdity of this argument is apparent.

"This is an innovative, collaborative program that deserves your support. I ask, in the name of all the residents on Maui, Molokai and Lanai, for your affirmative vote on this bill."

Senator Kim rose and stated:

"Mr. President, I have reservations. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 109 was adopted and S.B. No. 745, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Conf. Com. Rep. No. 111 (S.B. No. 1088, S.D. 2, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 111 be adopted and S.B. No. 1088, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against this bill. I'm pleased to have the opportunity to speak against S.B. No. 1088, and I'll make my comments hopefully brief and succinct and to the point.

"Number one, and it's been said before, this bill is extremely sad for the senior citizens who think they're going to get relief sometime in the near future if this bill passes, because nothing could be further from the truth. As you well know, it takes a while to vest and get benefits, and when they do come, they're not benefits that are nowhere near going to take care of the needs of senior citizens that do have to be placed into full-time care situations. They will only last a year.

"The second point, and therefore that this bill providing relief is basically a hoax. It pays about half the full-time care cost and it also will only last year. So it's going to be a sad surprise for the senior citizens who think they're going to be taken care of.

"The other thin is that this bill is a lifetime of paying for young people that are going to be forced to start paying now, a lifetime of paying for one year of partial assistance in the future. It is particularly onerous for some young person entering the marketplace here in Hawaii for jobs and trying to make a living. To pay for a lifetime with the hopes that maybe they're going to get a little bit of support for one year is a terrible, terrible choice. Because as we all know, for most insurance programs, what makes them work and the magic of the marketplace is choice and price competition, which this does not provide for.

It just provides for a government monopoly in spite of the alleged tax credits that may or may not be available.

“The last thing, and this is the most important thing, we’ve done such a wonderful job and we lauded the Chairman of the Senate Ways and Means Committee and everybody including the executive branch of government for controlling spending and therefore preempting the need for a tax increase. This, at the bare minimum, is going to take \$100 million out of the marketplace and out of the pockets of the citizens of this State. It will be an economic disaster; it will set up a state monopoly, and will further erode Hawaii’s reputation as a place where we can do competitive progressive business.

“I might hearken back to another brilliant medical service program that was started in 1974 called the prepaid healthcare act, and we’ve heard the good Senator from East Oahu tell us about the promises made back then on how well that was going to work for the benefit of the people of Hawaii and how everybody will be doing similar legislation throughout this nation. And we all know, as a matter of history, that is not true, that we’re the only state stuck with the onerous provisions of this good concept. But more importantly, the concept of the prepaid healthcare act is so bad that the State of Hawaii avoids it through temporary hires, vacant position funding, overtime, and a number of other initiatives.

“I would suggest that this bill is going to be equally as detrimental to the marketplace of opportunity in Hawaii and will sadly not provide for the real long term care that will be needed for the elderly.

“I seriously implore you, the members of the Majority Party, to vote ‘no’ on this and I know that subsequent speakers are going to stand up and make an attempt to rebut everything I’ve said, but the facts are the facts, the history is the history, and the impact of this will be very serious on the marketplace. Please vote ‘no.’”

Senator Slom rose in opposition to the measure and stated:

“Mr. President, I, too, rise in opposition to this bill.

“We’ve been debating various forms of this bill for several years now. It is a cruel hoax on the elderly and the infirmed. It is also a cruel proposition to those people that want to be responsible and take care of themselves and have choices.

“This is a tax, let there be no mistake about that. For years, people have argued and tried to call it everything else, and even today we get letters, we get e-mails, we get phone calls – please vote for this, but don’t call it a tax. It is a tax. It has to be a tax in order to extract that money forcibly from every wage earner age 25 to 99 in this State. That’s what it is.

“People talk about it as being only \$10 per month. It starts out as only \$10 per month. It rapidly rises to \$23 per month, per person working in a household. What this does is deny them the opportunity and the choice to put their money into other free market plans of their choice. It gives them the belief that they will have this coverage, and yet there’s a 10-year vesting period. The benefits cannot be paid out until, in this bill in this form right now, January 1st of 2008. It says that you can earn up to 1/10 of your vesting per year but doesn’t say anything about you taking out 1/10 per year before that 10-year vesting period.

“The measure also states that benefit disbursement shall begin after three years of the start of the tax, but there’s no mechanism for which an individual can claim partial benefit

before that 10 years, and no one will be eligible for any money until 2015.

“In addition to that, should you already have private insurance or be trying to take advantage of one of the expanding alternatives in private insurance, too bad, you don’t have a choice. You’ll pay it because it’s a tax. At the end of 10 years, this tax will have accumulated nearly \$1 billion in a new special fund. There is no guarantee in this bill, there is no earmarking, there is no language that this money must be used for the purposes to which it is collected. Is there anyone here who honestly does not think that after 10 years, when someone sees \$1 billion sitting in a fund that there won’t be many, many wonderful things that we can spend that money on rather than what the purpose was for.

“In addition, there is a nearly \$1 million appropriation to set up the operation in the first place. There is a lack of accountability, a lack of responsibility. There is no fiscal integrity in this bill, and the analyses that were done last year, which is still on the basic intent of this bill, shows that it is not economically sound.

“For all of these reasons, I urge my colleagues to consider if you truly want to take care of those in need of long term care – and long term care is a major issue, many of us are facing it; some of us are facing it closer every day than others – this is not the way to go. This would represent the largest single tax increase in Hawaii’s history, and that’s what it is. It looks like a tax; it feels like a tax, because it is a tax.

“Thank you.”

Senator Baker rose to speak in support of the measure and said:

“Mr. President, I rise in support of this measure.

“When the previous speakers have done so much to muddy the waters, it’s very hard to figure out where to start. But since we’ve had a lot of debate on this topic, I sent around to all of our colleagues some questions and answers, some additional information on this measure. I, too, will try to be brief because I know many people here have heard me speak before and heard others talk about the benefits of this measure.

“Let me just say that the measure is actuarially sound, that there is yearly reporting, that the trustees can only spend this money or the money can only be used for the purpose for which it was collected, and that according to the actuary, one of the very best in the country, this program will meet 75 percent of the need. No, it’s not going to pay 100 percent of the cost, but it will go a long way to making sure that seniors or others, who may have two deficiencies of daily living and need to access the benefit, will have a choice of care.

“Many of the long term care insurance products right now simply don’t have home and community based services in them, and that’s clearly what more and more of us seniors want. Only 6 percent of Hawaii’s residents have any kind of long term care insurance. It’s expensive and it doesn’t provide significant coverage. So what happens? People who can’t afford long term care end up on Medicaid if they’re the 2 or 3 percent who are lucky enough to be the first to go after those funds.

“Long term care insurance is like any other insurance, such as collision, fire, homeowners. We hope we never have to have need for it but we’re very happy to have it if we are in an accident or are robbed.

“Presently, all taxpayers, including the very young wage earners, pay approximately \$400 per year in taxes that go to fund the state’s portion of the Medicaid program. This burden will grow in the years to come because of the aging of our population. By 2020, it’s estimated that the percentage of people age 65 and older will have risen from 12.7 percent to 20 percent. If we do nothing, taxpayers will be called upon to pay more and more in taxes to care for the elderly.

“The long term care financing mechanism in this bill will slow the growth in our Medicaid program merely because 75 percent of the demand for home and community-based care will be met. Very importantly, this program does provide choice for people, something our current system simply doesn’t allow.

“And for those who are concerned about the financing mechanism – yes, it’s collected through the income tax, so you could call it a tax – if you look at it carefully, it really is very nominal for the benefit, considering that it’s going to address 75 percent of the need. You’re looking at the cost of a plate lunch, a movie. It’s a very, very modest investment in the future.

“Mr. President, we’ve heard from seniors. We’ve been looking at this issue since I was in the Legislature back in the late ’80s. As a matter of fact, we’ve been studying this thing for a long time, almost studying it to death. And every proposal, every study group, every task force, every working group that’s looked at this comes back to the fact that if you want to have a successful program, if you want to have a program that’s going to help people stay in their home and access community services, it’s got to be universal and it’s got to be done in this fashion if it’s going to be actuarially sound.

“Mr. President, I would like to submit for the record an editorial in the Honolulu Advertiser, Monday, March 31, that talks about the merits of this measure that’s before us. I would also like to submit for the record, a number of questions and answers that further expand on the positive points in this measure and how we can counter some of the arguments by the speakers before us, but I don’t want to read them all and take up the time of this body.

“But I ask my colleagues to consider all of our futures. It’s important that we take this action now to ensure that elderly and others who have need of long term care services have appropriate services and have it when they need it.

“Thank you.”

The Chair having so ordered, Senator Baker’s inserts are identified as ATTACHMENT “A” (Honolulu Advertiser editorial) and ATTACHMENT “B” (long term care financing plan questions and answers) to the Journal of this day.

Senator Hogue rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this particular measure and also to rebut some of the previous comments.

“First off, I realize that the working group that got this bill together did support this particular tax, but I really doubt that every single working group would support a tax. I think other states have had other long term care measures and they have not had to go to a universal tax.

“Is this truly actuarially sound? That’s a mouthful, and is it true? Well, they said that at the beginning when they introduced this bill, and yet as they went through the process this year, colleagues, they delayed the start of benefit payments from January 1, 2007, to January 1, 2008, quote, ‘in the interest

of actuarial soundness.’ So is it truly actuarially sound? Then the previous speaker said that the actuary, a noted, eminently qualified actuary says that this payment will meet 75 percent of the need. Is that true? This will meet approximately \$2,100 a month. In the committee report, the committee report says that long term care costs between \$5,000 and \$7,000 a month. Well, unless this is the new math, that’s not 75 percent.

“Then as to the point that somehow this is insurance, long term care insurance, colleagues, this is not insurance.

“This is a memo that was sent to me by someone who has been previously an underwriter in the insurance industry who has looked over this thing, and he says any competent insurance underwriter or actuary will tell you something’s not insurance if (1) people with virtually no chance of using the benefits are forced to participate; (2) the tax charge bears no relation to the person’s risks; (3) the tax starts immediately but no one is eligible for any coverage whatsoever for at least three years and perhaps even ten; (4) the directors running the program, in this case the Legislators, have no fiduciary duty to the recipients; (5) the directors can raise the taxes or change the terms or amount of coverage at any time; and (6) the directors are legally entitled to raid the accumulated money ostensibly earmarked for benefit payments and spend the money on anything they want. This is not insurance.

“So what should we do? What should we do, because this is one point that I absolutely agree with the previous speaker and this is a point that I absolutely agree with the Honolulu Advertiser. We should care about long term care. What can we do? We can help people purchase long term care insurance through tax credits. That part is in the bill. That bill was put forward by the Governor. The Governor supports that bill. People in the business community support that bill, and people out in the community should support that because it encourages people to buy long term care insurance.

“Unfortunately, the unintended consequence of . . . I’m going to just call it a well-intended idea. This idea that this particular working group has put forward here is to try to help people who are seniors. Unfortunately, they have created a disincentive. There is the feeling, there is the feeling out there that if you pay this tax, that you have long term care. What if you need long term care for a longer period of time? What if you need to go into a nursing home? The committee report already says \$5,000 to \$7,000 a month. Why don’t we encourage people as a public policy to purchase long term care insurance with a credit? That’s what absolutely makes sense, using a tax credit.

“I wish that this bill had been put forward with the way that the Governor had intended it, and that is a long term care tax credit. That is a very, very good policy and it meets the needs of the community and it meets the needs of the aging population.

“For all of these reasons, I encourage my colleagues to vote ‘no.’”

Senator Hemmings rose again and said:

“Mr. President, in speaking against this bill I would like to rise in rebuttal to some previously stated remarks. The remarks having to do with muddying the water, I would suggest that those remarks actually turn the muddy water into chocolate pudding.

“Equating this to the cost of a plate lunch every month is off the Richter scale ludicrous. We’re not talking about the cost of a plate lunch; we’re talking about \$100 million. That’s a lot of plate lunches, a lot of money coming out of people’s pockets.

“We’re not even means testing this. The wealthiest of the wealthy are going to be able to get a bargain at the cost of the poorest of the poor, who will have to pay for this also.

“Third, there’s nothing in this bill at all that is going to preempt on an ongoing basis the eligibility for the medically indigent to collect Medicaid. That’s an outright fallacy.

“And lastly, I would hate to think that this body would use as a rationale to vote for any legislation the endorsement of the editorials of the Honolulu Advertiser. I might suggest that there might be another paper that might not think this is a great idea for the reasons stated by previous opponents to this legislation. For the record, the editorials of the Advertiser, God bless them, they’re entitled to their editorial opinion, but they’ve supported every budget and tax increase in recent history that’s taken this State to the brink of bankruptcy. And now we’re supposed to push us over the edge because the editors of the Advertiser think it’s a good idea.

“Think about it. Let’s do what is prudent. Let’s encourage competition in the marketplace. Let’s find very focused legislation that can help those few who are in limbo between medical solvency to take care of themselves and the Medicaid fund, which we really should be addressing. This does not do it. It is a hoax on the taxpayers, and more importantly, it is a cruel, cruel hoax on many senior citizens that think tomorrow or sometime in the future that they would get coverage if this bill passed and was signed into law by the Governor.

“Thank you, Mr. President.”

Senator Chun Oakland rose to speak in support of the measure as follows:

“Mr. President, I rise in support of this measure.

“This measure establishes the funding mechanism to implement the long term care financing act that we passed last session and I would like the words of the Health Chair and the documents that she’s presenting to be inserted into the Journal as if they were my own.

“Mr. President, approximately 80 percent of the long term care expenses are currently paid for by Medicaid, and most individuals spend down their assets within a few months of needing long term care services because they are so expensive. Currently, every taxpayer contributes, as the Health Chair had mentioned, \$400 per year towards Medicaid, and this amount is expected to rise exponentially unless we reduce reliance on Medicaid for long term care as is proposed by S.B. No. 1088.

“This state is experiencing a Medicaid funding crisis with a growing budget of \$800 million and an additional deficit of \$90 million in this current fiscal year. Medicaid payment for long term care is a major contributor to this crisis. In the year 2011, when the first of the baby boomers will become 65 years old, it is anticipated that the demand for long term care services will skyrocket and potentially consume a huge portion of the state budget.

“We need to stem the rising cost by providing for universal basic protection for those needing care in the future. This measure will make basic long term care services affordable to the vast majority of our population. The long term care contribution operates like insurance in that the affordable rates are made possible by a large risk pool and everyone has some degree of protection.

“The long term care contributions are to be deposited into a separate and dedicated trust fund that cannot be raided or diverted. The fund will be used strictly to pay for long term care benefits for those who have made contributions to this fund.

“This measure will serve as an economic stimulus to the state for the creation of new businesses that provide a range of long term care services and the expansion of long term care insurance products, leading to the creation of many new jobs in Hawaii.

“Let’s continue Hawaii’s strong tradition of caring for our elderly and disabled and commit to support families and friends in their efforts to take care of their loved ones. I urge my colleagues to adopt this measure with a sense of honor and pride in doing the right thing.

“Thank you, Mr. President.”

Senator Kim rose to speak in support of the measure with reservations and said:

“Mr. President, I rise to speak in support, but with strong, strong reservations.

“Mr. President, I support providing a means for long term care and I also support the tax credits provided in the bill. But I have looked over this proposal very carefully and I have a number of concerns, Mr. President.

“While long term care is important and we all need a plan for it, the realities of life dictate that families today often live from paycheck to paycheck. Mr. President, I received an e-mail from an individual who said, ‘I have long term care insurance. I am willing to pay an additional \$10 a month if this means that others will have some protection.’ Mr. President, this is not just \$10 a month. It will continue to escalate every year – from \$10 per month in 2005 to \$23 per month in 2012, or \$120 a year to \$276 a year. This is a tax that more than doubles in eight years.

“So what about those who cannot pay, Mr. President? As a Legislator, I have the responsibility to consider those who may not be able to pay, and this tax mandate does not consider the hardships of a young family; it does not consider the hardships of the poor. Anyone making at least \$10,000 a year would be required to pay this tax. If you earn at least \$10,000 a year, this would equate to roughly taking home approximately \$830 a month. After taxes and other deductions, Mr. President, an individual could take home maybe \$600 a month. So, figure in rent, utilities, clothes, possibly children, and there is not a whole lot left over to pay for this tax.

“On page 2, line 6, it states: A taxpayer who files a joint return under, and the taxpayer’s spouse together with whom the taxpayer jointly files a return, shall each pay the amount of the tax. Whether your spouse is working or not, you both have to pay.

“By the year 2012, Mr. President, a couple could be required to pay \$46 a month, \$552 a year, and if they happen to have elderly parents living with them with no income, that amount doubles. And what is the benefit? As you’ve heard earlier, it’s just one year – 365 days. That is all the benefit you get, \$70 a day. Surely it goes up a little bit to \$83 a day after the 10-year vesting period. What do you think the cost of long term care is going to be in 10 years in 2012?

“Also, in 2012, we have no idea beyond that what that tax is going to be. According to the bill, the board of trustees will be

the ones to recommend to the Legislature any adjustment to the amount of the long term care tax.

“On page 5, line 4, it states: Any individual who has paid the long-term care income tax for ten years, shall be fully vested to receive the defined benefit, but shall continue to be subject to pay the income tax. So, Mr. President, if for some reason you were to lose your job, or your pay drops below \$10,000 and you cannot make any payments, you would lose 1/10 of your benefit each year that you do not pay. So in 10 years, say you’ve vested in 10 years and the following 10 years you do not make any payments because of hardship, because your pay drops below \$10,000 or because you don’t have any job, you would lose your vested right. You would lose all 10 years of your vested right – 1/10 every year. So, unlike retirement, you do not have any protected vested rights.

“Again, an individual who has paid in for 10 years could ultimately lose their 10 years. Vesting only counts only if you continue to pay up until the time you need the benefit. And that is stated in the bill.

“This mandatory tax, or insurance as some have termed it, has been like to automobile insurance. Yet, there is no vesting in auto insurance and you’re not mandated to pay for auto insurance prior to or in anticipation of driving a car. This is exactly what this bill is – it’s in anticipation to and prior to possibly needing long-term care insurance.

“Also, Mr. President, there is a number of concerns that were raised by the tax department. They point out in this memo: ‘Employers will have to modify their payroll systems to withhold the proposed tax from employees. For many small businesses, this may be a substantial burden. The imposition of an additional income tax will be a burden on lower income employees or individuals who work part time. The department does not have the resources to collect and enforce the tax on self employed individuals. The department estimates it will cost \$6.9 million to set up the program in the first year and more than \$2.4 million to administrate the program each year. It is a brand new tax. It requires a new system to account for long-term care tax payments for 700,000 taxpayers. The department must apply any tax payment to the payment of delinquent long-term tax payments before applying the payment to income taxes. This requirement complicates the tax administration because the department must determine if a taxpayer is current on their long-term care tax payments before applying any payment to the payment of income taxes.’ And they go on with other concerns, Mr. President.

“Finally, I want to say that this measure will take money immediately out of the local economy. It will set aside money that could be part of the economy and it totally just takes it out of the economy, puts it into a fund and will not be part of that economy. For those reasons, Mr. President, I have strong reservations and I hope that this measure will be fixed or amended or somehow taken into consideration a number of these issues that have been raised.

“Thank you.”

Senator Baker rose again and said:

“Mr. President, I wasn’t going to speak again, but since our Vice President was quoting from an old tax memo, I thought it was necessary to correct the record.

“The tax department did have those concerns prior to meeting with my Co-Chair on this particular measure, and our consultant, to go over their misunderstandings of how the bill was to operate. They understand now that it’s not going to take

\$6 million to set up. As a matter of fact, the monies that are incorporated into this measure are based on their refined recommendation, which I will also have inserted into the Journal and will share with the Vice President at the conclusion of this Session.

“The funds that are being used to start up will be paid back. So the general fund will be reimbursed. It is not creating a new set of taxpayers but the current taxpayers. And when the tax department understood how the program would be set up, that the third party administrator would be responsible for much of the paperwork, they were able to revise their estimates. Also, they were able to admit that it’s not going to be a burden on small business, it’s not going to cause the employer to have to make any manipulations. It will be built into their tables.

“So, with those particular caveats in mind, the administration of this measure is not going to be onerous to the tax department and we have provided for start-up costs for them as well. I would contend that yes, there is going to be a cost to each and every one of us, but without this program, the cost will be far greater to all of our families, as well as individuals, and the cost to the state will be even a greater burden as a result.

“Thank you.”

The Chair having so ordered, the memo from the Tax Department is identified as ATTACHMENT “C” to the Journal of this day.

Senator Hogue rose and said:

“Mr. President, will I be allowed to ask a couple of speakers questions and then make a statement afterwards?”

The Chair having answered in the affirmative, Senator Hogue continued:

“The first question is to the Senate Vice President, who I thought gave a very, very eloquent speech. I’m just wondering, Senate Vice President, after you gave that speech if you convinced yourself to vote ‘no?’”

Senator Hogue continued:

“I guess she reserved comment this time. I’ve had other interviewees who have also reserved comment.

“The second question has to go to the Health Chair, and I understand, Health Chair, that the \$6 million number that we heard in testimony before us in the Health Committee has been revised. I’ve just curious what the new number is from the Department of Tax. You said that that number had been lowered, and since I didn’t receive the testimony, do you know what that number now is?”

Senator Baker answered:

“Mr. President, the amount for start-up is what’s provided for in this measure. I believe we provided them with \$500,000 in each year of the biennium. And they have told us that administration on a going forward basis is about \$350,000.”

Senator Hogue rose and questioned:

“Will that in any way change the actuarial estimates?”

Senator Baker replied:

“No, because that was about the amount that was factored in.”

Senator Hogue continued:

“Thank you very much for those answers.

“My statement, Mr. President, that I wanted to make had to do with the comment made by another previous speaker that the funds cannot be raided or diverted because they’re set in law. As we will see in a future measure in which we will vote on, which has to do with the hurricane fund, all the Legislature has to do is change the law and funds can be raided and diverted. So, I want to point that out, that we cannot make that absolute statement because we have no idea what legislative bodies will do in the future.

“I also wanted to point out one other thing too, because there’s been a lot of talk about how much this is going to cost us in the future. I realize that long term care will cost us a lot in the future, but if you look at research and what long term care insurance costs, for example, I’m 49 years old, I will turn 50 years old in September. On my 50th birthday, I can go down and I can become a member of AARP and I can purchase long term care insurance at a cost that is very near this \$10 a month figure. In fact, I can purchase that for about \$12 a month. That \$12 a month figure is, on this particular tax scale, near the bottom because it increases from \$10 a month or \$120 a year to \$12 a month, \$144 a year, in the second year, all the way up to \$23 a month, \$276 or so a year by the end of the measure.

“So the point is that individuals have the opportunity to go out and buy affordable insurance. Now, I realize that there are people who are older, who are in more of a risk category that the insurance will be higher, and while I feel badly for them, they should have, before this period, purchased their long term care insurance. So why are we trying to cover for them.

“As for the concern about losing assets, we could also, Mr. President, pass legislation like other states have, and I believe six states have, to protect the loss of assets. That would be good public policy. This isn’t.

“Thank you.”

Senator Chun Oakland rose on a point of inquiry as follows:

“Mr. President, I have a point of inquiry to the previous speaker.

“I wanted to ask the Senator from Kaneohe, in any purchase of long term care, and I’m not too sure if you have that long term care product, what does the cost or the amount that you’re paying equate in terms of benefit?”

Senator Hogue replied:

“I don’t have the policy here in front of me. It is my understanding that that particular policy that I spoke to does not count for in-home care but would actually benefit me at a greater amount than the benefits that are actually derived in this particular measure.

“So, I would get an opportunity to either purchase that, or if I wanted in-home care, I could perhaps pay a little bit more than that \$12 a month cost. Perhaps I could pay \$20 a month or \$25. I’d have to check the marketplace. But I believe that I could find something for a reasonable cost. And with long term care tax credits, I believe that I could actually benefit more than this particular measure.

“Thank you.”

Senator Chun Oakland further inquired:

“I believe also that if it’s out-of-home care, do you have a benefit that would pay more than a year’s worth of a nursing care home?”

Senator Hogue answered:

“I’d have to go and look into the particular policies, but I understand your point.”

Senator Chun Oakland then said:

“It would not, I think in most cases, purchase more than that. I also wanted to ask you the question, does such a long term care policy allow for a person to stop paying without losing the benefits?”

Senator Hogue replied:

“I’ll be real honest with you. I cannot answer that question.”

Senator Chun Oakland continued:

“My understanding is, with long term care insurance, private long term care insurance, you need to continue paying. You don’t have that incremental 10 percent reduction over 10 years as this policy or this insurance program is providing.”

Senator Slom rose again and said:

“Mr. President, as long as we’re playing truth or dare, I’d like to add some remarks of my own.

“I would . . . first of all, I’m stupefied by the wonderful testimony made by the Senate Vice President who could only bring herself to serious, very serious, very extremely serious reservations. I think she laid out the case very accurately.

“But I want to go back to some of the things that the good Senator from Maui, the Chair of the Health Committee said, because I would like to believe her and the things that she said. If I believed her, then everything would be all right. We wouldn’t have any concerns. Unfortunately, I can’t because a lot of the things she said are just not true.

“First of all, when she mentioned that no working group has ever come up with any other alternative than attacks, that’s incorrect. I was part of a two-year bipartisan working group in this Senate, and we came up with all kinds of alternatives and options. As a matter of fact, the only reason I got on that working group was because the stated mission and purpose was to find private, non-government, non-tax options. However, those people that have been pushing for more than a decade now to have the state take over this function and the state tax, they rule the day. And the final product that came out of there, disregarding all of the other options and alternatives, was it’s got to be done by the state; it’s got to be a tax.

“Secondly, the point that this is just like automobile insurance or life insurance is totally untrue. The speaker knows that. As was said by the Minority Floor Leader, first of all you’re not forced to buy these types of insurance and there is such a wide array of different products that people buy for their own individual customized needs which differ, whether we’re talking about life or casualty or fire or anything else.

“The main thing is that it is insurance and this is a tax. And as much as the proponents would like us not to mention that word, it is a tax. It is forced.

“As was pointed out by the good Senator from Kalihi, the Vice President, if you are filing a joint return, your spouse will pay this as well, every working person from the age of 25 years on.

“The good Senator from Maui pointed out that only 6 percent of the people in Hawaii have long term care insurance. I don’t doubt that figure. It probably is true. I haven’t checked it but I can tell you why, if that is the figure. Because for a dozen years now, we’ve been promising everybody, don’t worry about it, the state’s going to take care of it. We’re going to pay for it, like we promise everything else.

“And another thing – no other state has ventured into this area and no other state probably will. And the reason is the cost and the reason that we’ve been talking about this for more than a dozen years. The more you examine it, the more you get through the machinations and the miscommunications and the misstatements of fact made by the proponents, you find out how little you actually pay. And that’s fact.

“As far as the actuarial study, maybe the good Chair and I can get together because the actuarial study that I read last year is entirely opposite from what she told this body.

“And as far as the Tax Department, I think it will be a surprise to the new tax director in the Tax Department that they just didn’t understand all this and that now they can be enlightened as to what the real figures and what the real workings are. I think they do understand it. I think they understand the consequences, they understand the cost, they understand the impact.

“And if you are paying into this and suppose you were deciding to leave Hawaii, you would take nothing with you . . . Oh, except the new passenger departure tax, you’d get to take that with you. But you wouldn’t get anything from this long term care tax, cause you leave, it’s over; you die, it’s over. You want to transfer it to something else, you can’t do it. There is no choice, no flexibility. That’s why it is not insurance.

“We talk about the \$400 per taxpayer right now for Medicaid and the hope that that might go down because if we have this new tax scheme, that will take some of the pressure off of Medicaid. There’s nothing in the bill that indicates that. There’s no promises that can be made. There’s no substantiation of that. They’ll pay the \$400 and maybe next year it will be up to \$500 and then it will go to \$600 because of the other needs of the elderly and others. But in addition, they’ll now be paying this tax as well.

“So what we’re trying to do here is to fool the public. Mr. Ponzi would be proud. And if we do this, we are embarking in the wrong direction and we are diverting focus, funds and resources from really helping the elderly and helping those that want to take care of themselves. We hope that we can get the message down to young people that it’s in their best interest to take care of themselves and their families later on.

“The industry has changed in the last dozen years in response to the recognition that not only is this more of a need, but that there is more of a demand for this type of product, and therefore they have been offering additional products.

“And to the good Senator from Kalihi, I would say that there are products on the market right now that will allow for home care, will allow for a combination of home and nursing home, and most of us absolutely believe in home care where and when it is possible. But those of us that have had family, loved ones who we have taken care of in long term care situations, as I mentioned previously, it is an agonizing chore. It is physically,

financially, and emotionally draining. There’s no question about that. And sometimes, people just can’t keep their loved ones at home and so they look for other alternatives. We’re not going to be putting everybody in nursing homes because we don’t have the nursing homes, and we don’t have the staff, and we don’t have the money to take care of all those things.

“So what we should be doing collaboratively and collectively is looking over the alternatives that we have right now, maximizing the choices and flexibility for individuals, taking a look at needs test and identifying those people that through no fault of their own cannot take care of themselves and need help and help those people. That’s what we have to do. That’s our mandate, and we can do that, and I hope that we will.”

Senator Hooser rose to speak in support of the measure and said.

“Mr. President, I rise in support.

“I want to say that I rise in support, and I would ask my colleagues to choose their words carefully when addressing fellow Senators on the Floor. I take offense when one questions the integrity . . .”

Senator Whalen interjected:

“Point of order, Mr. President. I don’t think he’s addressing the motion on the Floor right now or the bill.”

The President then said:

“Senator Hooser, please keep germane to the subject.”

Senator Hooser continued:

“A prior speaker questioned the facts. Okay, I’ll move forward. Anyway, I was offended by the previous speaker.

“When you call this a hoax, what you’re saying is there’s an intent to deceive, and I don’t believe that is true. When you say the intent is to fool the people, I find that offensive. I know that’s not true also.

“This is about doing the right thing. People elected us here as government leaders to be responsible – socially and morally responsible – for those who cannot look after themselves. They elected us to be responsible to plan for, to protect, and when possible, to provide a social safety net for the sick, the very young, the frail, and our kupuna, the elderly. Social security, Medicaid, Medicare, and one of the greatest achievements of this Hawaii State Legislature, the prepaid healthcare act, are all the results of forward-thinking elected Legislators who made those very tough but very right decisions a long time ago. You can bet these very same arguments were made at those times, and you can trust that the free market would not have taken care of those and that our parents and our grandparents and some of us are very, very happy that those programs are in place.

“This is one small step, and it will be improved over the years, just like these other programs have been over the years. One very small step to do the right thing. What else are we going to do? We know the problem is out there. It’s been debated. It’s been discussed. It’s been studied for years and years and years. This bill is ready and it is the right thing to do, and I encourage my colleagues to vote in support.

“Thank you, Mr. President.”

Senator English rose to speak in support of the measure with reservations and said:

"Mr. President, I rise, I guess, with reluctant support with extreme reservations. And I also reserve the right to maybe vote 'no' on this.

"Mr. President, in listening to this debate, I'm compelled to stand and speak because we are in a very strange point here. On the one hand we're trying to deal with a major social program, and that is long term care. Now, a lot of the speakers have brought up many different points and many different arguments for and against it, and a lot of it, most of it, holds a lot of validity. I think, though, for us, the moment is here that we have to consider just what it means. Because on the one hand, we're saying let the free market take care of this.

"As one speaker said, the Senator from Kaneohe, 'when I turn 50, I will purchase this insurance.' You may need to use it next year. You may need to use this type of long term care. God forbid if one of us were in an accident or something that you need this type of care, why is it that our society is saying when I get older I will purchase this. That is one of the questions. Why not do it now?

"So, one of the problems is that we're saying let the free market take care of it, but yet we're not doing it ourselves. We're not encouraging people to do it, and that becomes a social problem. Because in the end, towards the end, the year 2011 is the year when those that are 50 will be hitting the retirement age, will be starting to look at these things, and they have not put in the social infrastructure, built the long term care homes, built the skilled nursing care facilities, put in the infrastructure to take care of themselves.

"Now, the issue before us is whether or not we should move forward with a mechanism to provide a minimum standard of care for all of the citizens of Hawaii and spread that cost amongst everybody. Many of my friends who are in their 30s and 40s and 20s and upwards are saying, 'look where they're working, they're making money,' this is difficult for them. I've been getting a lot of those calls. A lot of the people that are older have been calling and have been saying, 'hey, we think this may be a good idea. It's a supplement. We understand it's a supplement. We understand that it provides for in-home care, which long term care insurance does not.' So, it's a quandary. It's contradictions of what we're trying to do, and it's also different points of views.

"I'm at a strange point mainly because I spent a good part of my adult life caring for both of my grandparents. And I understand very much what it means to be a caregiver for two elderly grandparents. Both have recently passed, but I learned a lot through that process. I learned about human compassion, about what it is and what it means to allow someone to remain in their home as long as possible, and to provide the care that's needed for them. So the compassionate part of me is saying that I should support this bill. The other side of me is saying that, well, hey, we're adding to the cost of living in Hawaii. We're adding to the amount that people have to pay every year just to live here.

"Now, if we were to take this out one step farther, how much will society pay if we don't enact something like this when all of you and all of us reach a certain age and we didn't purchase our long term care insurance policies and we're depending on society to cover our expenses.

"I went back and I looked at the medical bills for my grandfather. It was over \$1 million. I looked at the medical bills for my grandmother, over \$500,000. I would have not been able to afford that had it been for insurance that they had.

"So, yes, there are many financial issues, Mr. President. There are many social issues involved with this, but really, this vote is one of compassion and one of conscience and how do we reconcile all of these differences right here right now.

"I'm right on the edge. I'm going to make up my mind in the next few minutes, and unfortunately, or fortunately, I guess, is the way to phrase it, as Senators, the only option that we have is that we have to vote on all the issues. Now, many people will debate it and take a side and say they should do this or they should do that. The 25 of us have to make a vote of conscience now, and we have to weigh all of this in the next few minutes. What do we think is the best interest of all of the people of Hawaii? Do we spread the cost amongst everybody, our million-plus population, and in the end hope that we have accumulated enough wealth to cover the minimum needs of most of these people. Do we say 'no,' let the free market take this, and those that decide to purchase insurance, long term care insurance, will get some care. What do we do? That's the question.

"So in the next few minutes, Mr. President, I will make up my mind on how I'm going to vote. This is what's been going through my mind as this debate has been happening, and I think that whatever choice we make here, if we move forward with the bill or if we do not pass it, we will still be dealing with the long term care issue in the future, and we still have to build the facilities, the homes, and put in place the infrastructure to deal with this with or without this bill.

"Thank you, Mr. President."

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"Much discussion has taken place today. We've talked about being elected to do the right thing. When I think of what the right thing to me means, it means being honest with myself. It means being honest with the people that elected me. And sometimes it means telling them that if something sounds too good to be true, it probably is.

"I imagine many of you were at the vocational rehab luncheon that was held earlier this year. What impressed me being there was the accomplishments of the recipients of the awards in terms of their ability to lead better lives because they had the determination to succeed.

"When we look at how benefits are paid out, it's not a precise number like social security - when you're 65, you get it. Rather, it is when two life functions are impaired. This is not a precise number. It is open to discretion. It is open to whether a person wants to succeed or not and their ability to find somebody that will certify that a life function has been affected. My sense is that what will happen to this fund is something akin to what happened to banks in 1929. When there was a fear of insolvency, there was a run on the bank. The same potential for use of discretion exists in this act.

"In closing, I would like you to look at the numbers 10, 10, 70 and 75. I know that statistics is a science and we have had the best in actuarial science that money can buy. My past experience is that you cannot find anyone that practices that science that will always come up with round numbers - \$10 a month, 10 years, pay out is \$70 for 75 percent of the cost.

"I want to do the right thing. I would like to say yes, today we can solve the problem. But doing so would be as likely as this body passing a law preventing those of us that are over 55

from aging another day for at least one year. It is not in our power to do all the good that we would like to do, and sometimes we need to be honest with ourselves and we need to be honest with our constituents. This is still work in progress.

“Thank you.”

Senator Espero rose to speak against the measure as follows:

“Mr. President, I’d like to rise against this measure also.

“Both sides do have some very compelling arguments on why this should be passed, however, my own gut feeling at this point in time is that there is still some work to be done. I realize that many people have put a lot of effort into this, however, I just don’t feel that this is the time to be passing this measure.

“Thank you.”

Senator Hogue rose and said:

“Roll Call vote, Mr. President.”

Senators Bunda, Kawamoto, and Sakamoto requested their votes be cast “aye with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 111 was adopted and S.B. No. 1088, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LONG-TERM CARE,” having been read throughout, and Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Aduja, Espero, Hemmings, Hogue, Ige, Slom, Trimble, Tsutsui, Whalen).

Conf. Com. Rep. No. 118 (S.B. No. 377, S.D. 1, H.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 118 be adopted and S.B. No. 377, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hanabusa rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of S.B. No. 377.

“Mr. President, I was having a conversation recently with one of my colleagues who told me, though I am viewed as the proponent of this Ko Olina tax credit, they have never really heard me speak to it. And I thought about it and I said that’s absolutely correct. So I believe that it is time for me to speak to the infamous Ko Olina tax credit, which was S.B. No. 2907 last year, vetoed by Governor Cayetano, and now is S.B. No. 377.

“Mr. President, before I begin, I would like to thank the Chairs of the Tourism and Ways and Means Committees because this is like sending your child off to school, I think – you proposed a bill but it’s completely out of your hands. Maybe if I was as good as the Senator from Waipahu, I would figure out how to opihī my bills, but I haven’t learned that from him yet. (Laughter.) Are you awake? (More laughter.) Just checking.

“Mr. President, the irony of this bill is that when I was a law student about 25 years ago, I clerked in the legal aide office in Waianae, and my whole summer’s project was to work in opposition to the development of what’s called West Beach,

which we now know as Ko Olina. It was Horita’s West Beach project.

“About ten years later as a lawyer, I literally stumbled into labor law, representing the infamous and notorious Arthur Rutledge. And it is through Arthur Rutledge that I became the labor lawyer that I am known for as today. And Arthur Rutledge had very few people that he respected. One such person was Harry Weinberg, and I cut my teeth in labor negotiations over the bus, Harry Weinberg’s pride and joy in Hawaii.

“Today I stand before you in support of the Ko Olina tax credit, in support of the development of the area that I so strenuously opposed as a law student. And a lot of it also it gives me great pride now because this Harry Weinberg that was really this picture on the wall – and literally, Arthur Rutledge had his picture on the wall – has come almost full circle for me in that he is now an integral part of this tax credit.

“Mr. President, much has been said about this tax credit and I would like to address that, and I hope that my colleagues here today will be able to vote in favor of it with my comments.

“First of all, let there be no mistake. This is a tax credit which I authored and proposed. It is not a tax credit, as some say, that is for a developer or a particular person. In fact, I believe that as it now stands, the ultimate beneficiary of most of this tax credit will probably be the Weinberg Foundation. And for areas such as mine, Mr. President, the Weinberg Foundation has done a lot. It has, for example, already given in excess of \$1 million to the homeless project. And as you know, Waianae is the dumping grounds of many things and we also take all the homeless as well.

“This tax credit came about when the Governor, then Governor Cayetano, decided that gambling should come to this island, but he wanted it contained, and the site that he selected was none other than Ko Olina. I was in strong opposition to that, Mr. President, because Ko Olina is the entryway to the Waianae Coast and it is the only entryway. Everyone knows about the problems that we have when there’s a major traffic jam, hostage situation, water main break. You can’t get into Waianae, but you will be in front of Ko Olina. I believed that such a development, a gambling establishment, would be terrible for an area that has such low social economic status – people who are without jobs, and the kinds of problems that we have in the area.

“What I did believe, Mr. President, is the fact that we need an economic engine to revitalize that whole area, and Legislators before myself have decided that Kapolei would be the second city and that we would have a second city on the island of Oahu. They also decided that we needed something other than Waikiki, that we needed a second resort destination. And that’s a debate that I listened to very carefully because one other place being considered was Makaha and of course Kuilima (what was then Kuilima) or Turtle Bay on the Windward side, and West Beach. And West Beach, now Ko Olina, won out. However, as you sit back and you look at the developments, Kapolei is becoming a suburbia. It is becoming a commuter population base. That was not the vision. That was not the intent. The idea was we would have a true second city. Ko Olina has only one hotel. We have a timeshare, but at this point this seems to be where it’s going to end unless something can be done to revitalize it.

“With all due respect to the Senator from Kahuku, what I don’t want to see is great plans like Turtle Bay was, and to have only a hotel and a lot of townhouses and a golf course. That is not what I’d like to see for this community base.

“So this tax credit brings us a different opportunity, and this is a different tax credit. It is a tax credit that says shall develop, basically, the aquarium to act as the attraction for the area. It also has in it the training facility. It was amended to include Makaha because the other problem we have is that Makaha Inn, whether it was called Sheraton Makaha, run by ANA, the Japanese airlines, it has gone up and down. And it’s now down again, Mr. President.

“We can have another project there, vacant and subject to vandals. And the Weinberg Foundation is looking at and is in negotiations at this present time to purchase that and to put forth the training facility – a training facility which can be used by not only the youth of the Waianae Coast, but for all youth, because this is envisioned to be something that is a total facility. It has kitchens already there. You can have culinary type classes, but it gives the students the opportunity to actually run a hotel, something that they do not have anywhere else. And this is also being made possible by this tax credit.

“One person came up to me and said, ‘You know, Senator Hanabusa, why don’t you just say you want a \$7.5 million subsidy for the Waianae Coast? Isn’t that basically what this is?’ And I told this person, ‘this is not an issue of subsidy. I do not want to have the Waianae Coast become an area where everyone feels it’s just the haven for human service type projects.’

“As a matter of fact, in a discussion I had with some people there who talked about why don’t we benchmark success for the Waianae Coast, and they came to me and they said, ‘How would you measure the benchmark of success? Don’t you think if we had people who had a rise in their median income or homes were selling at a higher rate, isn’t that a great benchmark?’ And I looked at them, and you know, they were social service providers and I said I have the perfect benchmark – and that is when the people of Waianae can no longer qualify for your services. That’s my benchmark. Of course, they didn’t like what I was saying because social services is a major industry in Waianae. It’s a major industry, because you have to take care of a lot of our needs. I don’t want to see that. I want to see opportunity. I want to see the ability for the people to bootstrap themselves, and I see that with this simple tax credit.

“This is a different tax credit. This is a tax credit with a cap. This is a tax credit that before it came before you, it had dynamic impacts calculated – the only one that I know of – and it was done by none other than Dr. Seiji Naya who said 186 million will be generated for the 75 million. How many tax credits do we know of that has had that analysis, that we can before you and say this tax credit will give us 186 million and 75 million will be the cost. This tax credit does that.

“The other thing that I’d like to say is, people say to me, ‘this is a tax credit that only affects a particular area. Tax credits shouldn’t be used for a particular area.’ My response is, why not? One reason this tax credit should be considered is because when you want to stimulate an economic base, why not focus it in a particular area. If you look at the Ko Olina area and you can develop not only the aquarium . . . and as a result of Governor Cayetano, and I credit him for this, he said to the developers ‘I may consider not vetoing this bill if you can bring forth people who will say we will do this; we will invest in the area.’ And people came forth and they have appeared before various Ways and Means and Finance Committees. Ritz Carlton has come forward. Intrawest has come forward. You have all these various other entities who said they have come forward, and Weinberg – Weinberg who will donate the land underneath that aquarium and put its resources, not only for the

training facility, but also, also, for the development of that aquarium. This is what we’re talking about. Why not?

“Let me tell you another reason why not. When you take your rubbish out in the morning, for those of you who are on Oahu and for those of you who are staying over, do you ever wonder where it goes? Let me tell you where it goes. It goes to my area – Waimanalo Gulch, the only municipal solid waste landfill in this state. And if it manages to get burned, it goes to Campbell Industrial Park. Now the area of the good Senator from Kapolei, it was my area as well. When you turn on your electricity, do you know where most of that electricity is generated? In our area, Kahe Power Plant. If it’s not Kahe, it’s Kalaeloa or AES, Campbell Industrial Park. And as Hawaiian Electric looks to expand electricity on this island, where are they going to go? Campbell Industrial Park. As you look at alternative disposal facilities, where are they looking for? H-Power is in Campbell Industrial Park. The Plasma Park Technology, where is that? Kalaeloa, many of you may know it as Barber’s Point, all part of this region.

“And as we look at Iraq, where do you think the Schofield Barracks soldiers train? Makua, the other end of my senatorial district. So I say, why not?

“An issue that I’ve had and fought way before I even considered running for office is the 138 kV lines. This is before it was popular in Manoa, before it became known on Waiiahila Ridge. Because when Malama Manoa became an entity, they came to see me. And they asked me what do you have to say about this. Can you help us? And I said, I will tell you, when we were fighting this on the Leeward Coast, when these 138 kV lines were being planned from Campbell Industrial Park to Waiao Power Park, no one else was there to fight for the people of our region. And I said, but I don’t have any ill feelings about that and sure I will. But let me tell you something, all of those lines, most of your electricity are actually traveled on these 138 kV lines, because the 138 kV lines are the only ones that can complete that grid, that grid that is necessary to ensure that your computers don’t blitz and so forth. And where do they come from? Basically, this particular area. This is the area.

“By the way, did I tell you we have all the illegal landfills as well. And in addition to that, when you do construction, infamous construction, where do you think the only legal landfill is? It’s in Nanakuli. By the Way, Waimanalo Gulch is not in the good Senator from Waimanalo’s district. It is in none other than Nanakuli. They just called it that so that we would believe that it was somewhere else. And you what, it worked. We did. (Laughter.) We did believe it, and we thought great, we’re going to support Waimanalo Gulch because it’s out of our area. Even Waimanalo Gulch we were promised, our community was promised, 15 years and it would be gone. No way, no way. It’s not going to be gone.

“And in addition to that, where is the largest percentage of Native Hawaiians in this state? Nanakuli and Waianae, my area. Who’s got the lowest social economic status? My area. Whose got the most problems? My area. I don’t say it with pride. I’m just saying that to make this case, because with this tax credit, with the training facilities, I believe that this area can take off. And for those of you who say, well, what about my area? You know, I tell you get on this bandwagon. Let’s see. If this is successful, I see no reason why we can’t repeat it elsewhere and take care of other areas that are in need of this specific help.

“Believe it or not, I actually do have a vision about what we’re going to do. What a lot of people did not know is that as the controversy with Ewa Villages started, and we are all very familiar with that, how many people actually knew that Ewa

Villages was being developed by the City and County of Honolulu as a point where you would drop tourist off so that they could what a real plantation town looked like. What does Ewa Villages have? Ewa Villages has ORNL, an actual railroad. That railroad goes through Ko Olina and where does it end on the other side? It ends at Kahe Power Plant now, but it can actually go into Nanakuli.

"I feel that we have the masses, the number of people. Whether they come to that region by ship, because we also have the deep draft harbor too, or they come to stay in the Ko Olina resort areas because that aquarium will attract them there, that this railroad can bring people into Nanakuli. We don't want them on our roads. We've got bad roads. So they would go by railroad and it would drop them off at Nanaikapono School, which is being moved. And in that area, Nanaikapono and Camp Andrews, I can see the people of Nanakuli, then doing true eco-tourism. If it's true that Japanese tourist and other tourist want to see real Hawaii, real Hawaiians, then you know what, let them come to Nanakuli. Let the people of Nanakuli have their lifestyle, and let the tourist come in by train and go out by train.

"Think about what that would mean for this whole state. Think about what that would represent in terms of revitalizing not only our area and giving the people in my area hope and a future, but for the whole state.

"So, Mr. President, with that, I hope that my colleagues will support the passage of S.B. No. 377. And I apologize because I hadn't realized that I've never spoken to this measure to this body. Thank you very much."

Senator Kawamoto rose to speak in support of the measure and said:

"Mr. President, I rise in support of the bill.

"Mr. President, I don't claim to be in that area. We're just in the outskirts of that area, but we support this bill primarily because of the fact that we support the idea of the second city when it came about. We support the fact that we need to develop, as a job creation area, we need to develop that area because of the fact that it's going to cost us big money to get some kind of transit, some kind of alternative means because the traffic is bad, really bad. If we can divert the traffic coming down H-2 or having people from downtown Honolulu come out to this area, then the traffic may be even.

"I'm concerned because, as the Transportation Chair, you pointed me to be there and this is one area that we want to develop. And hopefully next year or the year after we can again finish this complete vision with the University of West Oahu campus. (Laughter.)

"Thank you very much, support this project and maybe this is going to be the impetus of getting the whole area developed. Thank you."

Senator Hooser rose to speak in opposition to the measure as follows:

"Mr. President, I rise somewhat reluctantly in opposition.

"I'm reluctant for several reasons. One is to follow the eloquence of the Senators from Waianae and Waipahu, and especially the Senator from Waianae that spoke so eloquently about her community. I'm not speaking today to convince my colleagues to vote against the measure. I'm speaking today to explain my reasons and motivations so the good Senators understand that I've thought this through.

"I'd very much like to vote in support just to support my colleagues on a good project, but after looking at the bill and giving it much thought, I can't bring myself to do so. This is a \$75 million tax credit and I have many concerns. One concern clearly is that we're targeting one area, one primary developer. More serious concerns than that, though, involve that there seems to be no guarantees. We don't seem to be asking enough from the people who are the beneficiaries of the \$75 million. Though there are references to building an educational facility, there seems to be no real clear guidance or guarantees on how the educational program would run, who would actually do it, and how it would work.

"More importantly, even though it will be generating jobs, there seems to be no assurances that the jobs will be good jobs, high paying jobs. I would prefer to have a prevailing wage clause guaranteeing there would be union jobs paying a good wage. There are many concerns. As a neighbor islander, I would prefer a tax credit that would apply to the entire state. With there being some question about whether or not the hotel construction and remodeling tax credit will be able to squeeze into this budget and the tightness of the budget, I'm afraid perhaps that the rest of the islands, in terms of this type of tax credit, will be left out.

"Jobs are important, but I think more important than just generating jobs we need to look at diversifying our economy, especially at this time. The unemployment rate for the City and County of Honolulu for the island that we're on right now is at 2.7 percent. This is the time I believe we should be spending \$75 million on diversifying the economy instead of focusing on more of the same – hotel construction, resort construction . . . 2.75 percent. On the Big Island, it 4.2 percent. On my island, it's .8, and on Molokai it's 6.1. On these islands the residents can't drive to where the jobs are, so I believe we have a statewide problem and I would prefer the credits be distributed statewide.

"Again, it's not simply more jobs. We need to look at raising the people up, diversifying the economy. I wonder what would happen if we spent \$75 million on schools for the Leeward Coast or \$75 million on UH West Oahu, or \$75 million on diversified agriculture, or other efforts in job diversification, in economic diversification.

"So these are some of the reasons, and I fully understand the passion and the need to serve your district and I reluctantly am speaking in opposition. Thank you."

Senator Kim rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of S.B. No. 377.

"Mr. President, if I wasn't already in support of this measure, I certainly would have been convinced by the words of our Majority Leader. Certainly she spoke eloquently, and I agree with her. I also understand where she's coming from because my district of Kalihi is often the dumping grounds and certainly we need economic viability in that area. And that is why I've been so strong as far as the prison being relocated and having that area have some economic viability.

"I certainly support our Senator from Waianae and the Waianae Coast for its long neglect of that area and the fact that we depend upon that area for so many of our negative things that we don't want in our own back yard. So, certainly, Mr. President, I am not just a newcomer to the support of that area. I've supported the so-called West Beach, and I hate to age myself by bringing up where I've been in the past, but when I was on the city council back in 1985 we rezoned that area. We

rezoned West Beach, which is now, as we've heard, Ko Olina. We rezoned the area and we also designated Kapolei as the second city, and we were supposed to move all the government buildings and we're supposed to put in businesses there to make it the second city. And here we are 18 years later still looking for the second city, trying to develop the second city, and also trying to develop this resort area of Ko Olina.

"Certainly, a tax credit of this nature will help to do that, will help to revitalize West Oahu, Mr. President. It will create multi-resort island model, like the one that we have on Maui and Kauai and the Big Island. It will complement Waikiki. It will diversify the Oahu visitor base by bringing in new hotels. It will also provide an incentive to create the world-class attraction that we need. The visitors come to Hawaii on their second and third visit and they have no new attractions.

"I have said time and time again, Mr. President, in the Tourism Committee that we need to look at our product. We need to look at renewing our product, refreshing our product, because it's getting old. And if we're not going to encourage these kinds of developments, then we're not going to get new visitors or return visitors coming back.

"Mr. President, this project is going to create 10,000 new construction jobs; 2,100 new permanent jobs. It's going to be \$750 million of new construction, not state construction, mind you. It would be private construction monies. The only monies involved is a tax credit. In order to get the tax credit you have to show that you've expended the cost and the monies.

"Weinberg Foundation, who has helped so many on this island, so many people in the whole state, has committed the lands and the resources to make this a reality. They have committed the training facility. I spoke with the developer yesterday to the issue on the training programs and they have assured me that they will be doing the training programs. They're going to be doing the training center as well as the training programs. I believe it's also a commitment to the Senator of Waianae as well.

"The Leeward Coast is long overdue for this kind of incentive, Mr. President. The residents of the Leeward Coast so deserve some attention from this Legislature, and I urge all of my colleagues to support this measure.

"Thank you."

Senator Slom rose to speak in support of the measure and stated:

"Mr. President, I rise in strong support of this measure.

"I've talked about this before. I supported this. People in my own district in East Honolulu ask me why would you in Hawaii Kai support something in Waianae? And I said because I am a State Senator. We are all State Senators. We should take the position that most important for us and for the state is anything that is going to benefit any portion of our state.

"When we look at the situation at Ko Olina, as very specifically detailed by the Majority Leader, we want to reiterate again this is not a subsidy. I don't vote for subsidies. This is not a government project. This is private investment. As I've said on previous occasions in sitting through all of the hearings for the last couple of years, I have never, before I came to the Legislature or since, ever seen any developers come down to this Legislature, sit through hearings, answer every question posed to them specifically, made every change that was asked of them, jumped through every hoop, did everything that was required without whining, without complaint, without

excuse. I've never seen it, Mr. President, and I doubt that any of my colleagues have either.

"Let's get this straight, this is not for one specific project or one developer. Hey, anybody that had the ability, the vision, and the risk potential to come forward could qualify and would have been welcomed for a project like this. But the fact of the matter is there's no great desire to do that or to invest in Hawaii. Why? Because of some of the trashy bills and increased taxes and regulations that we passed over the last seven hours sitting in room. We still remain an anti-business state and we send that message all the time, and some of the arguments against this bill reinforce that.

"Well what about the jobs? They may not be the right kind of jobs. They may not be good enough jobs. They may not pay enough. I say to my colleagues, then you start a business, and you provide the jobs, and you provide the investment, and you provide the diversification. Because the fact of the matter is Hawaii has been and continues to be passed over. We are not taken seriously as a business or investment center. In fact, we used to have a chief of state who used to deride publications like the Wall Street Journal, Investor's Business Daily, Fortune, The Economist, Financial World. His comments were, 'Nobody reads them; nobody pays attention to them anyway. They're just right wing publications.' That attitude has got to change.

"What this project, what this development gives us an opportunity to do is to be a beacon to attract other developments in other parts of our state. Because if investors see that in fact we are serious about wanting people to do business and to invest here, they will then overcome their reluctance and they will take us more seriously.

"Now, about the \$75 million, some people would have you believe that we're just going to hand somebody \$75 million. You know, like in case they made a surf movie or something like that. That's not the case here. As the good Senator from Waianae pointed out, the previous study under the last administration by the head of the Department of Business and Economic Development said, the returns expected conservatively on the \$75 million were \$186 million. And they were very specific and very detailed, but here's the most important thing – this project and this development is dependent on meeting certain criteria and certain schedules, and certain developments and actually performing. They don't perform, they don't get the credits. They don't do it in a timely manner, there is penalties for that. There's no guarantee. This is not a refundable credit that they can take to the bank. And it's not for the attorneys or for the CPAs. It's for some people that will actually utilize the risk and sweat capital.

"I'm a very strong proponent of economic diversification. I think we have muffed many opportunities in the past. I see this as a project and an opportunity for that diversification. The fact of the matter is, however, that tourism happens to be the engine that is driving our economy, the only primary engine at this point. But still, what are we talking about? Here we're talking about economic diversification within the resort and recreational market. But the important thing here is that it is on the private developer's nickel. They have to perform, and nobody will be watching this project and demanding more than those of us that support it. Because as has been pointed out for the second city and for other projects, we've watched them languish for 5, 10, 15, 20 years. But this bill and this credit is very specific. And this developer and this project is under scrutiny and under a microscope like never before. And if he fails, which would be a shame and I don't think he will, but if he fails, it's his failure, not the taxpayers of this state.

“That’s why the Governor didn’t like it, the past Governor. Even though everything he required – additional investors, additional people, people like Weinberg came forward; they showed their faith and confidence in this – he didn’t like it. He liked projects that the taxpayers had to support. He wanted another aquarium that the taxpayers would support. What we want are projects that private risk-takers will support themselves, that will help diversify the economy, that will attract investment, that will create jobs which will help an area or areas that not only has been known for dumping and for third class citizenship, but for people without hope, people without something to look forward to.

“Sure, we could take \$75 million and we could build all kinds of things. We’re even taking some of it. We’re talking about building world class farmer’s markets. We’re talking about other things that we can construct, and yes, we can construct schools as well. We might not be able to maintain them, though, since we still have a \$640 million backlog on existing schools. We could build another campus of the University of Hawaii, even though we don’t take care of the campus at Manoa properly, or Hilo. We can educate the people, and then after they get their degrees, we can wave goodbye to them at the airport as they go to seek other places where there are economic opportunities.

“We have an opportunity here and a chance to do something positive. And as State Senators, it is a situation where we have to look at the state as a whole and not say why did that district get it and my district didn’t get it. You got somebody in your district, have them come forward. Have them come forward with the plan, the vision, the energy, the resources, the guarantee, and the risk taking, and then we can have multiple Ko Olinas.

“Thank you, Mr. President.”

Senator Hogue rose to speak in support of the measure as follows:

“Mr. President, I rise in strong support of this particular measure.

“I appreciate the good words of the Majority Leader and her passion for her district. I believe this is a very worthy project. I’ve seen some of the designs and I appreciate the vision of the people who have been behind this particular project.

“But I want to talk about an issue that has come up in the press, because I do believe that from time to time the press has a tendency to characterize things without fully understanding that this somehow is a \$75 million tax loss or a \$75 million tax subsidy. As the good Senator from Waianae already mentioned, past studies have indicated that the state will net approximately \$186 million in future tax revenues from this very worthy project. That means that this is not a \$75 million tax loss but it is at least a \$111 million windfall. Now that’s a great return on investment.

“There was a question of how could we spend \$75 million in tax money. I think that we should be looking at ways that we’ll be able to spend this extra \$111 million in tax money. We can improve our public schools. We can go a long way to getting into that repair and maintenance backlog. We can improve our universities. We can maybe even get the good Senator from Waipahu’s university built out there. We can talk about other ways to diversify our economy.

“This is a great investment for the entire State of Hawaii, a great return on investment, and I urge you to vote ‘yes.’ Thank you, Mr. President.”

Senator Ige rose to speak in opposition to the measure and said:

“Mr. President, I rise to speak in opposition to this measure.

“Mr. President, when tax credits are given for any reason, we are asking other taxpayers to sacrifice to shoulder the burden of taxation. It is very important, therefore, that we remain fiscally responsible and target tax incentives for specific purposes.

“It is clear that this tax measure before us will benefit a single taxpayer, and clearly I acknowledge the fact that it would impact the region and it may help to stimulate other activity in the Ko Olina area. But let’s look at the bill that’s before us specifically and not talk about smoke and mirrors and other kinds of benefits that may or may not occur.

“This tax credit before us, members, is a super tax credit. There is no other tax credit like this tax credit that is before us that is currently offered to any other taxpayer in the state. This tax credit can be claimed against GET taxes; this tax credit can be claimed against TAT taxes; this tax credit can be claimed against timeshare taxes; this tax credit can be claimed against public service company taxes; in fact, this tax credit can be claimed against virtually every single tax that the State has. I was trying to identify a tax that can’t be claimed, and the only tax that I can find that can’t be claimed is a rent-a-car tax. So, let’s just be very, very specific about this. This tax credit that we’re about to vote on is unlike any other tax credit that we’ve ever adopted.

“Not only is this a super tax credit that we’re offering, but there is very little that’s required. There’s been talk about the developer being held to a very specific timetable. I don’t see any timetable in this bill. I don’t see any requirement that the developer has that would trigger him default and not be able to claim the credit.

“This bill is very, very specific. The taxpayer has to do only two things – one is to spend the money for a world class aquarium or other attractions, and the second is to commit, 17 years down the road, to commit 50 percent of any profits that this project may generate. These are the only two things that this bill requires in order for the taxpayer to claim this super tax credit. And again, as I said, this is the only tax credit that I know of that really can be applied against all taxes that the State implements.

“The definitions in this bill are very vague. People talk about being specific and being very limited, but there’s no definition what a world class aquarium is. I’m not certain what that means or what cost would be qualified. There is no definition of attractions. Attractions could mean facilities that the drafters of the bill never intended. Attractions could be a water park; attractions could be an amusement park; attractions could be a shopping center; attractions could be a movie theater. In fact, if you go to Webster’s, the definition of attraction is: a feature or characteristic that attracts; a person, place, thing, or event intended to attract.

“So clearly, this bill can be, and the tax credits can be, applied for virtually anything that occurs in these parcels.

“There’s been much said about the economic impact of the project, but this bill doesn’t require any additional investment. There are absolutely no criteria. There is no requirement that training programs be offered, only that funds spent to acquire a resort can be claimed as a credit. There’s no requirement that they hire local people. There’s no requirement, in fact, that the

aquarium ever be completed or operational. The only requirement is that the developer spends the money.

“There’s been lot’s of discussions about developers standing up and willing to commit to go forward with the project. This bill doesn’t specify that anybody else is going to be investing in Ko Olina. There’s absolutely no requirement in this bill. In fact, if you refer to Governor Cayetano’s veto message explicitly, he says, and I’m quoting, ‘it provides little promise of additional economic benefits to the taxpayers because many of the businesses involved here were already committed to building their developments.’ The Marriott Corporation, for example, has informed me that it will build its 750 timeshare unit project at Ko Olina regardless of whether this tax credit moves forward.

“Prior to September 11, 2001, several Ko Olina developers publicly announced their intent to build their projects on the site and some are moving forward when and if the funds are available.

“I did also want to talk about two other things, and we’ve talked about it a lot. The Senator from Kauai talked about the fact that unemployment on Oahu is at 2.7 percent. When you talk to economists, their view is that 2.5 percent is essentially full employment.

“I also would like to quote for the members the statistics from the Hawaii State Department of Labor. The lowest average wage industries in the State of Hawaii – I guess this is based on the 2001 payroll – the lowest average wages were in the arts, entertainment, and recreation industry, and the average annual wage was \$19,261. The second lowest industry average annual wages is in the accommodation and food services industry at \$19,964 annual average wages.

“Now, I guess the problem that I have is that we’ve been focusing our tax credits at diversifying our economy. We’ve made a conscious decision that the challenge before us is not job creation for the sake of job creation. The challenge before us is really quality job creation. It’s the high paying jobs that we want to create. The salaries in those industries that we’ve targeted, based on the Department of Labor’s same statistics, are: professional services, \$45,500 annual average salary; scientific research, \$51,000; computers and information technology, \$49,000 average annual salary; project management and consulting, \$50,000 average annual salary.

“I truly can relate to the Senator from Waianae, and I really do want to see a better future for the Waianae Coast. In fact, last week we spent two hours at Searider Productions at Waianae High School, and let me tell you, members, by far, Searider Productions is the best video and digital media production in the State, bar none, public or private school. There were 200 students in that program, fully engaged, producing a print newspaper, producing an electronic newsletter, producing a Website, producing a video magazine, learning all of the technology skills to compete and win. In fact, their production had just returned from a national conference on the West Coast where they took first place amongst 32 teams from across the country.

“Members, I really truly believe that the people of Waianae deserve a better future and I believe that we need to be judicious about our tax credits and focus and really give them the future that they deserve. For this and all other reasons, I’ll be voting ‘no.’”

Senator Espero rose to speak in support as follows:

“Mr. President, I’d also like to rise in support of this measure.

“I’d like to point out that the good Senator from the Waianae Coast also forgot to mention that we also have an oil refinery, a sewage plant, and the Kalaeloa Airport in West Oahu. But with these put aside, there are some very good things happening in West Oahu from Ko Olina to Kapolei, the Ewa Marina, the future UH West Oahu, and this is just going to help boost what’s currently happening.

“Now, the good thing, as has been stated, is it is a private developer. There are no government bonds involved. There are no grants-in-aid. There are no loan guarantees, no subsidies. And looking at what’s been happening out there and looking at the plans, the Senator from Pearl City had some concerns but I have no doubt that this is going to be a world class aquarium in a world class resort. I have no doubt that in time the Ko Olina resort may become the finest resort in the State of Hawaii. I have no doubt that thousands of jobs are going to be generated – construction jobs as well as visitor industry jobs. And I have no doubt that local people will be hired, and not only local people from the Waianae Coast and from Ewa Beach and from Waipahu, but people from the whole island.

“It was commented that this is targeted for one area. This is not targeted for one area. The majority of the people live on Oahu. We don’t have a resort that’s going to be the caliber of Ko Olina once it’s done. But once it is completed, people throughout the world are going to stay at Ko Olina resort and know that it is a five-star quality resort and it is going to help our visitor destination and visitor industry.

“We need this bill because the future of Oahu is West Oahu. In five to ten years, that is going to be the best place to live on this island. We will have everything and more that this island and this population currently needs. We’re going to move the traffic out west. We’re not going to double-deck the freeway. Maybe we’ll get our light rail and many, many good things are going to happen. And with the state’s assistance, the tax benefits as was stated from the Senator from Kaneohe will definitely no doubt outweigh the \$75 million.

“In the long term, this is going to be a fantastic investment for the State of Hawaii. And just like now where people from Waianae, Kahuku, Waimanalo drive into town to Waikiki to work, people from Waikiki, Kahuku, Waimanalo may drive west to work. And maybe one day they’ll be living out there because of all the good things that we are doing.

“Thank you, Mr. President.”

Senator Kanno rose to speak in support of the measure as follows:

“Mr. President, I rise to speak in support of the bill.

“Mr. President, I’d like to start off by commending the Senator from Waianae for her leadership on this bill.

“Years ago, it was determined that the Kapolei region would be the secondary urban center for the Island of Oahu. The target of tens of thousands of new homes. We’d be able to preserve Windward Oahu and the North Shore and to keep the country, country, by targeting all of this growth into one community. Together with that came the promise of a full complement of services that a city offers – most importantly jobs. The hope is that traffic heading into town during rush hour will be lessened by cars heading to Kapolei.

"The pieces were in place. A visitor destination which came with brand new beaches. A deep draft harbor. When Barbers Point closed in 1999, the State and City received a 2,000-acre parcel.

"The development of a thriving new city takes time. The potential is there.

"I was born and raised in Leeward Oahu, and I've seen the growth in our area. We do have thousands of new homes. We do have a lot of traffic still fighting rush hour. We do have overcrowded schools. We do have all of the heavy industrial facilities for our island.

"Now is the time for the state to follow through with the commitments made to the people of Leeward Oahu. This proposal represents that hope and opportunity. I urge my colleagues to vote 'aye.'"

Senator Trimble rose to speak with reservations and said:

"Mr. President, I rise with reservations.

"I have voted no on I think almost every tax credit that I've heard so far this year. I fully intended to vote no today. I was impressed by the remarks from the Senator from Waianae. I saw no reason to . . . what was it that Emerson said, 'A foolish consistency is the hobgoblin of little minds.'

"listening to the speeches, I can agree with some of those that spoke against that maybe this won't happen or maybe that won't happen. But what I got was it has a very good chance of moving jobs closer to the very people that need those jobs most. Maybe it will work, maybe it won't work, but we haven't done anything else so far this year.

"So, I will be casting an 'aye' vote when the vote is taken. Thank you, Mr. President."

Senator Hanabusa rose and said:

"Mr. President, I appreciate the comments of the Senator from Aiea, and it unfortunate that this tax credit is almost viewed something like an either/or. I accept the fact that he feels very vehemently about the fact that we want to do different quality or higher quality jobs. Mr. President, we are not all created equal.

"I am dealing with a district where many just want jobs. The Searider production the good Senator from Aiea mentioned it. Mr. President, that is a passion of mine as well. I have dedicated a lot of time in securing resources. When the good Senator of Aiea went on and was able to compliment them, it is because of a HUD grant that we secured. A HUD grant that when the opening was held, Shawn Lester from Maui came over and looked at it. I'm sorry, it wasn't Shawn Lester, it was Shawn McLaughlin from Maui came over and looked at it and said can we use this model and bring it to Molokai, because it is an exciting model.

"But Mr. President, Candy Suiso is the teacher at Waianae High School who I fully credit for this success. One of the things she and I sit back and talk about all the time is what next? What next? These students who graduate from the Waianae High School and who have had the training in the Searider productions come out as good as, and maybe better than, many of the people who go through the media programs at Leeward Community College.

"But we sit there and we say, what's their future? There's only so many camera-person type jobs around. There's only so

many of these jobs. So we were saying maybe what we have to do is go out and promo this. Maybe one of them will become the new George Lucas and bring a whole industry back. Those are the dreams that we have.

"But Mr. President, we have a more practical problem. We have 2,000-plus students at Waianae High School. Only 200 can avail themselves of this media program. We were fortunate enough to break ground, finally, for the media center, which under the good leadership of the Senator from Makiki when she was Ways and Means Chair she managed to put in and save even after Governor Cayetano line item vetoed it or tried to take it out of the budget. And we have broken ground on that, but we still sit there and we say, God, they do great work, but what next? What about the others?"

"I would love to know that every single child in Waianae can move on and become a high tech person or can move on and actually get a \$50,000 a year job or a higher paying job. But the reality is, Mr. President, many of them just want jobs, and they're not students who are bad. They're students that as I went to Makaha the other day, somebody that I thought was heading off for college was working there and said to me something like, I'd like to work for Ko Olina. And I looked at him and I said, I thought you were heading off for college. Certain circumstances didn't work out so he couldn't go.

"Mr. President, if the Ko Olina tax credit goes through and if we're able to see these hotels, the training program is so critical because what it does is gives everyone the opportunity to learn how to manage. Middle management we are low on, we don't have that. This training program will bring that forth. And yes, it does give the kids in my area, or the kids in anybody's area the opportunity to make this a career.

"And if this area goes, then maybe the high tech types of jobs will be there. Maybe biotech jobs will be there too. But I have the cold reality that not every single one of them is going to be able to move on and become the next George Lucas or whoever. The reality is I've got an area that is a problem, and I'm not ignoring that fact. I want high tech. I put everything into that as well. But Mr. President, it can only afford in that one school 200 students and that's it. What happens to the rest? And what happens to those who can't do that? What about those who have to go into construction? What about those who may make great groundskeepers? What about those who may play well with dolphins? We need that opportunity, Mr. President, and that is what this tax credit poses for us.

"And let me just end by saying this, if the developer doesn't do what is required for qualified tax credits, Mr. President, there is no tax credit. He doesn't get the money. This is not a refundable tax credit. This is nonrefundable. They have got to earn it. If they don't earn it and they don't do it, they don't get it. It's as simple as that.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 118 was adopted and S.B. No. 377, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Hooser, Ige, Ihara). Excused, 2 (Fukunaga, Tsutsui).

Conf. Com. Rep. No. 119 (S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 119 be adopted and S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kim.

Senator Slom rose to speak in opposition to the measure and said:

“Mr. President, I’ll be voting ‘no’ on this bill.

“The reason for that is that it takes money from the emergency and budget reserve fund, the so-called rainy day fund, and I don’t think that’s appropriate.

“Thank you.”

Senator Baker rose in support of the measure as follows:

“Mr. President, I have remarks in support of this measure I’d like inserted into the Journal.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise to speak in support of S.B. No. 1305, C.D. 1, which appropriates funds from the emergency and budget reserve fund for vital health and human services programs which are necessary to maintain our State’s social service safety net.

“On the health side, appropriations to Molokai General Hospital, the only hospital on the island of Molokai, and to Kahuku and Wahiawa General Hospitals, will ensure essential health services remain available in our rural communities. Appropriations to community health centers who regularly provide healthcare to our State’s uninsured and operating subsidies to the Waianae Coast Comprehensive Health Center and the Hana Community Health Center will ensure our healthcare safety net will remain in place for rural and isolated communities. Once again with this measure, we are trying to get the Department of Health to pay attention to the oral health needs of our children. By utilizing our community health centers, more of Hawaii’s underserved keiki will receive vital dental services.

“Additionally, this measure provides funding to leverage private sector support for programs delivering statewide services such as the St. Francis Medical Center’s bone marrow registry and the Poison Center at the Kapiolani Medical Center for Women and Children Sex Abuse Treatment Center. Programs which give support to victims of sex abuse and domestic violence are continued with funding in this measure.

“Two other appropriations will leverage federal funds to establish an adolescent residential treatment center to treat poly-drug abuse, and fund community anti-drug efforts aimed at preventing crystal methamphetamine use on the Big Island. The island of Hawaii has suffered a disproportionate share of the effects of crystal meth use, and these programs are essential to assist Hawaii County in fighting crystal meth use and the host of problems that it creates.

“Lastly, this measure appropriates general funds to implement the Hawaii Rx program. Hawaii Rx is an important step to address the ever-increasing cost of prescription medication, a significant contributor to the rising cost of health care. Without programs like Hawaii Rx in place, we will see more and more citizens, seniors in particular, forced to go without other necessities in order to cover the cost of their life-saving prescription drugs.

“Senate Bill 1305, C.D. 1, will provide our citizens with vital health and human services. Without these services, our health services safety net would be irreparably damaged for some communities and severely compromised for others. These appropriations are a necessary and proper use of the emergency and budget reserve fund. I urge my colleagues to join me to support this important measure. Mahalo.”

Senator English rose to speak in support of the measure and said:

“Mr. President, I rise in support of the measure.

“Mr. President, this is a very important bill for the neighbor islands. I want to commend the Chair of the Health Committee for guiding this very important bill through.

“This bill holds many very important measures for my district and for the community health centers. Moloka’i General Hospital’s funding is within this measure – Hana Community Health Center, Hale Mahaolu, Maui AIDS Foundation, Lamalama Ka `Ili program on Moloka’i and many, many others for the state.

“This is one of those bills that is attached to the budget in that we use it as a vehicle to take care of the medical, some of the human services, and community health centers. It’s a very important bill, and I want to again extend my thanks to the Chair and to the Vice Chair of the Health Committee for making this bill go through and also to the members of the WAM Committee for allowing this to move forward.

“Thank you, Mr. President.”

Senator Chun Oakland rose to speak in favor of the measure as follows:

“Mr. President, I just wanted to speak in favor of this measure and insert remarks into the Journal and to also express my appreciation to the Chair of Health, to our counterparts in the House, the House Health Chair as well as the House Human Services Chairman, and particularly to the money Committee Chairs and Vice Chairs for their support, and all of you.

“Thank you.”

The Chair having so ordered, Senator Chun Oakland’s remarks read as follows:

“Mr. President and Colleagues, I rise to speak in strong support of S.B. 1305, which appropriates funds for essential health and human services programs and services.

“I wish to express my deep appreciation to my staff, the Chairs, Vice Chairs and members of the Ways and Means and Finance Committees, the House Health and Human Services Committees, all of the members of the Legislature, and the members of the public who worked with the Senate Health Committee Chair, the House Health Chair, the House Human Services and Housing Chair and me to develop the contents of this bill.

“I also wish to thank my colleagues for funding these essential services and programs that are so necessary to so many people, and for once again demonstrating the Legislature’s commitment to maintaining the safety net of programs and services for our community.

“In closing, I urge your support for the important programs and services in S.B. 1305.

“Mr. President, I have a list of the programs and services funded through this measure that I would like to be read into the record.

**S.B. 1305, S.D. 1, H.D. 1, C.D. 1 (Relating to State Funds)
List of Programs and Services Funded**

All appropriations are from the emergency and budget reserve fund and are for fiscal year 2003-2004 only.

Human Services Programs and Services

<u>Grantee/Expending Agency (Service/Program)</u>	<u>Amount</u>
1. Hale Mahaolu <i>Personal care program for disabled or chronically ill frail adults and elders residing in Maui county.</i>	\$90,000
2. Department of Human Services (DHS) <i>Treatment services for child victims of intrafamilial sexual abuse and their families who are not covered under the DHS child protective services system.</i>	\$200,000
3. Department of Human Services <i>Forensic medical examinations of children in foster custody placements.</i>	\$150,000
4. Hawaii Youth Services Network <i>Transitional Living Program for Unserved Street Youth.</i>	\$100,000
5. Department of Health, Alcohol and Drug Abuse Division <i>Substance abuse services for youth and adolescents.</i>	\$100,000
6. Department of Human Services <i>Residential Alternative Community Care Program.</i>	\$1,000,000
7. Department of Human Services <i>Chore Services Program.</i>	\$200,000
<u>Grantee/Expending Agency (Service/Program)</u>	<u>Amount</u>
8. Bridge to Hope Program	\$300,000
9. Volunteer Legal Services Hawaii <i>Na Keiki Law Center project focusing on protecting the legal rights of children.</i>	\$200,000
10. Kaneohe Community Family Center <i>Continuation of core services, particularly for families that are low income, unemployed, or underemployed, and families of at-risk youths.</i>	\$100,000
11. Kuhio Park Terrace Family Center <i>Continuation of core services to low income individuals and families residing in Kuhio Park Terrace and Kuhio Homes.</i>	\$100,000
12. Waipahu Community Adult Day Health Center and Youth Day Care Center pilot project	\$300,000
13. Domestic Violence Clearinghouse and Legal Hotline <i>Maui program services.</i>	\$150,000

14. Blueprint for Change <i>Delivery of diversion services and child protective services to target families, including the establishment of additional sites for neighborhood places.</i>	\$421,000
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15. Housing and Community Development Corporation of Hawaii <i>Homeless assistance.</i>	\$150,000
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16. Existing Kalihi-Area Youth Service Centers	\$500,000
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Health Programs and Services

<u>Grantee/Expending Agency (Service/Program)</u>	<u>Amount</u>
17. Molokai General Hospital	\$750,000
18. Molokai General Hospital <i>Lamalama Ka 'Ili Community Health Services programs.</i>	\$50,000
19. Kahuku Hospital <i>Costs of emergency room operations, inpatient and outpatient care for the underinsured, medical malpractice insurance, and labor.</i>	\$750,000
20. Waianae Coast Comprehensive Health and Hospital Board, Inc.	\$750,000
21. Wahiawa General Hospital <i>Indigent care services.</i>	\$500,000
22. St. Francis Medical Center <i>Operation of the Bone Marrow Registry.</i>	\$50,000
23. Department of Health <i>Hospital-based poison center to operate twenty-four hours a day.</i>	\$200,000
24. Maui AIDS Foundation <i>Case management program.</i>	\$75,000
25. Hana Community Health Clinic <i>Operations and care services for uninsured patients.</i>	\$700,000
26. Department of Health <i>To provide resources to nonprofit, community-based health care providers to care for the uninsured.</i>	\$1,450,000
27. Kapiolani Medical Center for Women and Children <i>Sex Abuse Treatment Center master contract.</i>	\$300,000
28. Department of Health <i>To establish an adolescent treatment center to treat poly-drug abuse on the island of Hawaii.</i>	\$300,000
29. Department of Health <i>Community anti-drug efforts aimed at preventing crystal methamphetamine use on the island of Hawaii.</i>	\$100,000
30. Department of Health	\$450,000

Comprehensive oral health services to underserved children.

Hawaii Rx Program

31. Department of Human Services \$200,000
To develop a plan to implement the Hawaii Rx program to carry out the purposes of Chapter 346, Part XIII, Hawaii Revised Statutes.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 119 was adopted and S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Slom). Excused, 4 (Espero, Hanabusa, Ihara, Tsutsui).

Conf. Com. Rep. No. 121 (S.B. No. 58, S.D. 1, H.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 121 be adopted and S.B. No. 58, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"I believe it is appropriate to have a clear separation between elected officials and nonprofits. And I believe that an elected representative served or is serving at executive director, and for that reason, I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 58, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Slom, Trimble). Excused, 4 (Espero, Hanabusa, Ihara, Tsutsui).

At 7:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:06 o'clock p.m.

Conf. Com. Rep. No. 122 (S.B. No. 402, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Baker and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 402, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Espero, Whalen).

Conf. Com. Rep. No. 124 (S.B. No. 1700, S.D. 1, H.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 124 be adopted and S.B. No. 1700, S.D. 1, H.D. 2, C.D. 1, having been

read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Sakamoto rose to speak in support of the measure as follows:

"Mr. President, I rise in support.

"I know the hour is late but this is a very important measure so please bear with me while I actually say remarks as opposed to just putting it in the Journal.

"This measure is a result of a tremendous amount of work and collaboration between the charter schools, the conversion charter schools, Kamehameha Schools, the Department of Education, and obviously the House and Senate. Your Education Committees and your money Committees worked very hard. The Senator from Ka'u on the Big Island, in particular, worked hard to help bring this forward.

"This is a major step forward in providing support to the charter school movement by clarifying the funding levels for charter schools and providing charter schools with the administrative support structure separate from the regular administration's structure.

"This measure seeks to create fairness for all public school students by using a published per pupil cost as a basis for funding. From this, we have subtracted federal funds, which charters will receive or can receive based on if it's a grant or some form for them to access it, just as other public schools can.

"We also deleted special education, and for this service the charters will be able to collaborate and work with the DOE to get those services provided.

"In this first year, next school year, the per pupil allocation was calculated by the budget director at the department to come out to \$5,355. All students receive this amount. Special education students receive additional SPED funding, which is not calculated into the base formula. This allocation, just for clarification, does include all fringe benefits because we took the total amount less federal, less SPED, divided, so that's all their funds. And since the Department of Education pays fringe benefits from another account, it's anticipated that this reimbursement process will be worked out with the DOE for any fringe benefits the charter schools would like the state to provide.

"This also provides choice for the charters in allowing them to seek economies of scale, and the ways in which they get resources to help them run their school. This measure seeks to foster independence and accountability, as well as provide for a basis for financial and administrative planning.

"It has been difficult to draft a measure to meet the needs of such independent and diverse group of schools such as the charters. As problematic as the process has been, I believe that much of what we've learned along the way will benefit our entire school system. Perhaps it's a model that will enable us to observe the governance at a school level. In part, the per pupil weighted formula, which this is sort of one example of, and various combinations of administration and management.

"So I would like to thank those of you who suggested improvements as the bill went along, came with ideas based on your charter schools wherever they are, and hopefully we can continue to improve charters and indeed all of education statewide as we go forward. So, thank you for your support, and I ask for your support on this measure."

Senator Hogue rose to speak in support of the measure and said:

“Mr. President, I also rise in support of this very important measure, and I appreciate the hard work of the Senate Education Chair, also the Vice Chair of Ways and Means, and others.

“This is a very important matter to level the playing field, especially with regards to funding for the charter schools. The charter schools are virtually unanimous in their support of this bill and they have definitely been looking forward to the increase in their funding.

“There are some concerns regarding the authority of a separate administrative arm. Some of those concerns have been addressed by a representative in Washington, Dean Kern, who heads the charter school movement. Hopefully he can be helpful as this bill moves along and hopefully the state’s charter schools and this administrative arm will be willing to listen to him because he represents quite a bit of money with regards to federal funding.

“So, this is a step in the right direction. It’s a great improvement and hopefully we’ll have some very healthy charter schools because of it.

“Thank you very much, Mr. President.”

Senator Ige rose to speak in support of the measure with reservations and said:

“Mr. President, I just would like to speak in support of this measure with reservations.

“I did want to congratulate the Chair of Education. I do agree that this is a good step forward.

“I am very much concerned in one area. Right now the funding formula includes funding for special needs children in the basic funding. And essentially, the schools would be required to implement the IEPs for special needs children within the normal allocation that they get for the regular student. If in fact more services are required, then the charter school has to go back to the department and get them to bless the individualized education program and seek funds through the department in order to provide services for the special needs children. I really do believe that that funding will be inadequate for special needs children.

“One of the big problem areas that we’ve had with special needs children is whenever you have an arbitrary barrier where you have two organizations responsible for the education of the child, and this is what I see. In one case the state would be responsible for providing funding but then they take control. They develop the IEP and they’ll develop the program. Or the school has to live within its own means.

“I’m just very much concerned. I hope that we can continue to monitor the special needs funding and the way that it’s set up in this bill and really make an effort to give the charter school total responsibility and total funding for special needs children.

“Thank you.”

Senator Kokubun rose to speak in support of the measure and stated:

“Mr. President, I stand in strong support of this bill.

“As a co-introducer of this measure, it is extremely gratifying to participate in legislative action that improves the capabilities of charter schools and, in turn, the Department of Education as well. This measure provides a formula for more equitable funding for charter schools and for more independence in terms of administrative matters for charter schools.

“I also want to commend the Chairman of the Education Committee on a job well done. He was very tenacious in pulling this effort together, and certainly through the collaborative group that he assembled, I think, was able to gain general agreement.

“I just wanted to mention, for the record, that I think the good Senator from Moanalua has now fixed his car; he’s built a bridge; and he’s driven the car over the bridge. So, congratulations.” (Laughter.)

Senator Sakamoto rose and said:

“Just to clarify part of the Senator from Aiea’s comment.

“Again, on the per pupil cost we took the total cost, subtracted the fed, subtracted special ed. That means the special ed dollars are not in the 5,355. They remain with the department and the charters are to negotiate.

“I agree there’s some concern of who has the IEP and how they control it, but the dollars are currently with the DOE and they have to negotiate either services or dollars. So, just to clarify.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 1700, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 126 (S.B. No. 209, S.D. 3, H.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 126 be adopted and S.B. No. 209, S.D. 3, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Hogue rose to speak in opposition to the measure as follows:

“Mr. President, I rise briefly in opposition.

“It changes a position from a 10-month position to a 12-month position and therefore adds cost to the state, so I’ll be voting ‘no.’

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 126 was adopted and S.B. No. 209, S.D. 3, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Conf. Com. Rep. No. 129 (S.B. No. 1438, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 129 was adopted and S.B. No. 1438, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Whalen).

Conf. Com. Rep. No. 130 (S.B. No. 1439, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 130 was adopted and S.B. No. 1439, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Ihara, Whalen).

Conf. Com. Rep. No. 131 (S.B. No. 1442, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 131 was adopted and S.B. No. 1442, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Ihara, Whalen).

At 8:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:18 o'clock p.m.

Conf. Com. Rep. No. 134 (H.B. No. 1412, H.D. 2, S.D. 2, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 134 be adopted and H.B. No. 1412, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to this measure.

"State licensing, conveying status, this status enables licensees to charge consumers more. I do not see a corresponding benefit to consumers or the state for this practice and therefore oppose and will be voting against this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 134 was adopted and H.B. No. 1412, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Ihara, Whalen).

Conf. Com. Rep. No. 139 (H.B. No. 640, H.D. 1, S.D. 2, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 139 be adopted and H.B. No. 640, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, briefly in opposition.

"A raid on the hurricane relief fund, a million dollars over two years. We're all for mitigation; we're not for this bill.

"Thank you."

Senator Hogue rose to speak in opposition to the measure and said:

"Mr. President, I also rise in opposition.

"I also want to make this point once again. I get asked this over and over again. When is the state going to return my hurricane fund money? I do believe that the best public interest for the state would be to return at least a portion of that money. They can keep some of it around for future hurricanes, but return the money to the people who paid into it.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 139 was adopted and H.B. No. 640, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Hemmings, Hogue, Ige, Slom, Trimble). Excused, 2 (Ihara, Whalen).

Conf. Com. Rep. No. 143 (H.B. No. 808, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 143 was adopted and H.B. No. 808, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Whalen).

Conf. Com. Rep. No. 144 (H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 144 was adopted and H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Whalen).

THIRD READING

Stand. Com. Rep. No. 1668 (H.B. No. 378, H.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1668 be adopted and H.B. No. 378, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1668 was adopted and H.B. No. 378, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1669 (H.B. No. 379, H.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1669 be adopted and H.B. No. 379, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1669 was adopted and H.B. No. 379, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1670 (H.B. No. 380, H.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1670 be adopted and H.B. No. 380, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1670 was adopted and H.B. No. 380, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1671 (H.B. No. 381, H.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1671 be adopted and H.B. No. 381, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1671 was adopted and H.B. No. 381, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH

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

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

Stand. Com. Rep. No. 1672 (H.B. No. 382, H.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1672 be adopted and H.B. No. 382, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1672 was adopted and H.B. No. 382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1673 (H.B. No. 383, H.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1673 be adopted and H.B. No. 383, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1673 was adopted and H.B. No. 383, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1675 (H.B. No. 485):

Senator Taniguchi moved that Stand. Com. Rep. No. 1675 be adopted and H.B. No. 485, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1675 was adopted and H.B. No. 485, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU'OLI SCHOOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Baker, English, Hooser, Tsutsui). Excused, 1 (Whalen).

Stand. Com. Rep. No. 1676 (H.B. No. 488):

Senator Taniguchi moved that Stand. Com. Rep. No. 1676 be adopted and H.B. No. 488, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1676 was adopted and H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Baker, English, Hooser, Tsutsui). Excused, 1 (Whalen).

Stand. Com. Rep. No. 1677 (H.B. No. 645):

Senator Taniguchi moved that Stand. Com. Rep. No. 1677 be adopted and H.B. No. 645, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1677 was adopted and H.B. No. 645, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1678 (H.B. No. 939):

Senator Taniguchi moved that Stand. Com. Rep. No. 1678 be adopted and H.B. No. 939, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1678 was adopted and H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Baker, English, Hooser, Tsutsui). Excused, 1 (Whalen).

Stand. Com. Rep. No. 1679 (H.B. No. 1564):

Senator Taniguchi moved that Stand. Com. Rep. No. 1679 be adopted and H.B. No. 1564, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1679 was adopted and H.B. No. 1564, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Baker, English, Hooser, Tsutsui). Excused, 1 (Whalen).

ADVISE AND CONSENT

Stand. Com. Rep. No. 1658 (Gov. Msg. No. 322):

Senator Menor moved that Stand. Com. Rep. No. 1658 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of MARSHALL D. CHINEN to the Real Estate Commission, term to expire June 30, 2004, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1659 (Gov. Msg. No. 324):

Senator Menor moved that Stand. Com. Rep. No. 1659 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of BECKY L. HAYASHIDA to the Rental Housing Trust Fund Advisory Commission, term to expire June 30, 2004, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1660 (Gov. Msg. No. 325):

Senator Sakamoto moved that Stand. Com. Rep. No. 1660 be received and placed on file, seconded by Senator Hooser and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of JOELLE KANE to the Board of Directors of the Research Corporation of the University of Hawai'i, term to expire June 30, 2007, seconded by Senator Hooser.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1661 (Gov. Msg. No. 333):

Senator Kim moved that Stand. Com. Rep. No. 1661 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of KIYOKO Y. KIMURA to the Board of Directors of the Hawai'i Tourism Authority, term to expire June 30, 2004, seconded by Senator Tsutsui.

Senator Kim rose in support of the nominee and said:

"Mr. President, I'd like to have remarks entered into the Journal for Gov. Msg. No. 333 for Kyoko Kimura for HTA. And also, members, her vision statements have been delivered to you on your desks."

The Chair having so ordered, Senator Kim's remarks read as follows:

“Mr. President, it is my pleasure to rise in support of Governor’s Message No. 333 for the confirmation of Kyoko Kimura as a member of the Hawaii Tourism Authority Board of Directors.

“Ms. Kimura is the president and general manager of Diamond Resort Hawaii, which operates a resort in Wailea and owns several properties pegged for future development. She is a graduate of Kobe College of Japan and the prestigious Cornell University School of Hotel Administration, and has been associated with the Diamond Resort Corporation since 1987.

“She will bring to her HTA responsibilities many years of experience in resort management in Hawaii and Japan, considerable knowledge of our all-important Japanese market, and, I know, many fresh ideas for stimulating the visitor industry. As a resident of Maui, Ms. Kimura has been active in the tourism sector and community, and would add a Valley Island perspective to the HTA’s deliberations, as well as a keen sense of what the industry and public at large are seeking from the state’s sole tourism agency.

“During the advise and consent hearing, Ms. Kimura received 43 written testimony in strong support of her nomination by a number of different factions including county government, the hotel and tourism industry and community members not only from the island of Maui but from all islands.

“Kyoko Kimura is deserving of the Senate’s confirmation to the Hawaii Tourism Authority, and I ask you to join me in supporting her nomination.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1662 (Gov. Msg. No. 355):

Senator Baker moved that Stand. Com. Rep. No. 1662 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of GLENN M.L. PANG MD to the Drug Product Selection Board, term to expire June 30, 2006, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1663 (Gov. Msg. No. 361):

Senator Baker moved that Stand. Com. Rep. No. 1663 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of PAULA A.Y. ARCENA to the Board of Health, term to expire June 30, 2007, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1664 (Gov. Msg. Nos. 363 and 410):

Senator Baker moved that Stand. Com. Rep. No. 1664 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Health Planning Council, Honolulu Subarea of the following:

GEORGE A. WESSBERG DDS, term to expire June 30, 2007 (Gov. Msg. No. 363); and

JENNY L. STONE MD, term to expire June 30, 2007 (Gov. Msg. No. 410),

seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1665 (Gov. Msg. Nos. 390 and 391):

Senator Baker moved that Stand. Com. Rep. No. 1665 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Reproductive Rights Protection Committee of the following:

KRISTINE M. ALTWIES NICHOLSON, term to expire June 30, 2007 (Gov. Msg. No. 390); and

VALERIE MARIE WANG MD, term to expire June 30, 2007 (Gov. Msg. No. 391),

seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1666 (Gov. Msg. No. 405):

Senator Baker moved that Stand. Com. Rep. No. 1666 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ANNE T. ZANE to the Board of Certification of Public Water System Operators, term to expire June 30, 2004, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1667 (Gov. Msg. No. 423):

Senator English moved that Stand. Com. Rep. No. 1667 be received and placed on file, seconded by Senator Kokubun and carried.

Senator English then moved that the Senate advise and consent to the nomination of GENEVIEVE SALMONSON as the Director for the Office of Environmental Quality Control, term to expire May 9, 2006, seconded by Senator Kokubun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, APRIL 25, 2003

Stand. Com. Rep. No. 1623 (H.C.R. No. 90):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. SMALL BUSINESS ADMINISTRATION TO RE-EXAMINE THE CRITERIA FOR DESIGNATING HUBZONES UNDER THE HUBZONE EMPOWERMENT CONTRACTING PROGRAM AS IT APPLIES TO THE STATE OF HAWAII," was adopted.

Stand. Com. Rep. No. 1624 (H.C.R. No. 78):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE CONVENING OF THE 2003 ANNUAL MEETING OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL'S PERMANENT FORUM ON INDIGENOUS ISSUES TO BE HELD IN HAWAII," was adopted with Senator Slom voting "No."

Stand. Com. Rep. No. 1640 (H.C.R. No. 43):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPLORATION OF OPTIONS FOR REDESIGNING THE BENEFIT LEVELS OF 'A' STATUS PLANS DEFINED UNDER HAWAII'S PREPAID HEALTH CARE ACT," was adopted.

Stand. Com. Rep. No. 1641 (H.C.R. No. 92):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, IN CONJUNCTION WITH HAWAII'S HEALTH PLANS, TO EXPLORE OPTIONS FOR PROVIDING MEDICAL SAVINGS ACCOUNTS AND HIGH DEDUCTIBLE HEALTH PLANS TO HAWAII'S BUSINESSES UNDER HAWAII'S PREPAID HEALTH CARE ACT," was adopted.

Stand. Com. Rep. No. 1642 (H.C.R. No. 94, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO SUBMIT REPORTS ON EXEMPT EMPLOYEES AS REQUIRED BY ACT 253, SESSION LAWS OF HAWAII 2000," was adopted.

Stand. Com. Rep. No. 1643 (H.C.R. No. 97, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 97, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO CONDUCT A STUDY ON THE FEASIBILITY OF A HYBRID RETIREMENT PLAN," was adopted.

Stand. Com. Rep. No. 1644 (H.C.R. No. 109):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REVIEW ITS INVESTMENT PRACTICES, DETERMINE WHETHER ANY INVESTMENTS ARE BEING MADE WITH COMPANIES BASED IN COUNTRIES THAT SUPPORT TERRORISM, AND RETHINK ITS INVESTMENT POLICIES REGARDING THESE COMPANIES," was adopted.

Stand. Com. Rep. No. 1653 (H.C.R. No. 95):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO STUDY THE FEASIBILITY OF A DEFERRED RETIREMENT OPTION PLAN BENEFIT FOR FIRE FIGHTERS AND POLICE OFFICERS," was adopted.

Stand. Com. Rep. No. 1654 (H.C.R. No. 117):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION AGREEMENT FOR A NEW ELEMENTARY SCHOOL IN KAHULUI, MAUI," was adopted.

Stand. Com. Rep. No. 1655 (H.C.R. No. 185):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT CAREER PATHWAYS AS A PART OF A SCHOOL REFORM MODEL TO INCLUDE THE REDESIGN OF CAREER AND TECHNICAL EDUCATION THAT IS REFLECTIVE OF ECONOMIC DEVELOPMENT INITIATIVES AND PRIORITIES," was adopted.

Stand. Com. Rep. No. 1656 (H.C.R. No. 82, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 82, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION AND ST. FRANCIS HEALTHCARE SYSTEM TO CONTINUE THEIR PARTNERSHIP IN SERVING THE NEEDS OF DIALYSIS PATIENTS IN HAWAII," was adopted.

Stand. Com. Rep. No. 1657 (H.C.R. No. 165, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 165, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE KALAUPAPA SETTLEMENT OPERATIONS AND EXPENDITURES," was adopted.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 9, from the Honorable Robert Bunda, President of the Senate, and the Honorable Calvin K.Y. Say, Speaker of the House of Representatives, dated April 25, 2003, transmitting a memorandum amending the Joint 2003 Legislative Calendar, was read by the Clerk and was placed on file. (Misc. Com. No. 9 is identified as ATTACHMENT "D" to the Journal of this day.)

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1311, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1311, S.D. 1, seconded by Senator Kokubun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1311, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Tsutsui, Hemmings). Noes, none. Excused, 2 (Kokubun, Sakamoto).

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1311, S.D. 1, seconded by Senator Kokubun.

Senator Taniguchi noted:

"Mr. President, S.B. No. 1311, S.D. 1, relating to special funds, this is the central services exemption.

"The House put back two exemptions – one for the DOE and one for HCDA. So we're going to agree to that."

Senator Chun Oakland rose and said:

"Mr. President, point of inquiry with regards to S.B. No. 1311.

"I wanted to know if the healthy Hawaii initiative or the tobacco settlement funds was still exempt from paying or being assessed the fee by B&F or if in fact the healthy Hawaii initiative or tobacco funds will now be subject to B&F."

Senator Taniguchi replied:

"I believe they're still exempt."

Senator Chun Oakland continued:

"My understanding is the House in its draft had amended such that it would take monies away from the Department of Health fund so I would like to ask if you could please look into that.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1311, S.D. 1, and S.B. No. 1311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS," was placed on the calendar for Final Reading on Thursday, May 1, 2003.

S.B. No. 1394, S.D. 2 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1394, S.D. 2, seconded by Senator Kokubun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1394, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Tsutsui, Hemmings). Noes, none. Excused, 1 (Kokubun).

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1394, S.D. 2, seconded by Senator Kokubun.

Senator Taniguchi noted:

"Mr. President, this is relating to conformity of the Hawaii income tax law to the internal revenue code.

"The House put in some additional provisions for teachers, so we will agree to that."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1394, S.D. 2, and S.B. No. 1394, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was placed on the calendar for Final Reading on Thursday, May 1, 2003.

S.B. No. 1397, S.D. 1 (H.D. 2):

Senator Taniguchi moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1397, S.D. 1, seconded by Senator Kokubun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1397, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Tsutsui, Hemmings). Noes, none. Excused, 1 (Kokubun).

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1397, S.D. 1, seconded by Senator Kokubun.

Senator Taniguchi noted:

"Mr. President, S.B. No. 1397 is a bill relating to simplified tax administration.

"I guess the House made some technical amendments only. We will agree to that."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1397, S.D. 1, and S.B. No. 1397, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SIMPLIFIED TAX ADMINISTRATION," was placed on the calendar for Final Reading on Thursday, May 1, 2003.

S.B. No. 1400, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1400, S.D. 1, seconded by Senator Kokubun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1400, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Taniguchi, Kokubun, Tsutsui, Hemmings). Noes, none.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1400, S.D. 1, seconded by Senator Kokubun.

Senator Taniguchi noted:

"Mr. President, S.B. No. 1400 relates to tax administration.

"Again, the House made some technical amendments that we agree to."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1400, S.D. 1, and S.B. No. 1400, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," was placed on the calendar for Final Reading on Thursday, May 1, 2003.

S.B. No. 1410, S.D. 1 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1410, S.D. 1, seconded by Senator Sakamoto and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1410, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Hanabusa, Sakamoto, Taniguchi, Hogue). Noes, none. Excused, 3 (Kokubun, English, Tsutsui).

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 1410, S.D. 1, seconded by Senator Sakamoto.

Senator Hanabusa noted:

"Mr. President, this is the bill relating to claims against the University of Hawaii.

"The House amendment is the inclusion of the last claim which we were not aware of at the time that we passed it out of this Chamber."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1410, S.D. 1, and S.B. No. 1410, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFORE," was placed on the calendar for Final Reading on Thursday, May 1, 2003.

S.B. No. 1334 (H.D. 1):

Senator Ige moved that the Senate reconsider its action taken on April 4, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1334, seconded by Senator Aduja and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1334, on the following showing of Ayes and Noes:

Ayes, 2 (Ige, Aduja). Noes, none. Excused, 1 (Hemmings).

Senator Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 1334, seconded by Senator Aduja.

Senator Ige noted:

"Mr. President, the House made just technical, nonsubstantive amendments for the purposes of clarity and style."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1334, and S.B. No. 1334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," was placed on the calendar for Final Reading on Thursday, May 1, 2003.

S.C.R. No. 16, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 22, 2003, in disagreeing to the amendments proposed by the House to S.C.R. No. 16, S.D. 1, seconded by Senator Chun Oakland and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 16, S.D. 1, seconded by Senator Chun Oakland.

Senator Baker noted:

"Mr. President, the House made basically some technical amendments that we can agree with. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 16, S.D. 1, and S.C.R. No. 16, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP PUBLIC HEALTH STRATEGIES TO ADDRESS THE HEPATITIS C PROBLEM," was placed on the calendar for Final Adoption on Thursday, May 1, 2003.

S.C.R. No. 116, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 22, 2003, in disagreeing to the amendments proposed by the House to S.C.R. No. 116, S.D. 1, seconded by Senator Chun Oakland and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 116, S.D. 1, seconded by Senator Chun Oakland.

Senator Baker noted:

“Mr. President, the House made basically some technical amendments that we can agree with. Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 116, S.D. 1, and S.C.R. No. 116, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT,” was placed on the calendar for Final Adoption on Thursday, May 1, 2003.

At this time, Senator Hogue moved that the referral of H.C.R. No. 41, H.D. 1, to the Committee on Transportation, Military Affairs, and Government Operations be waived, seconded by Senator Hemmings.

Senator Hogue noted:

“Mr. President, I’m asking my colleagues to allow a floor vote on this particular measure which is urging the Department of Accounting and General Services to establish an intergovernmental community task force to plan for the development of an alternative access road to Kailua High School in Kailua Oahu.

“Colleagues, this measure has been long asked for by the community, just asking that the DAGS people and the executive branch help out the community. It has been passed unanimously by the House and I realize there was a backlog in the Committee and therefore it didn’t get a chance to be heard over here in the Senate. So I’m hopeful that we can get the waiver and get a chance to vote on it on, I guess, Thursday.

“Thank you very much, Mr. President.”

Senator Kawamoto rose in opposition to the motion and said:

“Mr. President, I oppose the request.

“Primarily, Mr. President, DAGS does not have the equipment or the people to access the road. I think DOT, Department of Transportation, has the people and the people to look into this matter and it should go to the DOT versus DAGS.”

Senator Hogue rose in rebuttal as follows:

“Mr. President, I just rise in rebuttal.

“Conversations with the executive branch have indicated that there are a number of executive branches that would need to be involved here – DOT, Department of Public Safety, Department of Education – and all we’re asking DAGS to do is to be the spearhead so that we can get all of the different aspects, including federal monies and city monies together and work with the community. So that’s why DAGS is actually spearheading it here.

“So as I’ve said, we’ve had full support from the House and just hopeful that we can just have this go forward for a long suffering community.

“Thank you very much, Mr. President.”

Senator Kawamoto responded as follows:

“Again, Mr. President, the money is going to come through highway funds, special highway funds. And the people that look into these kinds of matters are from DOT and they need to insure the coordination and lead the investigation or the survey.

“So I ask that this be tabled and be left for next year’s consideration.”

The motion was then put by the Chair and failed to carry.

Senator Hemmings rose and said:

“Mr. President, I think the proper request would be a division of the house, please.”

At 8:35 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:37 o’clock p.m.

Senator Ihara rose and said:

“Mr. President, could you repeat what’s the effect of the vote? Is this the vote? This is not a vote on the resolution I believe. It’s a vote on . . .”

The President interjected:

“That’s right. This is a vote on the referral of the resolution.”

Senator Ihara then inquired:

“So what’s the effect of the vote?”

The President replied:

“If members vote down on it, then it stands and there is no referral to DAGS or . . .”

At 8:38 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:39 o’clock p.m.

The President then stated:

“Senator Ihara, a ‘no’ vote means that the referral stays with the Committee on TMG.”

Senator Ihara the inquired:

“What does a ‘yes’ vote mean?”

The President replied:

“A ‘yes’ vote means that we urge the Committee, urge the department . . .”

At 8:39 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:40 o’clock p.m.

Senator Hemmings rose and said:

“A point of clarification. It’s my belief, Mr. President and colleagues, that if you vote ‘no’ on the motion, you’re keeping

the resolution in Committee. If you vote 'yes,' you're waiving the referral of the Committee and the resolution goes directly to the Floor for Final vote for one-day notice on Thursday."

The motion was then put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 7. Noes, 17 (Aduja, Baker, Bunda, English, Espero, Fukunaga, Hanabusa, Ige, Inouye, Kanno, Kawamoto, Kim, Kokubun, Menor, Sakamoto, Taniguchi, Tsutsui). Excused, 1 (Whalen).

At 8:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:43 o'clock p.m.

SENATE RESOLUTION

The following resolution (S.R. No. 147) was read by the Clerk and was disposed of as follows:

Senate Resolution

No. 147 "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS AND TWO MEMBERS OF SENATE LEADERSHIP TO CONDUCT AN INTERIM STUDY OF THE SENATE RULES REGARDING DECISION-MAKING BY STANDING COMMITTEES AND CONFERENCE PROCEDURES REGARDING DECISION-MAKING BY CONFERENCE COMMITTEES."

Offered by: Senator Hanabusa.

By unanimous consent, action on S.R. No. 147 was deferred until Thursday, May 1, 2003.

At this time, Senator Hogue moved that the deadline for the introduction of substantive resolutions on the 2003 Senate internal legislative timetable be waived, seconded by Senator Hemmings.

Senator Hogue noted:

"Mr. President, this is S.C.R. No. 207 rejecting the recommendation of the Legislative Salary Commission to raise legislative salaries. So what I'm asking you to do is to follow the lead that we have set here on the Floor today recognizing that these are austere times and that it is not prudent to raise salaries in the judiciary branch, the executive branch or the legislative branch.

"Thank you."

Senator Baker rose on a point of order as follows:

"Point of Order, Mr. President.

"I believe the motion and the discussion ought to be on the point of waiving the Rules, not on the substance of the resolution."

Senator Hogue responded:

"Mr. President, point very well taken. I appreciate that.

"Because a similar waiver was granted on another measure earlier today, I think a precedent has been set, so I'm asking for you to follow through on the precedent you already set with

regards to waiving the internal calendar. I'm asking you to do it again.

"Thank you."

Senator Ihara rose in favor of the motion and said:

"Mr. President, I speak in favor of the motion to waive the Senate Rule.

"If this goes to a vote, I will actually be voting against it but I believe that the Senate should waive its Rule and take this matter up because the Legislative Salary Commission is in the constitution and the constitution says that the Legislature may reject the Legislative Salary Commission's plan submitted to the Legislature, which they did, by the constitutional deadline. Therefore, I think that this matter should be voted up or down on the substance as permitted by the constitution.

"Thank you."

At 8:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:51 o'clock p.m.

Senator Hanabusa rose and said:

"Will the movant submit to a question?"

The President posed the question and Senator Hogue having answered in the affirmative, Senator Hanabusa inquired:

"You made a reference in your statement in favor of your motion that we had waived the conference calendar for some other measure and we're just curious as to what measure were you referring to?"

Senator Hogue responded:

"Well, I was here earlier and I recall that specifically being done. I don't recall whether it was at a time when you were out of the room or not, but I do recall because the Senator, Senator Ihara, actually asked if we had waived it and the answer from the dais was yes."

At 8:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:52 o'clock p.m.

Senator Hanabusa rose and said:

"Mr. President, I'd like to follow up on that discussion.

"Senator Hogue, I believe what you're referring to is the floor amendment that referred to the amendment to S.B. No. 459, which is regarding the campaign spending bill."

Senator Hogue then stated:

"I don't believe that that was the one. I believe it was a measure that was . . . I believe, if memory serves me correctly because I didn't note it in my journal, that it had to do with the recommitment and we had to take it out of recommitting. I believe that was the one that we were talking about, but I could be corrected on that."

Senator Hanabusa then said:

"Mr. President, if I may proceed.

“Mr. President, to take a motion and to make a motion to reconsider prior action is not the same as what Senator Hogue is requesting now, which is to waive the Senate internal Rules and calendar. I believe that we’re talking about two very different situations.

“Thank you, Mr. President.”

Senator Hogue responded:

“Mr. President, my memory is that we did have to waive the internal calendar on some measure that went forward earlier today, and so because that precedent was set, it may not have been in the exact situation but my memory is usually pretty good. I just can’t remember exactly where that happened but I do remember that the answer was yes.

“Thank you.”

Senator Ihara rose and said:

“Mr. President, maybe I’ll stand in support of the motion to waive just by pointing out a couple of facts.

“I mentioned that the Legislative Salary Commission is established by the constitution, and it is required to submit its salary increase plan by the 40th session day, which was submitted on the 39th day, actually, March 25, I think because the 40th day was a holiday. No, they submitted it on the 40th day which is March 27.

“My point is that even if those who might want to reject the salary plan submitted the resolution that same day, they would have to have had the legislative time table waived because the deadline for the introduction of substantive resolutions was on the 31st day. So I believe because the constitution gives the Legislature the right to reject, I don’t think that the legislative timetable should be the reason why the question of rejecting the salary plan . . . I don’t believe that the calendar should be the reason why the legislative salary plan consideration should be rejected.

“Thank you.”

Senator Hanabusa rose and said:

“Mr. President, I was remiss in on looking very carefully at the supplement number two, which is S.C.R. No. 207. Mr. President, this is an SCR, it’s a concurrent resolution, so by its nature, we need to have, if we’re going to try to pass a concurrent resolution, the concurrence of the House. And as far as I’m aware, in the capacity of the Majority Leader, the House has not concurred to entertain any further concurrent resolutions. If this was simply an SR then I believe procedurally it can be brought up at any time.

“However, this is not simply waiving an internal calendar on our side, meaning on the Senate side. This needs the concurrence of the House. We do not have the concurrence of the House, Mr. President, and as a result I believe that this is out of order and we should vote it down.

“Thank you.”

Senator Hemmings rose and said:

“In order to be consistent, I think it was accurately pointed out – I’m speaking in favor of the motion, Mr. President – by our constitutional expert that it appears that the Senate Rules are in contradiction to the state constitution. I would suggest that

the constitution would take precedence over Senate Rules regarding waivers on this particular issue.

“Second to that, the good Senator from Waianae, the area of Waimanalo Gulch, did point out accurately that this is a concurrent resolution and that the House would have to waive their Rule likewise in order to pass this concurrent resolution on Thursday, which is something they could do.”

Senator Hogue rose and said:

“Roll Call vote.”

The President then announced:

“An ‘aye’ vote is to approve the waiver to consider S.C.R. No. 207, rejecting the salary commission’s recommendations. A ‘no’ vote is of course to deny the waiver.”

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 5. Noes, 19 (Aduja, Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hooser, Ige, Inouye, Kanno, Kawamoto, Kim, Kokubun, Menor, Sakamoto, Taniguchi, Tsutsui). Excused, 1 (Whalen).

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.R. No. 42, and the Chair granted the waiver.

ADJOURNMENT

At 9:00 o’clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 3:00 o’clock p.m., Thursday, May 1, 2003.

ATTACHMENT "A"

"Honolulu Advertiser

EDITORIAL

Monday, March 31, 2003

Cover all the bases for long-term care

The latest long-term-care bill to emerge from the Senate seems to combine the best of both worlds.

Each taxpayer would pay \$120 a year to create a long-term-care 'supplementary' fund to offer at least partial relief for those who cannot afford private insurance. Meanwhile, those who can afford such private long-term-care insurance would receive a tax credit under the measure.

Sen. Fred Hemmings, who supports Gov. Linda Lingle's tax-break-only solution to long-term healthcare, says the combined program is 'holding a good issue hostage to keep a bad initiative alive.' We would argue the opposite, that the payroll tax for long-term care is the stronger initiative keeping the weaker tax break alternative afloat.

Time and again, retirees have written to us about the obstacles to being approved for — let alone afford — private long-term-care insurance. Many insurers are simply not eager to take on anyone at risk for geriatric illnesses such as Alzheimer's disease.

And some of them, too, can see the merits of offering alternatives. According to a report by Advertiser Capitol Bureau writer Lynda Arakawa, one long-term-care specialist for John Hancock says the tax credit would provide an incentive for middle-class folks to buy coverage while the state long-term-care payroll tax could cover people without the resources.

Assuming that this bill is not a Machiavellian means to kill either one or the other long-term-care proposal, we support this two-pronged approach because, as we've repeatedly stressed, Hawai'i must do all it can to prepare for the gray revolution.

Only 6 percent of Hawai'i residents have long-term-care insurance, according to the state Executive Office on Aging. Plus, a 2002 study by MetLife found that Hawai'i patients pay above the national average per-diem price for a private room in a nursing home, and also pay more for home healthcare aides.

In a nutshell, a long-term-care safety net is going to require more than private insurance tax breaks."

ATTACHMENT "B"**LONG TERM CARE FINANCING PLAN
QUESTIONS AND ANSWERS****A. Target Populations**

1. What is the income level of our target group?
All taxpayers above the federal poverty level.
2. Should the program exempt those below the poverty level?
Consider recommending that DHS pay the premium for these individuals.
3. Should a tax based on age be considered?
No, it is not really practical to tax on age, since age is generally not collected or updated in tax systems. A strong argument can be made that everyone suffering a given level of ADL deficits has similar needs for care and assistance.
4. Will federal employees be enrolled in or exempted from this plan?
All those filing a Hawaii Resident Tax Return will be enrolled.
5. How will part-time residents be dealt with?
If the individual files a Hawaii Resident Tax Return, he or she will be enrolled.
6. How will the tax be collected from retirees who don't file Hawaii state taxes?
They must file a Hawaii Resident Tax Return on taxable income to be enrolled. If a person is not required to file a return because all income comes from pension benefits, the Trustees will provide a means for them to pay the program cost voluntarily.
7. Will a non-resident paying Hawaii state taxes be given a choice to participate or not?
Residents will be enrolled on the basis of their tax filing. The Trustees will provide a means for vested persons who leave the state to continue their payments to guarantee portability of the benefits.

8. Will we require pensioners who do not file Hawaii state taxes to file a return and pay into the plan?
No, but they will have an opportunity to pay the program cost through a voluntary enrollment.

B. Computation of Tax

9. Will the qualifying income level (over the poverty line) be computed on AGI or taxable income?
It was suggested that it be computed on AGI.
10. What does HIPAA qualified or non-qualified mean in the context of Hawaii's proposed LTC Insurance Program?
HIPAA gives some guidelines that offer special tax treatment for LTC coverage that is guaranteed renewable, portable, covers only long-term problems, and does not supplant Medicare. The Trustees are committed to keeping the terms of the program consistent with the conditions for receiving federal tax benefits.
11. Specifically then, would the \$70 day benefit be taxed by the state or federal government?
The benefit is exempted from Hawaii income tax in the law; exemption from federal income tax will be handled in the same way that private LTC insurance is handled.
12. Would receiving the benefit make a person who is otherwise eligible for Medicaid benefits ineligible because it increases their "income" above the threshold?
If they were/are eligible for Medicaid they did not pay into the program, so the question is moot? If they paid into the program and then became eligible for Medicaid, they should be able to receive the benefit (as persons receiving 55 benefits do presently) but it would supplant the Medicaid payment if it was in excess until the benefit expired or; if the LTCI benefit is lower than what Medicaid would have paid, Medicaid pays the difference. The benefit, like other LTC policy benefits, is not intended to be counted as income.

C. Means of Collection

13. Will the tax be through payroll deduction?
Yes. Employers will use the Withholding Table to determine the amount as they do currently. There will be no added work. Sole proprietors will use the Estimated Income Table to estimate their quarterly withholding.

14. Will non-working taxpayers pay annually when filing HI State Taxes?

Yes.

15. How should the issue of carry back losses be addressed?

If the individual's income computations generate an AGI of zero, than after a one-year grace period, the individual would be de-vested for a year. For example, a one-year loss carry-over would have no effect, but the second year would trigger the de-vesting process until the income again comes over the floor that has been set.

16. How will tax refunds be handled in the case of carry back or carry forward losses?

Both will be off set by the LTC tax or refund owed.

17. How can we ensure the LTCI fund will receive priority?

This has been written into the law.

18. Will the LTC fund collect penalties for late payment?

The Fund will collect only the tax and any late interest due. Penalties will be kept by the Department of Taxation, as one of the costs of general tax enforcement.

D. Vesting and De-Vesting

19. How will the taxes collected be credited to the individual?

The TPA must keep track of all enrollees.

20. How will taxpayers track their vesting?

The TPA will be required to send notification of vesting status to each enrollee annually.

21. If taxes are collected from an employee but not submitted by the employer, how will this be handled?

The same way the tax department handles this situation presently.

22. If a person is vested, then moves out of state, must they continue to pay into the fund regardless of where they reside?

Yes, if the person wishes to remain fully vested in the program.

23. How will the fund be notified of a beneficiary's death?

The Trustees will Ask the Death Registry at DOH to notify the TPA.

24. When does de-vesting start? Should it be after one month of non-payment or a year?
Since taxes are reconciled only when the annual return is file, the grace period will run for a whole year.
25. Will the taxpayer be considered a tax delinquent if they miss a payment?
Like any other tax, the LTC tax must be paid. In the United States and in Hawaii we do not exempt someone from paying a tax that everyone else pays.
26. Will the Tax Department use their Due Process procedures to resolve disputes regarding non-payment of the LTC tax?
The State Tax Department could use their existing adjudication procedures for appeals, or could establish a separate procedure because the basic rules differ from those used in other tax issues. For example, when you are delinquent a year in taxes you are delinquent, but when you are late a year in LTC payment, you are in a grace period. When you are late two years, you are in de-vesting status. The Trustees can establish appropriate rules for handling disputes involving vesting issues.

E. Start Up

1. When should the program begin?
Two years after the legislation has passed and been signed into law.
27. Will money be appropriated to the Tax department for start-up?
Yes, the Tax Department will have to make some revisions to its forms and instructions.
28. Will there be any startup costs for the Trustees' Office?
A general fund appropriation will be needed to pay for the costs of setting up the TPA contract, communications and other expenditures. The office itself is expected to have four paid employees and two or three specialized advisory contracts. The Trustees will be required to repay this appropriation to the general fund.
29. Will money be appropriated to educate the public about the new tax?
This will be included in the start up and continuing administrative funding.

-
30. How will the Trustees be sure the fund is adequate from year to year?
The Trustees must file an annual public actuarial report which presents all solvency and other financial issues.
31. How will the trustees manage the Trust Fund?
The Trustees must hire appropriate investment advisors to be sure that funds earn adequate yields, are invested in appropriately secure instruments, and are sufficiently liquid to pay benefits as needed.
32. Won't the Trustees have to set up a complete accounting system, member record system, and the like from scratch?
No, when the Trustees hire a Third Party Administrator (TPA), they will be using the same basic record keeping software and systems that the TPA uses to track payments and benefits for purchasers of private LTC insurance for the national insurers that the TPA services. The bulk of these costs have already been invested in tested, working software and systems.
33. Is care advocacy/management/coordination a service to be incorporated in this program?
Yes. The TPA shall provide care coordinators to help beneficiaries find and arrange the services they need. The TPA will also be required to monitor for potential fraud or abuse. This does not reduce the benefit to the beneficiary.
34. What does it mean to say that a person must "fail" an ADL to qualify for benefits?
The federal HIPAA act defined some qualifications for LTC insurance benefits. These have been widely adopted by the industry. These are the standards the TPA will use in assessing benefit status.
35. Is the benefit portable?
Yes. Like any insurance benefit, eligibility depends on paying a premium. If it is not possible to collect the LTC insurance tax from former residents of Hawaii using one of the standard tax forms, the trustees shall provide for a payment system so that beneficiaries can continue their coverage after leaving the state. Persons who need the benefits may qualify for them wherever they live.
36. Multiple jobs—will people pay twice?
If someone has more than one job, the LTC tax would be built into the standard withholding table. Taxes would be withheld for the income from each job and the amount due, the amount owed or the amount of refund will be calculated on the annual tax return.

37. What will this cost the employer?

There should be no action required of the employer beyond complying with the existing income tax withholding provisions. Therefore there will be no added cost.

38. What is the cost of the bureaucracy for keeping track of payments made?

The record keeping system is part of the normal operating duties of the third party administrator. The cost of keeping the records has already been priced into the system.

39. What is the Tax Department's obligation?

The Tax Department participates in four steps:

- 1. Revise tax returns to collect the LTC tax from all those required to pay it;*
- 2. Calculate the total tax paid for LTC insurance by each taxpayer;*
- 3. Transmit this record to the Board of Directors; and*
- 4. Transfer appropriate monies to the fund as accrued.*

It is useful to note that the Tax Department generally revises some feature of the tax return, the instructions and the calculating software each year.

40. Is the insurance guaranteed renewable?

What guaranteed renewable means is that a holder of an insurance policy cannot be excluded from further coverage except for nonpayment of premium. For almost all of society, the LTC tax is a guaranteed payment of premium and additional collection mechanisms can be extended to assure that everyone has a guaranteed way of paying the premium. Thus, it is clearly guaranteed renewable.

41. What happens to workers who only stay a short time in Hawaii i.e. Military wives?

We must ask the same question about state tax dollars collected and spent on schools, highways, airports, and similar services which the short term resident must also pay and is unlikely to use. This is the cost of living and working in any state.

We don't really talk about excusing childless couples from paying for schools that they don't use. This tax benefits everyone whether they use it or not because it helps keep people at home in less costly surroundings and delays or avoids dependence on Medicaid.

42. Can we exempt people who already have LTC insurance from paying the tax?

The current bill incorporates a tax credit for those who hold a long term care insurance policy in about the amount of the tax, \$120 a year.

43. Won't the program someday get to where very few workers are supporting many who are not working?
No, the program is income-based and participants pay most of their lives, just like a private long-term care insurance policy. The number of beneficiaries to people paying in will always be a very small ratio.
44. Why should everyone be burdened with a tax when not everyone will need it?
Everyone is now burdened with taxes to pay for Medicaid. The estimated average cost per taxpayer in Hawaii is \$ 400. Unless we can slow the growth rate of Medicaid, we have no control over the money the state is forced to spend on those services. Today, Medicaid is the payer of first resort, not the last resort, which is different from every other component of the system. It was never intended by Congress to have Medicaid be anything other than a safety net for the poor and indigent or those on hard times -- not to pay for every three out of four people receiving LTC in the state.
45. Is it fair to burden the young?
We are burdening them now with approximately \$400 per year in taxes that go to the Medicaid program, regardless of their potential to use it. This cost goes up every year. The state is mandated by federal law to pay for the care of certain categories of the population, such as the indigent needing long term care. The young are already burdened by paying for care for their parents and grandparents. Families' pay enormous out of pocket costs.
46. Can the state control the Medicaid costs?
No, the state must pay for the care of the indigent for services that are mandated and the legislature has to find the money to cover these mandated costs. At the rate of increase in the Medicaid program for long term care, the state budget will be overwhelmed by the pressures placed on it by the aging baby boomers.
47. Will benefits increase after the first ten years?
The tax rate and benefits have been set more or less within the range of vision we have now. The Trustees must come to the Legislature in 2011 to propose continuing inflation adjustment of benefits and appropriate tax rates. As the Fund develops experience, it will be possible to take "longer looks" into the future and limit rate increases.
48. Why do rates go up over time, is it only inflation?
Inflation and benefit increases are part of the story. All long term care insurance programs, private and public, must deal with the fact that people are living longer and have more chances

to require LTC in the future. The expected use rate in the near future is about 2.7% or so—in 2078 it is near 7.5%. We simply must all recognize that people are living longer and will require longer periods of care several decades from now. And, because the program promises benefits, it has to fund those benefits -- even those six and seven decades away.

49. Usually insurance programs are put together by insurance experts. Who are the experts involved in this program?

The Temporary Trustees consulted officers of some of the largest long term care administrative organizations in the United States. These include the following national experts who are continually engaged in helping insurance companies manage their LTC business:

Administrative Load/Bureaucracy

LTCGroup – Peter Goldstein

CTHC – Gary Jacob

LTC Insurance Management Consultant – Margaret

Hottinger

Coverage Implications for State

The Lewin Group, Div. of Quantiles, Inc. – Lisa Alecxih, VP

Effects on Private LTC Insurance

Milliman & Robertson – Dawn Helwig

50. If I have the social insurance LTC coverage and I want to buy additional coverage can I do that?
- A number of reputable private LTC insurers have policy forms filed in Hawaii that offer a 365 day waiting period, and are about 30% cheaper than policies that offer a 30 day waiting period. If you have coverage from the social insurance policy, you could consider buying a private policy with a longer exclusion time -- 365 days is the number of days of LTC service in the social insurance policy.*
51. Don't all government programs cost more to administer than private programs?
1. *There is no private medical insurer with a lower cost per dollar of service than Medicaid and Medicare.*
 2. *The cost of administration of the CALPERS employee program has declined from about 8% of premium to less than 5% of premium by judicious use of a third-party administrator to do the back-office work.*

3. *The administration of LTC programs is so specialized that very few commercial insurance companies perform this task themselves – they, too, hire TPA (Third Party Administration) firms to do this work.*

52. Won't future legislatures or administrations be tempted to raid the LTC Fund?

The bill provides that the funds may not be spent for any other purpose than paying benefits and administering the LTC system. The Trustees are obligated to observe this provision by law, under language that requires their prudent representation of the fund's and its beneficiaries' interests.

ATTACHMENT "C"**LINDA LINGLE**
GOVERNOR**JAMES R. AJONA, JR.**
LT. GOVERNORSTATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809**KURT KAWAFUCHI**
DIRECTOR OF TAXATION

April 18, 2003

The Honorable Rosalyn H. Baker
Chair, Senate Committee on Health
State Capitol, Room 220
415 South Beretania Street
Honolulu, HI 96813

RE: H.B. No. 1616, H.D. 1, S.D. 2, Relating to Long Term Care

Dear Chair Baker:

This responds to your telephone call to Grant Tanimoto requesting a further breakdown of the costs to administer H.B. No. 1616, H.D. 1, S. D. 2.

We estimate that the total start up costs for changes to the computer system to administer the long-term tax and to set up programs to answer questions from taxpayers about this new tax will be approximately \$1,020,000¹. We estimate the annual cost of administration at \$320,000.²

The costs for the 2004 and 2005 fiscal years are as follows:

Fiscal Year 2004 Total Cost: \$430,000.

- \$250,000 would be needed for system start up costs.
- \$20,000 for start up costs for Taxation Services to prepare to answer taxpayer questions about the tax. This does not include the cost of printing and mailing of new tax forms.
- \$160,000 (½ year) would be required for employees to administer the program.

¹ This estimate is based on the assumption that the Department of Taxation (Department) will not be required to verify the payment of long-term care income tax withholdings against the annual long-term care income tax filings.

² Wayne Kinoshita, the Acting Compliance Division Administrator, estimates that the annual costs are approximately \$250,000 for wages, equipment and operating expenses for four additional employees to collect the long term care income tax from approximately 3,000 delinquent employers. Jerry Ebesu, the Acting Taxation Services Administrator estimates that the annual cost for additional staffing to handle inquiries and other resources is \$70,000.

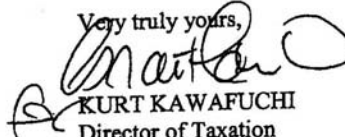
The Honorable Rosalyn H. Baker
April 18, 2003
Page 2

Fiscal year 2005 Total Cost: \$1,070,000.

- \$750,000 would be required for system start up costs.
- \$320,000 would be required for employees to administer this program.

Fiscal year 2006 and later Total Cost: \$320,000 for employees to administer this program.

If you have questions or need additional information, please call me at 587-1510 or your staff may call Grant Tanimoto at 587-1569.

Very truly yours,

KURT KAWAFUCHI
Director of Taxation

ATTACHMENT "D"



HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813
April 25, 2003

MISC. COMM. NO. 9

TO: All Members of the State Legislature
SUBJECT: Extension of Conference Committee Deadlines

We hereby amend the Joint 2003 Legislative Calendar as follows:

The final decking deadline notwithstanding, committees on conference shall be allowed only between the hours of 9:00 a.m. and noon on Saturday, April 26, 2003, in Room 309 of the State Capitol. No committee on conference shall be allowed after noon, April 26, 2003.

All signed committee reports shall be submitted to the respective Clerks by noon, Monday, April 28, 2003.

All other deadlines on the Joint Legislative Calendar shall remain in effect.

- c House Chief Clerk
- Senate Chief Clerk
- House Sergeant-at-Arms
- Senate Sergeant-at-Arms

Robert Tom
11:03 p.m.
4-25-03

Calvin K. Ag
11:04 P.M.
4/25/03

SIXTIETH DAY

Thursday, May 1, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 3:33 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Gary L. Hooser, Hawaii State Senate, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 475 to 477) were read by the Clerk and were placed on file:

Gov. Msg. No. 475, dated April 29, 2003, transmitting her statement of objections to Senate Bill No. 1426 which she has returned to the Senate without her approval and which reads as follows:

“EXECUTIVE CHAMBERS
HONOLULU

April 29, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO.
1426 SD1

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1426, entitled ‘A Bill for an Act Relating to Collective Bargaining in Public Employment.’

The reported purpose of this bill is to establish a separate collective bargaining unit for substitute teachers and to provide for impasse resolution for members of the new collective bargaining unit. Objections to this bill are as follows:

1. This bill conflicts directly and irreconcilably with existing statutes. It would require the State and the Department of Education to negotiate wages and amounts of contributions for a public employees’ health benefits plan, yet the wage rate for substitute teachers already is set by statute, and casual and part-time employees who work less than half time are excluded by another statute from participating in a public employee’ health benefits plan.

2. While proponents of this bill have repeatedly described it as a bill to allow substitute teachers to form a union, the Department of the Attorney General, the Department of Budget and Finance, and the Department of Education all believe that the unclear definition of collective bargaining unit 14 would also apply to casual and part-time employees in the Department of Education. Currently, there are approximately 5,179 substitute teachers and approximately 54,954 casual and part-time employees in the Department of Education. If the goal was to include casual and part-time employees’, it should have been made clearer.

3. These casual and part-time employees fall within wide and varied job classes, ranging from cafeteria helpers to

grounds maintenance workers, many of whom would not have the same labor interests as would substitute teachers. If coverage of casual and part-time employees was intended, then the basis for extending bargaining rights to such workers in the Department of Education and not to such workers in other departments of state government should have been addressed.

4. The administration and grievance procedures of a bargaining unit consisting only of substitute teachers would still be problematic given the varied qualifications, status, possible work-locations, and actual time on the job among its proposed members.

5. The Department of Education presently employs part-time teachers who are excluded from Bargaining Unit 5 and are assigned to Unit 5’s excluded counterpart Unit 55. These employees are paid from the same pay schedule as teachers and serve as state office and district teachers, secondary teachers, elementary teachers, and counselors. Senate Bill No. 1426 would appear to reassign teachers, who are excluded for Unit 5 by virtue of their part-time status, to the new unit 14. This would cause them to lose existing benefits that are tied to Unit 5.

For the foregoing reasons, I am returning Senate Bill No. 1426 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

Gov. Msg. No. 476, informing the Senate that on April 28, 2003, she signed into law Senate Bill No. 843 as Act 35, entitled: “RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS.”

Gov. Msg. No. 477, dated April 25, 2003, transmitting a report, Hate Crimes in Hawaii, 2002, prepared by the Department of the Attorney General, Research and Statistics Branch, pursuant to Sections 846-51 through 54, HRS.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 611 to 628) were read by the Clerk and were placed on file:

Hse. Com. No. 611, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 401, H.D. 1, and H.B. No. 401, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 29, 2003.

Hse. Com. No. 612, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1161, and H.B. No. 1161, S.D. 1, passed Final Reading in the House of Representatives on April 29, 2003.

Hse. Com. No. 613, informing the Senate that the House has agreed to the amendments proposed by the Senate to the following House bills and said bills passed Final Reading in the House of Representatives on April 29, 2003:

H.B. No. 75, H.D. 2, S.D. 1;
H.B. No. 127, H.D. 1, S.D. 1;
H.B. No. 139, H.D. 1, S.D. 1;
H.B. No. 377, H.D. 1, S.D. 1;

H.B. No. 384, H.D. 1, S.D. 1;
 H.B. No. 1155, H.D. 1, S.D. 1;
 H.B. No. 1160, H.D. 1, S.D. 1;
 H.B. No. 1163, S.D. 1;
 H.B. No. 1212, H.D. 1, S.D. 1;
 H.B. No. 1328, H.D. 1, S.D. 1; and
 H.B. No. 1594, H.D. 1, S.D. 1.

Hse. Com. No. 614, informing the Senate that the following bills passed Final Reading in the House of Representatives on April 29, 2003:

H.B. No. 10, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 29, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 32, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 130, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 133, H.D. 1, S.D. 3, C.D. 1;
 H.B. No. 135, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 200, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 281, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 282, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 287, H.D. 3, S.D. 2, C.D. 1;
 H.B. No. 289, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 290, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 293, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 297, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 298, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 317, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 320, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 324, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 373, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 422, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 426, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 507, H.D. 3, S.D. 1, C.D. 1;
 H.B. No. 531, S.D. 1, C.D. 1;
 H.B. No. 562, S.D. 1, C.D. 1;
 H.B. No. 564, S.D. 1, C.D. 1;
 H.B. No. 595, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 638, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 640, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 736, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 807, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 808, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 914, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 968, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 980, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1003, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1010, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1111, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1154, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1157, S.D. 2, C.D. 1;
 H.B. No. 1164, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1165, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1175, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1214, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1217, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1230, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1255, S.D. 2, C.D. 1;
 H.B. No. 1285, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1303, S.D. 1, C.D. 1;
 H.B. No. 1361, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1362, S.D. 1, C.D. 1;
 H.B. No. 1456, H.D. 1, S.D. 1, C.D. 1;
 H.B. No. 1465, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1509, H.D. 2, S.D. 2, C.D. 1;
 H.B. No. 1579, H.D. 1, S.D. 2, C.D. 1;
 H.B. No. 1613, H.D. 2, S.D. 1, C.D. 1;
 H.B. No. 1652, S.D. 1, C.D. 1;
 S.B. No. 38, H.D. 2, C.D. 1;
 S.B. No. 41, H.D. 1, C.D. 1;

S.B. No. 44, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 58, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 205, S.D. 3, H.D. 2, C.D. 1;
 S.B. No. 209, S.D. 3, H.D. 1, C.D. 1;
 S.B. No. 254, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 255, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 317, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 402, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 464, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 528, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 534, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 540, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 574, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 576, H.D. 2, C.D. 1;
 S.B. No. 582, H.D. 1, C.D. 1;
 S.B. No. 585, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 614, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 665, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 740, H.D. 2, C.D. 1;
 S.B. No. 745, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 748, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 789, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 830, S.D. 1, H.D. 3, C.D. 1;
 S.B. No. 837, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 855, S.D. 1, H.D. 3, C.D. 1;
 S.B. No. 931, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 946, H.D. 2, C.D. 1;
 S.B. No. 975, H.D. 1, C.D. 1;
 S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1040, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1050, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1051, H.D. 2, C.D. 1;
 S.B. No. 1088, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1134, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1135, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1201, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 1237, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1258, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1262, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1286, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1305, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1309, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1312, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1319, S.D. 1, H.D. 3, C.D. 1;
 S.B. No. 1321, H.D. 2, C.D. 1;
 S.B. No. 1324, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1332, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1333, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1352, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1393, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 1395, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1403, H.D. 1, C.D. 1;
 S.B. No. 1423, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1438, H.D. 1, C.D. 1;
 S.B. No. 1439, H.D. 1, C.D. 1;
 S.B. No. 1440, H.D. 1, C.D. 1;
 S.B. No. 1441, H.D. 1, C.D. 1;
 S.B. No. 1442, H.D. 1, C.D. 1;
 S.B. No. 1443, H.D. 1, C.D. 1;
 S.B. No. 1444, H.D. 1, C.D. 1;
 S.B. No. 1446, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 1492, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1496, H.D. 1, C.D. 1;
 S.B. No. 1505, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 1647, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 1661, S.D. 2, H.D. 1, C.D. 1; and
 S.B. No. 1700, S.D. 1, H.D. 2, C.D. 1.

Hse. Com. No. 615, informing the Senate that the House reconsidered its action taken on April 10, 2003, in disagreeing

to the amendments proposed by the Senate to H.B. No. 851, H.D. 1 (S.D. 1).

Hse. Com. No. 616, returning S.C.R. No. 13, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 617, returning S.C.R. No. 45, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 618, returning S.C.R. No. 49, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 619, returning S.C.R. No. 54, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 620, returning S.C.R. No. 76, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 621, returning S.C.R. No. 98, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 622, returning S.C.R. No. 153, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 623, returning S.C.R. No. 155, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 624, returning S.C.R. No. 196, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 625, returning S.C.R. No. 33, S.D. 1, which was adopted by the House of Representatives on April 29, 2003.

Hse. Com. No. 626, returning S.B. No. 3, S.D. 1, which passed Third Reading in the House of Representatives on April 29, 2003.

Hse. Com. No. 627, returning S.B. No. 617, which passed Third Reading in the House of Representatives on April 29, 2003.

Hse. Com. No. 628, returning S.B. No. 1275, which passed Third Reading in the House of Representatives on April 29, 2003.

STANDING COMMITTEE REPORTS ADOPTION OF RESOLUTIONS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1726) recommending that S.R. No. 42, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 42, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A PILOT PROJECT TO DEMONSTRATE THE EFFICIENCY AND EFFECTIVENESS OF AN ELECTRONIC DEATH REGISTRATION SYSTEM," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1727) recommending that S.R. No. 23, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 23, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING THE STADIUM AUTHORITY TO DESIGNATE THE LOWER HALAWA PARKING LOT AT

ALOHA STADIUM AS THE STATE FAIRGROUNDS," was adopted with Senator Hogue voting "No."

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1728) recommending that S.R. No. 28, S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING THE ESTABLISHMENT OF AN OFFICE OF INTERNATIONAL AFFAIRS IN STATE GOVERNMENT," was adopted with Senators Hemmings, Hogue and Slom voting "No."

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1729) recommending that S.R. No. 57 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 57, entitled: "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1730) recommending that S.R. No. 71 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 71, entitled: "SENATE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1731) recommending that S.R. No. 96, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 96, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF A WIRELESS ENHANCED 911 INTERIM WORKING GROUP," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1732) recommending that S.R. No. 101 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 101, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS," was adopted.

At 3:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:42 o'clock p.m.

ORDER OF THE DAY**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1690 (Gov. Msg. No. 306):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1690 be received and placed on file, seconded by Senator Inouye and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of DIANA C. TIZARD to the Statewide Independent Living Council, term to expire June 30, 2005, seconded by Senator Inouye.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1691 (Gov. Msg. Nos. 370 and 371):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1691 be received and placed on file, seconded by Senator Inouye and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Statewide Independent Living Council of the following:

KENNETH TERUYA AKINAKA MRA, term to expire June 30, 2006 (Gov. Msg. No. 370); and

PATRICIA LOCKWOOD, term to expire June 30, 2007 (Gov. Msg. No. 371),

seconded by Senator Inouye.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1692 (Gov. Msg. Nos. 416, 417, 418, 419, 420 and 421):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1692 be received and placed on file, seconded by Senator Inouye and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

RENE BERTHIAUME, term to expire June 30, 2006 (Gov. Msg. No. 416);

GENE R. DESCALZI, term to expire June 30, 2006 (Gov. Msg. No. 417);

NANCY G. KINGHORN, term to expire June 30, 2006 (Gov. Msg. No. 418);

RICHARD W. SMITH, term to expire June 30, 2006 (Gov. Msg. No. 419);

VIRGINIA G. TOMPKINS, term to expire June 30, 2004 (Gov. Msg. No. 420); and

BARBARA J. WARD, term to expire June 30, 2004 (Gov. Msg. No. 421),

seconded by Senator Inouye.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1693 (Gov. Msg. No. 369):

Senator Kawamoto moved that Stand. Com. Rep. No. 1693 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of JEFF GOLDSMITH to the State Highway Safety Council, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1694 (Gov. Msg. No. 372):

Senator Kawamoto moved that Stand. Com. Rep. No. 1694 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of JOYCE CASSEN MD to the Medical Advisory Board, term to expire June 30, 2006, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1695 (Gov. Msg. No. 401):

Senator Kawamoto moved that Stand. Com. Rep. No. 1695 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of FRANK A. CRUZ to the Advisory Board on Veterans Services, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1696 (Gov. Msg. No. 411):

Senator Kawamoto moved that Stand. Com. Rep. No. 1696 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of CAROL H. MCNAMEE to the State Highway Safety Council, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1697 (Gov. Msg. No. 412):

Senator Kawamoto moved that Stand. Com. Rep. No. 1697 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of BRYAN S. WAUKE to the State Highway Safety Council, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1698 (Gov. Msg. No. 422):

Senator Kawamoto moved that Stand. Com. Rep. No. 1698 be received and placed on file, seconded by Senator Espero and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of JOHN ROMANOWSKI to the Commission of Transportation, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1699 (Gov. Msg. No. 312):

Senator Menor moved that Stand. Com. Rep. No. 1699 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of WILFRED S. PANG to the Board of Massage Therapy, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1700 (Gov. Msg. Nos. 339 and 340):

Senator Menor moved that Stand. Com. Rep. No. 1700 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

LINDA D. HAMILTON, term to expire June 30, 2007 (Gov. Msg. No. 339); and

REBECCA S. WILLIAMS, term to expire June 30, 2007 (Gov. Msg. No. 340),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1701 (Gov. Msg. Nos. 341 and 342):

Senator Menor moved that Stand. Com. Rep. No. 1701 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Board of Acupuncture of the following:

GARY K. SAITO, term to expire June 30, 2007 (Gov. Msg. No. 341); and

MIKE HASHIMOTO, term to expire June 30, 2007 (Gov. Msg. No. 342),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1702 (Gov. Msg. No. 356):

Senator Menor moved that Stand. Com. Rep. No. 1702 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of KEVIN H.M. CHONG KEE to the Board of Electricians and Plumbers, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1703 (Gov. Msg. Nos. 357, 358 and 359):

Senator Menor moved that Stand. Com. Rep. No. 1703 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

PETER T. DYER, term to expire June 30, 2007 (Gov. Msg. No. 357);

RANDALL M. HASHIMOTO, term to expire June 30, 2007 (Gov. Msg. No. 358); and

SHAWN USHIJIMA, term to expire June 30, 2007 (Gov. Msg. No. 359),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1704 (Gov. Msg. Nos. 373, 374, 375, 376 and 377):

Senator Menor moved that Stand. Com. Rep. No. 1704 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Board of Medical Examiners of the following:

WENDELL K.S. FOO MD, term to expire June 30, 2006 (Gov. Msg. No. 373); and

RONALD H. KIENITZ DO, term to expire June 30, 2007 (Gov. Msg. No. 374); and

PETER A. MATSUURA MD, term to expire June 30, 2007 (Gov. Msg. No. 375); and

JOHN T. MCDONNELL MD, term to expire June 30, 2007 (Gov. Msg. No. 376); and

MARIA BRUSCA PATTEN DO, term to expire June 30, 2007 (Gov. Msg. No. 377),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1705 (Gov. Msg. No. 378):

Senator Menor moved that Stand. Com. Rep. No. 1705 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of DAVID D.S. CHUN to the Motor Vehicle Industry Licensing Board, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1706 (Gov. Msg. No. 379):

Senator Menor moved that Stand. Com. Rep. No. 1706 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of SHERYL L. THOMPSON to the Board of Examiners in Naturopathy, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1707 (Gov. Msg. No. 380):

Senator Menor moved that Stand. Com. Rep. No. 1707 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of THERESA SAKAI RN to the

State Board of Nursing, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1708 (Gov. Msg. Nos. 383 and 414):

Senator Menor moved that Stand. Com. Rep. No. 1708 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Board of Pharmacy of the following:

DULCE TOMI ONAGA, term to expire June 30, 2007 (Gov. Msg. No. 383); and

KARL H. MIYAMOTO, term to expire June 30, 2007 (Gov. Msg. No. 414),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1709 (Gov. Msg. Nos. 384 and 415):

Senator Menor moved that Stand. Com. Rep. No. 1709 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Board of Psychology of the following:

LAURA E. OZAK RN JD, term to expire June 30, 2007 (Gov. Msg. No. 384); and

WILLIAM C. REZENTES III PH.D., term to expire June 30, 2007 (Gov. Msg. No. 415),

seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1710 (Gov. Msg. No. 386):

Senator Menor moved that Stand. Com. Rep. No. 1710 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of TRUDY I. NISHIHARA to the Real Estate Commission, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1711 (Gov. Msg. No. 402):

Senator Menor moved that Stand. Com. Rep. No. 1711 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of ROGER M. KONDO DVM to the Board of Veterinary Examiners, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1712 (Gov. Msg. No. 406):

Senator Menor moved that Stand. Com. Rep. No. 1712 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of DELLA K. MARTIN (YOUNG) to the State Boxing Commission of Hawai'i, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1713 (Gov. Msg. No. 413):

Senator Menor moved that Stand. Com. Rep. No. 1713 be received and placed on file, seconded by Senator Baker and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of JAN N. WIEDMAN to the Motor Vehicle Repair Industry Board, term to expire June 30, 2007, seconded by Senator Baker.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1714 (Gov. Msg. Nos. 241 and 263):

Senator Inouye moved that Stand. Com. Rep. No. 1714 be received and placed on file, seconded by Senator Kawamoto and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of GILBERT COLOMA-AGARAN to the Kaho'olawe Island Reserve Commission, terms to expire June 30, 2003, and June 30, 2007, seconded by Senator Kawamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1715 (Gov. Msg. No. 280):

Senator Inouye moved that Stand. Com. Rep. No. 1715 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of ERIC D. WEINERT to the Board of Directors of the Agribusiness Development Corporation, term to expire June 30, 2005, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1716 (Gov. Msg. No. 281):

Senator Inouye moved that Stand. Com. Rep. No. 1716 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of SIDNEY A. QUINTAL to the Board of Directors of the Aloha Tower Development Corporation, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1717 (Gov. Msg. Nos. 308 and 309):

Senator Inouye moved that Stand. Com. Rep. No. 1717 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Kaneohe Bay Regional Council of the following:

DAVID A. KRUPP PH.D., term to expire June 30, 2006 (Gov. Msg. No. 308); and

ROBIN GAY MAKAPAGAL, term to expire June 30, 2006 (Gov. Msg. No. 309),

seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1718 (Gov. Msg. No. 311):

Senator Inouye moved that Stand. Com. Rep. No. 1718 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of RAE MCCORKLE to the Land Use Commission, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1719 (Gov. Msg. No. 313):

Senator Inouye moved that Stand. Com. Rep. No. 1719 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of GEORGE W. MAIOHO to the Molokai Irrigation System Water Users Advisory Board, term to expire June 30, 2007, seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1720 (Gov. Msg. Nos. 344, 345, 346 and 424):

Senator Inouye moved that Stand. Com. Rep. No. 1720 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Hawai'i Community Development Authority (HCDA) of the following:

WILLIAM J. AILA JR., term to expire June 30, 2007 (Gov. Msg. No. 344);

PAUL K. KIMURA, term to expire June 30, 2007 (Gov. Msg. No. 345); and

EVELYN E. SOUZA, term to expire June 30, 2006 (Gov. Msg. No. 346),

seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Inouye then moved that the Senate advise and consent to the nomination to the Hawai'i Community Development Authority (HCDA) of the following:

MAEDA C. TIMSON, term to expire June 30, 2006 (Gov. Msg. No. 424),

seconded by Senator Espero.

Senator Kanno rose in support and said:

"Mr. President, I rise in support of Gov. Msg. No. 424 and ask if I could have some comments inserted into the Journal.

"Thank you."

The Chair having so ordered, Senator Kanno's remarks read as follows:

"I strongly support the nomination of Maeda C. Timson to serve on the Hawaii Community Development Authority (HCDA).

"Ms. Timson is best known for her civic loyalty and possesses firsthand knowledge of the needs and desires of Leeward residents. Her personal knowledge of the area results from being immersed in community activities and living in Makakilo for over 30 years.

"Ms. Timson has volunteered for a myriad of community projects, has served on and chaired the neighborhood board, and served eight years as the community representative on the Barbers Point Redevelopment Commission. Ms. Timson is also

a keen business leader and assistant vice-president at First Hawaiian Bank.

"In recognition of Ms. Timson's dedication and commitment to the community, she has been honored with the Makakilo Mahalo Award, the Kapolei Outstanding Achievement (KOA) award for lifetime service and the KOA community service award.

"In addition to her familiarity with the community, Ms. Timson understands the process of land development. She participated in the base reuse and closure process of the former Barbers Point Naval Air Station, as well as the City and County of Honolulu's community-based planning process for creation of the Ewa Development Plan.

"Given the HCDA's new responsibility for implementation of the redevelopment plans for Kalaeloa (formerly Barbers Point Naval Air Station), Ms. Timson's institutional knowledge of Kalaeloa and her tenacious nature will serve as great assets to the HCDA.

"I urge your favorable consideration of Ms. Timson's confirmation.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1721 (Gov. Msg. Nos. 381 and 382):

Senator Inouye moved that Stand. Com. Rep. No. 1721 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides of the following:

BARBARA A. BROOKS PH.D., term to expire June 30, 2007 (Gov. Msg. No. 381); and

RONALD F.L. MAU, term to expire June 30, 2007 (Gov. Msg. No. 382),

seconded by Senator Espero.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1722 (Gov. Msg. No. 404):

Senator Inouye moved that Stand. Com. Rep. No. 1722 be received and placed on file, seconded by Senator Espero and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of STEPHANIE A. WHALEN to the Commission on Water Resource Management, term to expire June 30, 2007, seconded by Senator Espero.

Senator Aduja rose to speak in opposition and said:

"Mr. President, I will be casting a 'no' vote on Gov. Msg. No. 404. Mr. President, with your indulgence I rise to speak in opposition to this governor's message.

"Mr. President, Stephanie Whalen is currently the president and director of the Hawaii Agricultural Research Center, also known as HARC, and president of the Kunia Water Cooperative. HARC is a not-for-profit privately owned research institution organized in advance to improve agriculture in Hawaii. The organization has served the agricultural community for over 120 years and continues in that role with the private sector.

"Mr. President, colleagues, given the important mandate of the state water commission to safeguard Hawaii's water resources, a balance on the commission is essential. Currently, the commission lacks such balance. The commission already has several representatives of businesses, agribusiness and ranching – all big water users of this state. No one represents the environment or the public at large. The confirmation of Stephanie Whalen will further this imbalance.

"Currently, the appointed members on the commission include Meredith Ching, vice president of Alexander and Baldwin, the largest private water user in the state; Clayton Dela Cruz, director of Kauai ILWU; Brian Nishida, vice president of Del Monte Hawaii; and Monty Richards, president of Kuhia Ranch.

"The 1987 Legislature did not intend that the water commission be dominated with those with the primary background to exploit water supplies. Rather, it is designed to be more neutral with members having water resources management experience. State law requires that water commissioners have substantial experience in the area of water resource management.

"As with the case of Ms. Ching, Ms. Whalen's substantial experience appears primarily the fall in the category of water use. She has testified in the hearings regarding the Waiahole Ditch combined contested case, which falls within my district and I have very strong constituents that have dealt very strongly with the Waiahole Ditch case and in support of greater stream diversion. She also regularly lobbies at the Legislature and elsewhere for large scale agriculture and has worked with the Kunia Water Cooperative.

"Ms. Whalen's nomination will exacerbate the serious problem of the commission in satisfying the quorum requirement since many of the interests that Ms. Whalen has worked for or expressed positions in support of will be appearing before the water commission. The water commission is clearly stacked against large water users.

"Mr. President and colleagues, please reject the confirmation of yet another business interest. Our resources deserve balanced decision makers. And for the record, also, Mr. President, I am a member of Water, Land, and Agriculture, so I feel very divided. I do support agriculture as well, however, we do need to have fairness with water distribution and it's just that my district feels very strongly that the Waiahole water should remain in Waiahole and we're afraid that her presence on the commission may jeopardize that decision.

"Thank you."

Senator Inouye rose in support as follows:

"Mr. President, I speak in support of Gov. Msg. No. 404.

"Mr. President and fellow colleagues, I wish to rise in support of Gov. Msg. No. 404, submitting for study and consideration the nomination of Stephanie A. Whalen for the Commission On Water Resource Management for a term to expire on June 30, 2007.

"As Chair of the Water, Land, and Agriculture Committee, I wish to offer these comments. The Commission on Water Resource Management is a little different than other commissions in the sense that it requires its members by statute to have substantial experience in the area of water resource management. Although that may limit the amount of candidates for a position, it ensures that whomever is confirmed has the technical knowledge to do the job correctly. Aside from the technical knowledge, the candidates must also possess the proper qualities to succeed.

"I believe Stephanie Whalen has the proper attributes and knowledge that will be a benefit to Hawaii's people if she's confirmed to the Commission on Water Resource Management. Stephanie, or Stevie, as we all know her, brings with her an extensive background and understanding about the agricultural community gained over the course of 30 years. Accusations that she works for big business are unfounded.

"During the last nine years she has been the director of HARC, or the Hawaii Agriculture Research Center, where she worked intensively in helping Hawaii's agriculture. Under her direction, HARC has conducted research for various diversified farming efforts including but certainly not limited to taro, coffee, mango, ginger, papayas and bananas.

"I'd like to add, in our discussions on her nomination, I'd like to quote some of what she had to offer the Committee: 'Because I do not represent any one company, I do not believe that I will have to recuse myself for commission decision making on general agricultural issues. In fact, I will be a good resource for information regarding agriculture. However, I will certainly obtain a legal opinion if there is a perceived conflict of interest. Regarding resource management, I am especially proud of the ecological work our organization did for Hawaii before the term watershed was a household word. Perhaps our members are unaware of the reforestation work that HARC did at the turn of the century to ensure that the islands would continue to have healthy watersheds.' She also goes on to say, 'We understood early on that without massive planting of trees in the mauka areas, recharge of the aquifers would not be possible.'

"So she feels personally that she'd like to continue in the role of trustee of Hawaii's water resources for the benefit of present and future generations. So I urge my colleagues to vote in support.

"Thank you."

Senator Ihara rose in opposition and said:

"Mr. President, note my 'no' vote for Gov. Msg. No. 404 for the same reasons as stated by the Senator from Kahaluu/Kaneohe."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Aduja, English, Fukunaga, Ihara).

Stand. Com. Rep. No. 1723 (Gov. Msg. No. 399):

Senator Taniguchi moved that Stand. Com. Rep. No. 1723 be received and placed on file, seconded by Senator Kokubun and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of MANOJ SAMARANAYAKE CPA to the Board of Taxation Review, 1st Taxation District (Oahu), term to expire June 30, 2007, seconded by Senator Kokubun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1724 (Gov. Msg. No. 400):

Senator Taniguchi moved that Stand. Com. Rep. No. 1724 be received and placed on file, seconded by Senator Kokubun and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of MATT H. TAKATA to the Board of Taxation Review, 4th Taxation District (Kauai), term to expire June 30, 2007, seconded by Senator Kokubun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1725 (Jud. Com. No. 5):

Senator Hanabusa moved that Stand. Com. Rep. No. 1725 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of LONO J. LEE to the Office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Hanabusa rose in support of the nominee and said:

“Mr. President, I rise in support of Jud. Com. No. 5, submitting for study and consideration the nomination of Lono J. Lee to the District Court of the First Circuit.

“Mr. President, I beg your short indulgence. I’d like to say that the Judiciary and Hawaiian Affairs Committee has gone out their way this Session. Mr. Lee will be the seventh judge. We have in addition to that confirmed 15 commissioners and board members and three directors. And with the tight schedule that we’ve had, the good Senators from Alewa Heights, Upcountry Maui, Makiki, Kaimuki, Kaneohe, and Waipahu really have gone out of their way and I would like to thank all of them. And I did have an eighth member, Lauren Oakland, and she was a wonderful addition, sat quietly and listened probably better than most of my other Committee members.

“Mr. President, Mr. Lee is the local boy from the Windward side. He received his Bachelor of Arts from Chaminade in criminal justice, his Masters in social work, and his law degree from the University of Hawaii, William Richardson School of Law. The Hawaii State Bar Association came forward and said that he is qualified to sit as a district court judge.

“It is his experience they most commented on. He has worked as a prosecutor, a corporation counsel, in private practice. He has served as a staff attorney for Finance under Chair Takamine, and he serves as a per diem judge today for the district court. He represents right now the ILWU. We received no negative testimony.

“He has been described as someone who is flexible, quick to respond, and with the necessary experience to handle all of the issues which will be appearing before him at the district court.

“What the Committee was most struck by, Mr. President, is the personal testimony that we received on behalf of Mr. Lee. Aunty Ola, who works in the good Senator from Kaimuki’s office who happens to be my constituent, came running up and said, ‘you know, he’s somebody that I watched grow up and I have to come just to wish him luck.’ And he had a woman appear by the name of Jackie Chong and she said she came all the way to speak on behalf of her Lono boy. Mr. President, this is what she said, ‘it is my honor to speak on behalf of Lono Lee. I believe him to be another outstanding member of our community. This becomes even more critical because he is Hawaiian. In this day and age when we Hawaiians hang our heads in shame because the local polls show so many Hawaiians as school dropouts and incarcerated, a young Hawaiian like Lono really shows and proves that with education and a determination, Hawaiians can overcome the affects of oppression. I see Lono as a role model. He has the professional training and experience to maintain the requisite judicial demeanor as he exercises the duties of a judge. He is a young man of high ethics, honest, caring, and most of all, fair.’

“Mr. President, the words of Jackie Chong summed it all up. Lono Lee represents not only someone who would make a good district judge, he’s already proved that by serving in a per diem capacity. He represents hope – hope that people who have watched him grow up want to share with all other Native Hawaiians in particular.

“Mr. President, I ask that you and my fellow colleagues join in confirming Lono J. Lee.

“Thank you very much.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Hanabusa introduced Judge Lee, who was seated in the gallery with his family.

At 3:58 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:06 o’clock p.m.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, APRIL 29, 2003

Stand. Com. Rep. No. 1680 (H.C.R. No. 17, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 17, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF ILOCOS NORTE OF THE REPUBLIC OF THE PHILIPPINES,” was adopted.

Stand. Com. Rep. No. 1681 (H.C.R. No. 51):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY ESTABLISH A PACIFIC OCEANIC ADMINISTRATIVE REGION WITHIN THE DEPARTMENT OF HOMELAND SECURITY TO BE HEADQUARTERED IN HONOLULU," was adopted.

Stand. Com. Rep. No. 1682 (H.C.R. No. 54):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO SUPPORT THE DEVELOPMENT AND ESTABLISHMENT OF AN OFFICIALLY RECOGNIZED URBAN SEARCH AND RESCUE TEAM IN HAWAII," was adopted.

Stand. Com. Rep. No. 1683 (H.C.R. No. 63, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO CONSIDER THE WAIANAE SECOND ACCESS ROAD PROJECT IN ITS REGIONAL TRANSPORTATION PLAN OF 2004 AND TO IDENTIFY IMMEDIATE SOURCES OF FUNDING FOR THE PROJECT," was adopted.

Stand. Com. Rep. No. 1684 (H.C.R. No. 76):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 664, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1685 (H.C.R. No. 77):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 1686 (H.C.R. No. 120):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE OF HAWAII PURSUE A WIRELESS E911 INTERIM WORKING GROUP," was adopted.

Stand. Com. Rep. No. 1687 (H.C.R. No. 182, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 182, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF LABOR AND INDUSTRIAL RELATIONS AND HEALTH TO CONDUCT A STUDY RELATING TO THE OCCUPATIONAL AND HEALTH

RISKS OF COUNTY REFUSE COLLECTION WORKERS," was adopted.

Stand. Com. Rep. No. 1688 (H.C.R. No. 188):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF ESTABLISHING FLYER STOPS WITHIN THE RIGHT-OF-WAY OF OAHU'S H-2 FREEWAY AND CONNECTING TO PARK-AND-RIDE FACILITIES," was adopted.

Stand. Com. Rep. No. 1689 (H.C.R. No. 197, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 197, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO DETERMINE THE FEASIBILITY OF CONSTRUCTING A MULTI-USE PATH ALONG THE WAIANAE COAST FROM MAILI BEACH PARK TO MAKAHA SURFING BEACH," was adopted.

FINAL ADOPTION

S.C.R. No. 16, S.D. 1, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 16, S.D. 1 and S.C.R. No. 16, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP PUBLIC HEALTH STRATEGIES TO ADDRESS THE HEPATITIS C PROBLEM," was Finally Adopted.

S.C.R. No. 116, S.D. 1, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 116, S.D. 1 and S.C.R. No. 116, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT," was Finally Adopted, with Senators Hogue, Slom and Whalen voting "No."

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM TUESDAY, APRIL 29, 2003

S.R. No. 147:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 147, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS AND TWO MEMBERS OF SENATE LEADERSHIP TO CONDUCT AN INTERIM STUDY OF THE SENATE RULES REGARDING DECISION-MAKING BY STANDING COMMITTEES AND CONFERENCE PROCEDURES REGARDING DECISION-MAKING BY CONFERENCE COMMITTEES," was adopted.

FINAL READING

Conf. Com. Rep. No. 145 (S.B. No. 687, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 145 was adopted and S.B. No. 687, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 146 (S.B. No. 768, S.D. 1, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 146 be adopted and S.B. No. 768, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"This bill is a step backwards from the major collective bargaining and civil service reform enacted by this Legislature two years ago. Basically, while the bill says that arbitration will prohibit a disruption in services, that absolutely is correct, but it will not prohibit an increase in cost to the taxpayers and a win/win situation for the public worker union bargaining units.

"If you are in a dispute, everyone has to take a risk when they are sitting down and honestly bargaining. The binding arbitration has shown that in fact there is no risk at all because the parties that are seeking increases have always gotten increases, substantial increases out of the bargaining process. If we go back to the situation where the unions in fact have a right to strike and have that decision that they can make and that tool in their arsenal, they still have to give very careful consideration as to what the overall impact will be, what the pay back period will be for their members, and that all helps in the negotiation process.

"This binding arbitration, other than for police and fire is negative for the taxpayers and for the process of reforming civil service.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 146 was adopted and S.B. No. 768, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hanabusa, Hemmings, Hogue, Slom, Trimble, Whalen).

S.B. No. 1462, H.D. 2, C.D. 2:

On motion by Senator Kim, seconded by Senator Taniguchi and carried, S.B. No. 1462, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 512, H.D. 1, S.D. 2, C.D. 2:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, H.B. No. 512, H.D. 1, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1152, H.D. 1, S.D. 1, C.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, H.B. No. 1152, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2:

Senator Kim moved that H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, during this Session when measures on tax credits have been before us . . . I rise in opposition to this measure.

"When we have had the issue of tax credits come up before, I have been reasonably consistent in voting against them and I've said that tax credits are bad policy. It's too late to come up with a different policy for this year so let's look at the merits of this particular tax credit and where tax credits are effective.

"Tax credits are most effective when they're new tax credits. This is not a new tax credit. The evidence given to us applied for a different set of circumstances. In the last two years we've had 9/11. We've had a war in Iraq. We've had SARS. Each of these have affected the demand for travel. Given our current environment, even though we are less adversely affected than other major visitor destination areas, the same things apply.

"The truth of the matter is that decisions to improve one's plant and facility will be made regardless of whether this tax credit is here or not. So it suddenly becomes a giveaway program that does not generate economic activity that would have resulted if this measure had gone forward. And because of our fiscal conditions, I think it is prudent for all of us to vote 'no' on this measure.

"Thank you, Mr. President."

At 4:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:14 o'clock p.m.

The President made the following announcement:

"Members, is there any further discussion on Floor Amendment No. 14? We would like to proceed on to Floor Amendment No. 15 so we can get the debate out of the way. Then we need to vote on these two measures at about 4:50 p.m."

By unanimous consent, action on H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING

TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," was deferred until later on the calendar.

S.B. No. 459, S.D. 1, H.D. 1, C.D. 2:

Senator Hanabusa moved that S.B. No. 459, S.D. 1, H.D. 1, C.D. 2, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Kawamoto rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of S.B. No. 459, campaign spending.

"Mr. President, I apologize to you and my fellow friends and colleagues of this body for requesting this vote. We realize that the House has recommitted this bill and made this vote not binding legislation. But Mr. President, your Committee on Judiciary and TMG worked very hard to put this bill together. Also, your lead Chairs from both houses put together the S.D. 1 and the C.D. 1.

"Mr. President, this is a good bill for a campaign reform foundation. It's a good start. We have here 80 percent of the Governor's bill and 20 percent input from your Committee and your members of both houses to protect you, my fellow colleagues and friends in this body, protect you from an overzealous executive director who wants to be like us. He wants to be the Legislator, who wants to write policies and make laws, but he can't do this because he is an employee of the state and his job is to make rules from the policies we make, not what he has decided to be the policy.

"Mr. President, in this bill we say that the campaign fines would go to the general fund versus the campaign fund. Again, to avoid the outcry of bounty hunting, as we heard when the van cams were here last year, the outcry because of the fact that DOT wrote a contract to allow the people enforcing tickets to have a portion of the tickets. Again, the outcry of bounty hunting.

"Mr. President, we also defined. We defined what is bundling. Mr. President, again, the executive director of the campaign spending has been defining bundling primarily to scare off possible donors to ourselves to run for office.

"Finally, Mr. President, this bill will not help me in the situation that I'm in. And I bring this up because many of the people have sent letters saying that this campaign bill is about me. It's not about me, Mr. President. It's about doing what's right. For me, I still am in kim chee because of the fact that I'm under the old law and they're charging me with exceeding the campaign seeding. What the charge is, although, it's for adding campaign expense, which I'll call apples, campaign seeding, which I'll call oranges, and they put all those things together, mix it all up and they come out with a formula of what campaign seeding is. And of course, I went over \$11,000 worth of campaign seeding. These were expenses, Mr. President.

"However, I have to prove this in court. It's going to cost me time. It's going to cost me money. It's going to cost me the possibility of over \$80,000 to prove a problem that we have interpreting the law.

"Mr. President, ever since we had the current executive director, the tone of campaign violations has gone from occasionally reporting violations to a punitive type activity, which look like Gestapo activities, and fighting criminal actions forcing yourself or anyone else who he wishes to pick on to expend an extensive number of money beyond what we are

being charged for, again to just clear our name. If we let this continue, the \$32,000 to do the people's work, to do as best we can to do the people's work, truly may not be enough.

"What's most disappointing was Tuesday night. And I bring it up because it was brought up in the papers. Tuesday night the House brought in personalities involved with this thing. It was not a matter of the merits of the bill, but it was on merits of myself. I was asked if they would pass the bill and the Governor vetoed the bill, would I step away from further campaign spending bills next year. I thought about it and I have full confidence in my Vice Chair, the Senator from Ewa, I have full faith in the Governor's judgment, and my desire to have this bill move forward. I said I would.

"But a second meeting was held and brought back the agreement, the handshake we made that we've always honored here in this body and here in both houses was reneged. And then the second meeting came with further conditions. The further conditions were that I would step down from any campaign spending and campaign elections if the bill was vetoed or passed regardless.

"Mr. President, I was elected to this body to serve my district and the state. I was selected by you to head the Transportation, Military Affairs, and Government Operations, under which the purview of elections and campaign spending falls. I will continue to do my duty to the best of my ability, so help me God. Mr. President, I will serve this body again until such time as this body rejects my work and my sincere understanding of what is right for the people of Hawaii.

"Therefore, I'm asking, Mr. President, for a vote from you, my colleagues, my friends from both sides of the aisle, to say 'aye' or even 'aye, with reservations' so that we can send a message to the other body, send a message to the do-gooders who send all these letters blaming me for the failure of campaign spending, the press, all those involved and interested in campaign spending, that we, the Senate, are ready to pass reform bills of campaign spending, that we, the Senate, want to do what's right, what's fair for everyone, the elected officials who sacrifice every year for the type of pay we get, for the hours we put in, and to challenge our integrity. We want to send a message to those folks that we truly want to do what's right and what's good for the people and what's good and protect the individual members of this body.

"I urge my colleagues again for your vote. Thank you."

Senator Menor rose to speak against the measure as follows:

"Mr. President, I rise to speak against this measure.

"Mr. President, I oppose this measure for several reasons. First of all, I don't even know why we're even voting on this measure instead of recommitting it back to Committee. I think that voting on this measure really represents, at best, a useless exercise, because as the previous speaker has mentioned, the House has already voted to recommit the bill in that respective legislative body. So in that regard, passage of this bill will not result in any meaningful campaign spending reform this Session.

"In addition, I'd like to emphasize that the supporters of this bill feel that the measure is seriously flawed and contains so many holes in it that you can drive a Mac truck through it. Given the concerns that have been expressed about this bill, I think that we owe it to the people of Hawaii to go back to the drawing boards and try again next year to come up with more effective and meaningful campaign spending reform.

“Accordingly, I will be voting against this measure. Thank you.”

Senator Hogue rose to speak against the measure as follows:

“Mr. President, I rise to speak in opposition to this particular measure.

“I think that the message that we send to the people of Hawaii is that we are absolutely beyond reproach. Campaign spending reform should be about returning integrity to this body and should be without flaws. This measure may have some good points in it, but it is seriously flawed – seriously flawed.

“I propose to you that we could probably not only drive a big truck through it, but some SUVs and probably the entire army through it as well. There are so many holes in the particular measure.

“But about another measure that was brought up here, and that is the reputation of the good Senator from God’s country. I respect him tremendously. He is a good man. I disagreed with him on many, many measures. So this really isn’t about him at all. However, to the people of Hawaii, they have to believe that there is no conflict of interest in actually drawing up this particular bill. And because of the good Senator’s battle with this particular office and this particular director, there is that appearance of the conflict of interest.

“So, for those reasons, I believe that we unfortunately cannot have the good Senator going forward with this, and I appreciate the fact that he was willing to at least step away from this particular measure.

“We must be beyond reproach. We must have tremendous integrity. The campaign spending reform should be a bill without flaws. And for these measures, and I say once again, I really do respect the good Majority Floor Leader. He’s a good man, but I will be voting ‘no.’

“Thank you, Mr. President.”

Senator Ihara rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to S.B. No. 459.

“Mr. President, this bill does not qualify as campaign reform. It creates a net increase in the size and number of loopholes in the campaign laws. It does too good a job of protecting Legislators. And it helps incumbents more than the public, which I believe is cynical about the Legislature’s ability to self regulate our campaign behavior and adopt campaign laws to regulate our challengers. The bill also invites citizens to violate Hawaii’s election fraud law, which I’ll explain later.

“I’d like to now list the specific reasons why I believe this bill should be defeated. First, the bill contains no ban on donations from corporations and unions, which was in last year’s highly touted campaign reform bill, which, if I recall right, the press conferences of supporters of that bill said that we would definitely pass that bill again, and there is no ban on donations from corporations and unions in this bill. Instead, this bill contains a provision that diverts fines and penalties from violators of campaign laws from the campaign election fund to the general fund.

“The campaign spending staff’s salaries do not benefit at all from being successful in their jobs as watchdogs and enforcers of Hawaii’s campaign laws. This provision will also hurt candidates who would like to be competitors in elections to

level the playing field by participating in the partial public funding program.

“This bill excludes government contractors that are not non-bid, procured through non-bid processes, including low-bid procurements. So there’s a whole range of state and local government contracts whose contractors can donate freely to candidates, particularly executive branch candidates, in attempts to seek favorable treatment in getting low-bid contracts.

“This bill also allows most employees of non-bid government contractors to still donate to the Governor or Mayor unless that person owns 25 percent or more of the company. So you may have ‘business as usual’ for successful non-bid contractors, government contractors. They’re, as it should be, intelligent people who can read the law and can find ways to get around the law. And this is one of the large Mac truck loopholes . . . that a company that gets a non-bid contract can have all of its employees donate, except for the few that own 25 percent or more of the company. This is one of the large loopholes.

“Another large loophole is that there is no ban on subcontractors. So there may be a large non-bid contract, millions of dollars, and in order to accomplish the job, the main contractor would subcontract and in some of the violations that have been reported, a number of these violators were subcontractors. And I believe that subcontractors of a non-bid government contractor should also be prohibited from donating to the authorities that award these non-bid contracts.

“I also believe that contractors who get contracts where the Legislature approves or appropriates funds for these contracts should also be banned from giving to Legislators in those instances where we appropriate funds where they get a contract that is dependent upon our action. There are maybe some cases like that.

“In this bill there is a change in the definition of expenditures and it makes legitimate donations to nonprofit organizations if that donation is accompanied by a statement that says the donation is intended to influence the election of the person who’s making the donation. And for these donations, they are, by this bill, legitimate expenditures. And as we know, there is no limit for legitimate expenditures, unless you are participating in the public financing program, which most of the winning candidates do not. So theoretically, someone could give all of their hundreds of thousands of dollars away. There is no limit or cap on the amount of donations that can be made as long as this statement is attached to the check that says that the donation is made to influence the election for the candidate.

“But I believe one of the largest and major problems I have with this bill is it invites citizens to violate Hawaii’s election fraud law. This is Hawaii Revised Statute Section 19-3, and I’ll read it to you. It has a lot of legalese so I’m going to just read it to you in sequence without some of the legalese as I quote. This is quoting from Section 19-3, ‘every person who gives any money to any person in order to induce any elector to vote for any particular person shall be deemed guilty of election fraud.’ I’m not making this up. This is Hawaii Revised Statutes 19-3 – that it is a crime, although I believe it’s a misdemeanor. I believe it’s a crime ‘for every person who gives any money to any person in order to induce any electorate vote for a particular person shall be deemed guilty of an election fraud,’ and that was subsection 1.

“Subsection 3 of 19-3 is where I’m saying that this law would invite citizens to break the law. It would invite citizens to be guilty of an election fraud, and this is the section: ‘Every elector who receives any money for oneself or any other person

for voting for any particular person or party shall be deemed guilty of election fraud.' I have more than a slight problem with that, and I think if people receive money in exchange or with an understanding that they may vote for the person who gave them money, they will indeed be in deep kim chee.

"Another problem I have is that although I support the deletion of the penalty for violations of the code of campaign practices, I oppose repeal of this code because I think the penalty should be public opinion. The court struck down the penalty section of the code but it is legal and proper to have a code that is voluntary and for which there is no penalty. I believe we should maintain that code and let the public decide whether candidates are campaigning and competing in elections in a fair and honest way.

"I also oppose deletion of the disclosure requirement for fund raisers that are above \$25. I do not oppose removing the two fund raiser limit on the law, but I believe that the disclosure requirement should remain.

"In conclusion, I know that this bill is, thankfully, dead for this Session. I hope that genuine campaign reform with be passed, and I believe must be passed, next Session. And it should involve the public in the deliberations and crafting of next year's bill. And the public's interest should be equal, or should I say solely, the basis for crafting the bill without regard to the protection of those of us already in office.

"As to the House asking our transportation Chair to not be involved in future deliberations on the bill, I will defend our Chair's right to participate in this matter because I think that it is the Senate's responsibility on how we organize ourselves. However, I do think the public has a right to ask for changes in Leadership Committee or Committee Chairs. I believe that it is improper for the House to make that request, but I believe that it is proper for the public to make that kind of a request which I have not heard yet.

"For those of you who are thinking of voting with reservations, I urge you to vote against the bill – vote 'no.' I believe this campaign bill is worse not better for the public. I think we should go back to the drawing table and get it right next time.

"Thank you."

At 4:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:50 o'clock p.m.

The President then made the following observation:

"Members, on Floor Amendment No. 14, just to clarify my previous remarks, the motion to pass H.B. No. 1400, C.D. 2, on Final Reading is deferred until 4:55 p.m. or the end of the Final Reading calendar."

Senator Hanabusa moved that the motion to pass S.B. No. 459, S.D. 1, H.D. 1, C.D. 2, on Final Reading be withdrawn, seconded by Senator Kim.

Senator Ihara rose to inquire:

"Mr. President, on what basis is this motion made?"

Senator Hanabusa answered:

"Mr. President, this is a moot issue. As has been stated by all the various speakers on this motion. And I believe that as

one of the Chairs on the matter, that we should first move to withdraw the motion to pass this matter on Final Reading, and then move to recommit."

Senator Ihara rose on a point of order as follows:

"Then on a point of order, I believe the proper motion is to recommit the bill rather than to withdraw the bill."

The President stated:

"We will withdraw then recommit."

Senator Ihara then said:

"But a point of order takes precedent over the motion."

At 4:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:53 o'clock p.m.

The motion was then put by the Chair and carried.

On motion by Senator Hanabusa, seconded by Senator Kim and carried, S.B. No. 459, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was recommitted to the Committee on Conference.

S.B. No. 1311, S.D. 1, H.D. 1:

Senator Taniguchi moved that S.B. No. 1311, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Chun Oakland rose to speak against the measure as follows:

"Mr. President, I stand in opposition of this bill.

"On Tuesday I had asked the Chair of Ways and Means if he could please clarify whether or not the healthy Hawaii initiative funds would be touched in any way by this measure, and he did inform me that it would be taking monies from the tobacco settlement special fund, and for that reason, I cannot support this measure.

"Thank you."

At 4:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:56 o'clock p.m.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1311, S.D. 1, and S.B. No. 1311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Chun Oakland, Fukunaga, Hooser).

S.B. No. 1394, S.D. 2, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1394, S.D. 2, and S.B. No. 1394, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME

TAX LAW TO THE INTERNAL REVENUE CODE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1397, S.D. 1, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1397, S.D. 1, and S.B. No. 1397, S.D. 1, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SIMPLIFIED TAX ADMINISTRATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1400, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1400, S.D. 1, and S.B. No. 1400, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1410, S.D. 1, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1410, S.D. 1, and S.B. No. 1410, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1334, H.D. 1:

On motion by Senator Ige, seconded by Senator Aduja and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1334, and S.B. No. 1334, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2:

On motion by Senator Kim, seconded by Senator Fukunaga and carried, H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 10, from the Hawaii Health Systems Corporation dated April 8, 2003, transmitting the Annual Report for the Program of All-Inclusive Care for the Elderly (PACE) for the Fiscal Year Ending June 30, 2002, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 148 to 155) were read by the Clerk and were disposed of as follows:

Senate Resolution

No. 148 “SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE INDIVIDUALS WHO OPENED A DAY OF THE SENATE, TWENTY-SECOND LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 2003, WITH AN INSPIRATIONAL INVOCATION.”

Offered by: Senators Hanabusa, Hemmings.

At 4:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:00 o'clock p.m.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 148 was adopted.

No. 149 “SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TWENTY-SECOND LEGISLATURE, REGULAR SESSION OF 2003.”

Offered by: Senators Hanabusa, Hemmings.

Senator Kawamoto moved that S.R. No. 149 be adopted, seconded by Senator Hogue.

Senator Slom rose to speak against the resolution as follows:

“Mr. President, I rise to speak against S.R. No. 149.

“You know, we pass these resolutions each year and we made a big point this time about people that don't read things and don't read audit reports and things like that. This is a resolution, a harmless resolution congratulating the media in our community for their objectivity, their professionalism, for the long hours that they put in, and for the wonderful news that they bring to our constituents.

“Mr. President, I have to vote against this because of the misinformation and the sloppy workmanship done by a number of the people in the fourth estate. While I support, absolutely, freedom of speech and I support the independence of the media, I think that in many cases they have done a great disservice to this community by reporting on things which they don't recognize, for example, as further taxation, increased costs, increased regulation.

“Those of us that stand up here and make speeches all the time seem to be ignored by the media. They seem to report the status quo on a regular and continuing basis. They seek to curry favor with those people that represent the status quo. They do not inform the constituents of what many of the issues really are about that have been plainly talked about both in Committee and on this Senate Floor.

“And so, Mr. President, I would suggest that we might amend the resolution to send them all to training so that they can learn how to properly listen and to take notes and to report both sides or three sides or four sides, as the case may be.

“For example, our good colleague from the underdeveloped area of Kaimuki stands up here regularly and talks about procedure and rules and how we violate our own rules, and I never see anything reported in the media about that. Either it’s not important or the idea of restoring trust in government is just a ho-hum thing to the media.

“So my message to the media is, yeah we appreciate you being here; yeah we appreciate you reporting things, but if you think that this is the height of professionalism, then all of you that talk about the media behind their backs when we’re not in Session is completely wrong.

“Thank you, Mr. President.”

Senator Trimble rose in support of the resolution and said:

“Mr. President, I would like to rise to speak in favor of this measure.

“The problem and the observation made by the good Senator from Diamond Head crater is correct, but the problem is not the media, particularly the newspaper print media that come to the Capitol. They write the stories. The decision to print the stories and how much of the story to print is in the hands of the editors of those newspapers.

“So if we were and if the Senator from Diamond Head crater had suggested that we amend the amendment to ask to send the editors to training, I think that suggestion was made by President Dobbelle yesterday, then I might be able to support it. And it really did have a real consequence. There was so much coverage of events happening around the world, particularly half way around the world, that most of what this body did, did not receive coverage. We probably would have had a good campaign spending reform law if there had been good coverage.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, S.R. No. 149, entitled: “SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TWENTY-SECOND LEGISLATURE, REGULAR SESSION OF 2003,” was adopted, with Senator Slom voting “No.”

No. 150 “SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK’S DESK.”

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 150 was adopted.

No. 151 “SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY.”

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 151 was adopted.

No. 152 “SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE.”

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 152 was adopted.

No. 153 “SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT.”

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 153 was adopted.

No. 154 “SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWENTY-SECOND LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF.”

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 154 was adopted.

No. 155 “SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE.”

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 155 was adopted.

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

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

“Mr. President, it is very gratifying to see how much our Kahaluu/Laie communities really care about fighting back against drug use by coordinating a massive anti-drug sign waving campaign tomorrow afternoon along Kamehameha Highway.

“Mr. President, there are very few families that have not been negatively impacted in some way by the growing proliferation of drug use, particularly crystal meth or ice. The Honolulu Police Department reports that over 50 percent of all individuals arrested test positive for ice, a statistic that places us first among cities in the United States in this category.

“As we all know, Mr. President, the drug issue affects not only the Windward side. The impact of drug use affects all of us, no matter where in the state it occurs.

“Consequently, Mr. President and I, with the support of the Lt. Governor, will be focusing our coordinated efforts on a new anti-drug legislation during the off season with the formation of a new legislative anti-drug caucus. We will be working with other Legislators, law enforcement, various city and state agencies, schools and communities to form a consensus on legislation to be drafted and introduced in the next Session. By starting early, we can approach next year’s Session with an agenda that will have broad support and much greater chance of passage.

“We will be looking at all facets of the problem, including prevention, education, enforcement, treatment, and corrections as a comprehensive package. There is no single solution to this

problem. It must be attacked at all levels if we are to succeed. And we must continue to work together to form a strong coalition in the interim period before the next Session.

“Colleagues, I ask all of you to join us in our efforts to achieve a drug-free Hawaii state.

“Thank you, Mr. President.”

At 5:07 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:09 o’clock p.m.

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

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

“Mr. President, we’ve had a very interesting Session and one that has been very smooth in many ways, very different from what we’ve experienced in the past. I want to just take a very brief moment to express my gratitude to the members of the Senate, of this body, for making this a very fulfilling experience for me, and for moving forward with many good ideas and many good pieces of legislation. We’ve worked hard together. I think we’ve moved forward an agenda that’s very good for the people of Hawaii and we’ve done something very different, and that is, in this particular year, because of the split in the party control of the Legislature and the party control of the executive, we’ve had to actually compromise on many different measures which I think strengthened the measures and made things stronger.

“So, to all of you, I want to say thank you for making this a very special Session for me, and I also want to take a brief moment, Mr. President, to extend my appreciation to my office staff – Beth McKeen, my office manager; En Young, the committee clerk; Jodie Holloway, my scientific advisor; Chris Martelles, Niq Occhipinti, both legislative aides; and of course Auntie Libby Kimball, who cooked for us and kept us all well fed throughout the Session.

“Thank you, members, aloha.”

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

“Mr. President, point of personal privilege.

“I’d like to echo what our pastor from Kauai said this afternoon about how Senate administration is working together on education. I know that’s something that each of us in our districts have concerns with, and if you look at one of the publications, they list the various schools saying top five, bottom five, and certainly that is the reality. But I’d like, as your Chair of Education, to work with our body, hopefully with the House, hopefully with the administration and continue to work to what’s best for all of our children.

“As you know, Mr. President, interim, some people rest, but education deserves no rest. We need to work through the summer on this one, Mr. President. So I ask for everybody to give their ideas on how we can best work together.

“Thank you.”

Senator Hogue rose on a point of personal privilege as follows:

“Mr. President, I also rise on a point of personal privilege and I want to pick up on the thought about working throughout the interim.

“I appreciate how hard everyone worked here during this particular Session. I know some of the arguments got emotional. Words were flung out there, and I just want to let all of you know that I respect you even if I disagree with you vehemently on those particular issues in which sometimes I got very emotional on.

“Interim is a time to work for our constituents. I know that the Senate President and others have worked very hard to rid the waterways of *Salvinia molesta*, and I can tell you, Mr. President, I know Lake Wilson looks a lot better, so does Kawai Nui Marsh, but the problem still does exist and I hope that we can work together with the administration to get our waterways clean.

“Then there is another measure that many of you may have seen and I know that I will fight very hard for my constituents on the Windward side, and these are these evil rumble strips that suddenly have appeared on the Pali Highway that are just absolutely ripping apart my car and other drivers as well. So hopefully, we can get these rumble strips off of Pali Highway. Goodness sakes, it almost appears that they’re worse than the van cams. So we’re going to start up a fight here against these rumble strips. I don’t know what the DOT is thinking here. We’ll work with the administration and hopefully we can get that policy reduced. Certainly we want to protect pedestrians. I believe in that, but I’m not sure that rumble strips is really the way to go.

“So, with that in mind, we’ll work for the constituents during the interim and thank you very much for all of your attention and your hard work throughout this Session, colleagues.

“Thank you, Mr. President.”

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

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

“I just wanted to briefly offer my thanks and aloha to all the members. As a freshman Senator . . . I don’t know, how long are you a freshman? Next Session am I still a freshman?”

The President replied:

“No, you’re a sophomore.” (Laughter.)

Senator Hooser continued:

“As a person new to this body and not having known very many of you at all before this, I want to say that it’s an honor and a privilege to have served with all of you. I’m impressed and will take that message home. When people talk about the people serving here, I know firsthand that it’s good people that serve.

“I want to especially thank the Chairpersons of the four Committees that I sat on – the Chairman of Education, I appreciate the help and support; the Chairman of Ways and Means, the Energy and Environment, and I have to say my favorite Chair, the Chair of Human Services. It’s again an honor to serve with people as dedicated to service as these people.

“I look forward to working with all of you in the interim and working with you next Session, so, thank you.”

Senator Hemmings rose on a point of personal privilege as follows:

“Mr. President, I rise on a point of personal privilege. I think it may be appropriate for me to share a few remarks on behalf of your Minority before you close the Session.

“On behalf of your loyal opposition, your Minority Republicans, we do recognize the work of the talented people that serve us here at the Legislature, certainly the Senate Clerk’s Office, the Sergeant-at-Arms, the Legislative Reference Bureau, our research offices. We all know they’re not here strictly for the pay because when you add up the total amount of work they do as compared to their pay, they work almost at minimum wage. And we do want to appreciate and send our thank you to all of them for this Session and for the work they do for all the people of Hawaii.

“Obviously, people who spoke before me had some personal points and some strategic, tactical points to make. I’d like to just address the bigger picture – what did the people of Hawaii get out of this Legislature? And I think it’s important for us to assess what we’ve done so that we can improve on it in the future.

“On opening day we expressed a great concern for the single biggest issue facing the State of Hawaii, and in my opening remarks I pointed out that, in our opinion, was the budget. There was a dark cloud hanging over the State of Hawaii. Some may say that the silver lining of that dark cloud was that the Legislature didn’t have any money to institute new programs so the people of Hawaii were relatively safe.

“Nevertheless, this Legislature, to its credit, did show some restraint. Some could question, was it by desire or was it by desperation? But we did show restraint and we did reduce the projected increase in spending, although the budget is going up. But it was noted intelligently the other night it’s going up because of previously agreed upon collective bargaining costs.

“The Senate had some real bright spots that I think all of us can be proud of and they were bright spots in the bipartisan cooperation that we had on several initiatives. Probably the brightest was that the Governor sent down an effort which we supported to amend Act 221 to take away the exploitation of certain tax credits. I really lament that the House did not follow our leadership on that issue.

“Nevertheless, we did balance the budget without increasing taxes on the working men and women of Hawaii and this does represent a slight change in business as usual. It can be told to the people of Hawaii that the ship of state that has been steaming in one direction of tax and spend for over 40 years now is starting to slow down and possibly turning in a new direction.

“In the area of education reform, we all recognized it was supposed to be our number one priority. But the truth of the matter is there was no substantive change to the way that the people of Hawaii are forced to educate their children in the public education system. The mantra remains the same – let’s give education more money and it will get better – when the evidence is quite to the contrary.

“A bright spot in which I do want to extend accolades on behalf of our caucus to the Majority Party and the Education Committee Chair was that they did recognize the need to strengthen chartered schools and our charter school bill is a modest step in that direction.

“The people of Hawaii wanted to have more confidence in us. They wanted true campaign reform. They wanted to believe that the prior sad instances of people being indicted and sent to jail for abuse was going to be put to a stop by strong and workable laws. Unfortunately, we’ve just seen that has failed.

“We had a number of initiatives that your loyal opposition wished to address this Session. Some of which we think are important, like amending the way the PUC does business so that we no longer have government induced monopolies that plague the consumers of Hawaii. We generally think the day will come when we can use the concept we do with tax credits with taxes in general. We’ll come back every year, Mr. President, and hope that we can stop taxing the sick and the hungry. Those initiatives obviously have fallen by the wayside.

“A bright spot, and something we can all be proud of in spite of the sad debate the other night, is that we have put in place tremendous leaders in the executive branch of government, people that got bipartisan support that I personally was extremely proud of. I was extremely proud of your Committee Chairmen who stood up and heaped praise on these people. I’m also extremely proud of the Governor for nominating them and, more importantly, for those individuals who stepped forward in many cases and took a tremendous pay cut to serve the people of this State. Their integrity, their knowledge, and their abilities to get the job done, I believe, will serve us all well.

“In closing, Mr. President, people could say that this Legislature was faced with a daunting task. In certain instances we met it. Others will say we failed to make major reform. I, you, or any one individual will not be the judge of that over the next year. The experience and the impact of what we’ve done and failed to do will speak louder than my words. But we, your Republicans, are optimistic. We’ve enjoyed working with you, Mr. President, and each one of your Committee Chairs in honestly trying to do the best we can for those who toil in the private sector and in the public sector to try to make Hawaii a better place.

“I do want to say, on behalf of myself, that at times when we had to disagree, sometimes vehemently, on certain principles and issues, that it was nothing personal. It has to do with what we believe in our heart and our intellect to be the best for those who we serve.

“We see the sun always coming up on a better day and we wish to extend to the Majority Party our aloha and we hope to work with you in the interim and we hope to come back next year and continue down the path of a new beginning.

“Thank you, Mr. President.”

The President then delivered his closing remarks as follows:

“Fellow Senators, from my position at this podium, I think I’ve had an opportunity to hear it all. But thankfully I have not had much opportunity to add to the discussions as the rest of you have, but my contribution to you and to this body was of a different nature. I chose not to limit the debate, not to cut short discussions, not to use rules as tools of censorship. I truly believe in giving everyone a chance to speak their mind. But to be honest with you, I must say that there were times when I felt otherwise. (Laughter.)

“It’s been an eventful 60 days, almost more for what’s been happening outside these Chambers than within, and since we’ve convened in January, the nation has gone to war with Iraq and now faces the difficult task of rebuilding. We’re in the midst of an epidemic, the spread of which may be slowing but is still causing fear and apprehension among our Asian and Pacific

neighbors, not to mention our own Chinatown just a few blocks away.

“While the full impacts of war and SARS on Hawaii are still unknown and won’t be known until the Council of Revenues meets later on this month, our deliberations this year were greatly influenced by continuing uncertainty over the future of our economy, and more specifically our tax revenues.

“The budget situation really loomed at large this year, as did last year, and seemed to dominate much of what we did or couldn’t do. But despite nagging financial concerns, I think we managed to balance the budget while preserving vital support for public education and human services.

“I’d like to thank Chair Taniguchi for his support of Leadership’s agenda, which was to focus in on education. Our need for fiscal restraint meant disappointment for many, including those of us here today. Everything from education to school repairs to grants-in-aids, long awaited capital improvements were sort of left out of the budget.

“Time constraints, on the other hand, enabled us to consider only a few hundred of the 1,700 bills we introduced in the Senate and to approve at Session’s end maybe about 250 of those. Those of us who have been in office for awhile have come to the realization that progress is slow and incremental, rather than immediate and sweeping. I know some of the freshman really wanted it right now.

“For example, in my opening day speech I had called for us to consider replacing our aging Aloha Stadium with something that would enable us to stimulate and support the sports industry. That was before we learned that the stadium needed \$40 million in repairs and another \$3 million in annual maintenance. While we won’t be breaking ground here shortly or tomorrow, we have approved \$300,000 for a thorough examination of the stadium and the feasibility for repairing or replacing it and hope the university, as the major tenant, will help in this effort.

“Also, I called for us to revisit mass transit options for Oahu. This is really out of frustration of the rush hour gridlock that we all experience out that way. The Legislature has approved a bill to have the state, city, and OMPO to work together on evaluating the potential of a system linking major population centers on this island. Governor Lingle has also been meeting regularly – I’ve been a part of it and Senator Kawamoto has been part of it – to look at these solutions to the traffic problems. I hope that their combined effort with ours will keep the idea alive and eventually result in some realistic solutions to our traffic and commuting needs.

“We will also begin to prepare for the 2004 legislative agenda to support and stimulate the continued growth of agriculture in the State of Hawaii. As I said on opening day, agriculture must remain a vital part of our economy and our economic development goals.

“You may also recall my controversial call for mandatory drug testing of students. Well, no legislation really resulted, but the idea continues to draw attention and not a week goes by without having a report of a crystal meth arrest or another outraged community like Kahaluu rising in protest. A recent Department of Health survey revealed that ice use is declining among high school seniors, but ecstasy use has increased in that 11,000 students from grades 6-12 – and you know that’s one in ten – are in need of treatment for substance abuse problems.

“The Senate will soon begin interim work with the Office of the Lt. Governor and law enforcement, public education and

health officials on plans to really try to tackle this critical problem. The same goes for education, as Senator Sakamoto indicated.

“The House and Senate entertained many proposals for educational governance this year and Governor Lingle had her own recommendations. We worked long and hard to come up with a mutually accepted answer to the question, including whether the solution was a constitutional amendment for seven districts, as the Governor had really proposed.

“Midway through the Session we heard from William Ouchi who was invited to Hawaii by the Governor and who told us that spending per pupil was a far more influential factor in educational success than local school boards. So rather than prove a hastily drawn proposal or pass out a constitutional amendment that neglected to provide any details on how this revamped system could work, we actually erred on the side of caution and hope that the Education Committee Chairs and Governor, school administrators, and others will hammer out the details during the interim. In the meantime, we’ve approved a plan to apportion funding by school complex areas in keeping with the current goals of the superintendent and the board of education.

“We succeeded in crafting a number of important bills in the two-year budget that will meet the needs of the people of the State of Hawaii. And yes, by the way, we also were experiencing the growing pains of working with our new Governor and her cabinet. I really commend the Chairs on holding confirmation hearings for the 161 cabinet and board and commission nominees, nearly all of them during the most hectic time of the Session. We managed to confirm 159 appointments. This is an outstanding record, thanks to your diligence, your thoroughness, and abiding belief in the advise and consent process that was entrusted to you.

“I would like to express my gratitude to the Senate Leadership and to the Committee Chairs who have the unenviable task of identifying bills that touch issues of concerns to all of the constituencies. Here in the Senate we saw an unprecedented degree of cooperation among members and between parties. This is an accomplishment I really attribute to all of you.

“I would also like to acknowledge the contributions of the Senate support staff. Paul, thank you very much, and Carol. I’d like to thank Susan Claveria and her staff – they really did a fantastic job this Session.

“Much work really awaits us in the months before we reconvene next January. What we began this year should inspire us to build on our ideas, strengthen our networks and alliances, and plan for the future of our State.

“Thanks for listening. Thanks again for the privilege of leading the Senate through another exciting and successful 60 days.

“Mahalo and aloha.”

At 5:33 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:53 o’clock p.m.

ADJOURNMENT

Senator Kawamoto moved that the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of

2003, adjourn Sine Die, seconded by Senator Hogue and carried.

At 5:54 o'clock p.m., the President rapped his gavel and declared the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, adjourned Sine Die.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 478, informing the Senate that on April 30, 2003, she signed into law House Bill No. 78 as Act 36, entitled: "RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Gov. Msg. No. 479, informing the Senate that on April 30, 2003, she signed into law House Bill No. 754 as Act 37, entitled: "RELATING TO ELECTIONS BY MAIL."

Gov. Msg. No. 480, informing the Senate that on April 30, 2003, she signed into law House Bill No. 772 as Act 38, entitled: "RELATING TO BONDS."

Gov. Msg. No. 481, informing the Senate that on April 30, 2003, she signed into law House Bill No. 773 as Act 39, entitled: "RELATING TO BONDS."

Gov. Msg. No. 482, informing the Senate that on April 30, 2003, she signed into law Senate Bill No. 363 as Act 40, entitled: "RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY."

Gov. Msg. No. 483, informing the Senate that on April 30, 2003, she signed into law Senate Bill No. 1139 as Act 41, entitled: "RELATING TO FAMILY COURT."

Gov. Msg. No. 484, informing the Senate that on April 30, 2003, she signed into law Senate Bill No. 1154 as Act 42, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Gov. Msg. No. 485, informing the Senate that on April 30, 2003, she signed into law Senate Bill No. 1413 as Act 43, entitled: "RELATING TO KIKALA-KEOKEA."

Gov. Msg. No. 486, informing the Senate that on April 30, 2003, she permitted the following measure to become law without her signature:

House Bill No. 389 as Act 44, entitled: "RELATING TO FAMILY LEAVE."

Gov. Msg. No. 487, informing the Senate that on May 5, 2003, she signed into law Senate Bill No. 88 as Act 45, entitled: "RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL."

Gov. Msg. No. 488, informing the Senate that on May 5, 2003, she signed into law Senate Bill No. 1405 as Act 46, entitled: "RELATING TO COMMERCIAL DRIVER LICENSING."

Gov. Msg. No. 489, informing the Senate that on May 7, 2003, she signed into law Senate Bill No. 538 as Act 47, entitled: "RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION."

Gov. Msg. No. 490, informing the Senate that on May 7, 2003, she signed into law Senate Bill No. 1107 as Act 48, entitled: "RELATING TO CHAPTER 711, HAWAII REVISED STATUTES."

Gov. Msg. No. 491, informing the Senate that on May 7, 2003, she signed into law Senate Bill No. 1255 as Act 49, entitled: "RELATING TO AGRICULTURAL INSPECTIONS."

Gov. Msg. No. 492, informing the Senate that on May 7, 2003, she signed into law Senate Bill No. 1306 as Act 50, entitled: "RELATING TO TELECOMMUNICATIONS RELAY SERVICES."

Gov. Msg. No. 493, informing the Senate that on May 12, 2003, she signed into law Senate Bill No. 1261 as Act 51, entitled: "RELATING TO PROCUREMENT CARD PAYMENTS."

Gov. Msg. No. 494, informing the Senate that on May 12, 2003, she signed into law Senate Bill No. 1262 as Act 52, entitled: "RELATING TO PROCUREMENT."

Gov. Msg. No. 495, informing the Senate that on May 13, 2003, she signed into law Senate Bill No. 373 as Act 53, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES."

Gov. Msg. No. 496, informing the Senate that on May 13, 2003, she signed into law Senate Bill No. 42 as Act 54, entitled: "RELATING TO WATERCRAFT."

Gov. Msg. No. 497, informing the Senate that on May 13, 2003, she signed into law Senate Bill No. 1077 as Act 55, entitled: "RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES."

Gov. Msg. No. 498, informing the Senate that on May 14, 2003, she signed into law Senate Bill No. 1361 as Act 56, entitled: "RELATING TO PRESCRIPTION DRUGS."

Gov. Msg. No. 499, informing the Senate that on May 15, 2003, she signed into law Senate Bill No. 585 as Act 57, entitled: "RELATING TO STATE FUNDS."

Gov. Msg. No. 500, informing the Senate that on May 15, 2003, she signed into law House Bill No. 1111 as Act 58, entitled: "MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Gov. Msg. No. 501, informing the Senate that on May 16, 2003, she signed into law House Bill No. 1509 as Act 59, entitled: "RELATING TO HISTORIC PRESERVATION."

Gov. Msg. No. 502, informing the Senate that on May 19, 2003, she signed into law Senate Bill No. 931 as Act 60, entitled: "RELATING TO HAWAII VICTIMS LEAVE ACT."

Gov. Msg. No. 503, informing the Senate that on May 19, 2003, she signed into law House Bill No. 1198 as Act 61, entitled: "RELATING TO CHILD LABOR."

Gov. Msg. No. 504, informing the Senate that on May 19, 2003, she signed into law House Bill No. 562 as Act 62, entitled: "RELATING TO SEXUAL ASSAULT."

Gov. Msg. No. 505, informing the Senate that on May 19, 2003, she signed into law House Bill No. 297 as Act 63, entitled: "RELATING TO DRUGS."

Gov. Msg. No. 506, informing the Senate that on May 19, 2003, she signed into law Senate Bill No. 1274 as Act 64, entitled: "RELATING TO MANSLAUGHTER."

Gov. Msg. No. 507, informing the Senate that on May 19, 2003, she signed into law House Bill No. 1116 as Act 65, entitled: "RELATING TO COURTS."

Gov. Msg. No. 508, informing the Senate that on May 19, 2003, she signed into law Senate Bill No. 1275 as Act 66, entitled: "RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS."

Gov. Msg. No. 509, informing the Senate that on May 19, 2003, she signed into law Senate Bill No. 345 as Act 67, entitled: "RELATING TO MOTOR VEHICLES."

Gov. Msg. No. 510, informing the Senate that on May 19, 2003, she signed into law Senate Bill No. 933 as Act 68, entitled: "RELATING TO STALKING."

Gov. Msg. No. 511, informing the Senate that on May 20, 2003, she signed into law Senate Bill No. 1234 as Act 69, entitled: "RELATING TO ALCOHOLIC BEVERAGES."

Gov. Msg. No. 512, informing the Senate that on May 20, 2003, she signed into law House Bill No. 564 as Act 70, entitled: "RELATING TO PROMOTION OF CONTROLLED SUBSTANCES."

Gov. Msg. No. 513, informing the Senate that on May 20, 2003, she signed into law House Bill No. 807 as Act 71, entitled: "RELATING TO CHAPTER 291E."

Gov. Msg. No. 514, informing the Senate that on May 20, 2003, she signed into law House Bill No. 1010 as Act 72, entitled: "RELATING TO THE USE OF INTOXICANTS."

Gov. Msg. No. 515, informing the Senate that on May 20, 2003, she signed into law House Bill No. 192 as Act 73, entitled: "RELATING TO ACCRETED LANDS."

Gov. Msg. No. 516, informing the Senate that on May 20, 2003, she signed into law House Bill No. 1155 as Act 74, entitled: "RELATING TO UNCLAIMED PROPERTY."

Gov. Msg. No. 517, informing the Senate that on May 20, 2003, she signed into law House Bill No. 1212 as Act 75, entitled: "RELATING TO LAND EXCHANGES."

Gov. Msg. No. 518, informing the Senate that on May 20, 2003, she signed into law Senate Bill No. 1075 as Act 76, entitled: "RELATING TO CONTESTED CASES."

Gov. Msg. No. 519, informing the Senate that on May 20, 2003, she signed into law Senate Bill No. 1267 as Act 77, entitled: "RELATING TO TOBACCO."

Gov. Msg. No. 520, letter dated May 20, 2003, informing the Senate of the appointment of John J. Toner to the Hawaii Tourism Authority on an interim basis, effective immediately.

Gov. Msg. No. 521, informing the Senate that on May 21, 2003, she signed into law Senate Bill No. 69 as Act 78, entitled: "RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE."

Gov. Msg. No. 522, informing the Senate that on May 21, 2003, she signed into law House Bill No. 1161 as Act 79, entitled: "RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS."

Gov. Msg. No. 523, informing the Senate that on May 21, 2003, she signed into law Senate Bill No. 394 as Act 80,

entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES."

Gov. Msg. No. 524, informing the Senate that on May 21, 2003, she signed into law House Bill No. 1594 as Act 81, entitled: "RELATING TO NONPROFIT CORPORATIONS."

Gov. Msg. No. 525, informing the Senate that on May 22, 2003, she signed into law House Bill No. 1214 as Act 82, entitled: "RELATING TO PUBLIC LAND LIABILITY."

Gov. Msg. No. 526, informing the Senate that on May 22, 2003, she signed into law Senate Bill No. 1393 as Act 83, entitled: "RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT."

Gov. Msg. No. 527, informing the Senate that on May 22, 2003, she signed into law Senate Bill No. 295 as Act 84, entitled: "RELATING TO MOTOR VEHICLE TOWING."

Gov. Msg. No. 528, informing the Senate that on May 23, 2003, she signed into law Senate Bill No. 1505 as Act 85, entitled: "RELATING TO INVASIVE SPECIES."

Gov. Msg. No. 529, informing the Senate that on May 23, 2003, she signed into law Senate Bill No. 552 as Act 86, entitled: "RELATING TO LANDOWNERS' LIABILITY."

Gov. Msg. No. 530, informing the Senate that on May 23, 2003, she signed into law Senate Bill No. 1630 as Act 87, entitled: "RELATING TO NONPROFIT CORPORATIONS."

Gov. Msg. No. 531, informing the Senate that on May 27, 2003, she signed into law House Bill No. 548 as Act 88, entitled: "RELATING TO ANATOMICAL GIFTS."

Gov. Msg. No. 532, informing the Senate that on May 27, 2003, she signed into law House Bill No. 1076 as Act 89, entitled: "RELATING TO APPELLATE JURISDICTION."

Gov. Msg. No. 533, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 1034 as Act 90, entitled: "RELATING TO AGRICULTURAL LANDS."

Gov. Msg. No. 534, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 1258 as Act 91, entitled: "RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION."

Gov. Msg. No. 535, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 1286 as Act 92, entitled: "RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Gov. Msg. No. 536, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 1281 as Act 93, entitled: "RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Gov. Msg. No. 537, informing the Senate that on May 28, 2003, she signed into law House Bill No. 475 as Act 94, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION."

Gov. Msg. No. 538, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 830 as Act 95, entitled: "RELATING TO CRIMINAL HISTORY RECORD CHECKS."

Gov. Msg. No. 539, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 1496 as Act 96, entitled: "RELATING TO AGRICULTURE."

Gov. Msg. No. 540, informing the Senate that on May 28, 2003, she signed into law House Bill No. 730 as Act 97, entitled: "RELATING TO OCCUPATIONAL THERAPISTS."

Gov. Msg. No. 541, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 1352 as Act 98, entitled: "RELATING TO HOME AND COMMUNITY-BASED SERVICES."

Gov. Msg. No. 542, informing the Senate that on May 28, 2003, she signed into law Senate Bill No. 946 as Act 99, entitled: "RELATING TO CAREGIVER CONSENT."

Gov. Msg. No. 543, informing the Senate that on May 29, 2003, she signed into law Senate Bill No. 377 as Act 100, entitled: "RELATING TO TAXATION."

Gov. Msg. No. 544, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 1050 as Act 101, entitled: "RELATING TO VETERANS RIGHTS AND BENEFITS."

Gov. Msg. No. 545, informing the Senate that on May 30, 2003, she signed into law House Bill No. 662 as Act 102, entitled: "RELATING TO THE HAWAII SPORTS HALL OF FAME."

Gov. Msg. No. 546, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 1373 as Act 103, entitled: "RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS."

Gov. Msg. No. 547, informing the Senate that on May 30, 2003, she signed into law House Bill No. 1285 as Act 104, entitled: "RELATING TO HISTORIC SITES."

Gov. Msg. No. 548, informing the Senate that on May 30, 2003, she signed into law House Bill No. 127 as Act 105, entitled: "RELATING TO GENERAL ASSISTANCE."

Gov. Msg. No. 549, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 1163 as Act 106, entitled: "RELATING TO EMERGENCY MEDICAL SERVICES."

Gov. Msg. No. 550, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 1241 as Act 107, entitled: "RELATING TO CANCER EXAMINATIONS."

Gov. Msg. No. 551, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 205 as Act 108, entitled: "RELATING TO EMPLOYMENT."

Gov. Msg. No. 552, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 687 as Act 109, entitled: "RELATING TO LEAVES OF ABSENCE."

Gov. Msg. No. 553, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 1334 as Act 110, entitled: "RELATING TO THE STATE INTERNET PORTAL."

Gov. Msg. No. 554, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 789 as Act 111, entitled: "RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

Gov. Msg. No. 555, informing the Senate that on May 30, 2003, she signed into law House Bill No. 1607 as Act 112, entitled: "RELATING TO AUTHORIZED EMERGENCY VEHICLES."

Gov. Msg. No. 556, informing the Senate that on May 30, 2003, she signed into law Senate Bill No. 1040 as Act 113, entitled: "RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Gov. Msg. No. 557, informing the Senate that on June 2, 2003, she signed into law House Bill No. 651 as Act 114, entitled: "RELATING TO INFORMED CONSENT."

Gov. Msg. No. 558, informing the Senate that on June 2, 2003, she signed into law House Bill No. 1154 as Act 115, entitled: "RELATING TO UNCLAIMED PROPERTY."

Gov. Msg. No. 559, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 582 as Act 116, entitled: "RELATING TO STATE BONDS."

Gov. Msg. No. 560, informing the Senate that on June 2, 2003, she signed into law House Bill No. 401 as Act 117, entitled: "RELATING TO ELECTIONS."

Gov. Msg. No. 561, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 1309 as Act 118, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Gov. Msg. No. 562, informing the Senate that on June 2, 2003, she signed into law House Bill No. 317 as Act 119, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Gov. Msg. No. 563, informing the Senate that on June 2, 2003, she signed into law House Bill No. 808 as Act 120, entitled: "RELATING TO THE JUDICIARY."

Gov. Msg. No. 564, informing the Senate that on June 2, 2003, she signed into law House Bill No. 1157 as Act 121, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Gov. Msg. No. 565, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 1332 as Act 122, entitled: "RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT."

Gov. Msg. No. 566, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 1333 as Act 123, entitled: "RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT."

Gov. Msg. No. 567, informing the Senate that on June 2, 2003, she signed into law House Bill No. 1165 as Act 124, entitled: "RELATING TO BUSINESS REGISTRATION."

Gov. Msg. No. 568, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 614 as Act 125, entitled: "RELATING TO HEALTH INSURANCE."

Gov. Msg. No. 569, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 1201 as Act 126, entitled: "RELATING TO MOTOR VEHICLE FRANCHISES."

Gov. Msg. No. 570, informing the Senate that on June 2, 2003, she signed into law Senate Bill No. 1403 as Act 127, entitled: "RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME-RELATED USES."

Gov. Msg. No. 571, informing the Senate that on June 3, 2003, she signed into law House Bill No. 1163 as Act 128, entitled: "RELATING TO DENTAL INSURANCE."

Gov. Msg. No. 572, informing the Senate that on June 3, 2003, she signed into law House Bill No. 1160 as Act 129, entitled: "RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT."

Gov. Msg. No. 573, informing the Senate that on June 3, 2003, she signed into law Senate Bill No. 1410 as Act 130, entitled: "RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR."

Gov. Msg. No. 574, dated June 6, 2003, transmitting the proclamation and her statement of objections to Senate Bill No. 44 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 6, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 44

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 44, entitled 'A Bill for an Act Relating to Transportation.'

The purpose of Senate Bill No. 44 is to ensure that economic relief is provided to airport concessionaires, either in an amount agreed to in negotiations between the State Department of Transportation (the 'State') and the concessionaires or as mandated by this bill.

This bill is fiscally irresponsible and philosophically objectionable for a number of reasons. First, it implies that each and every concessionaire is deserving of more relief than is likely to be agreed to by the State in separate arms-length negotiations with each concessionaire. While it is true and proper that the State will always put the interests of the public ahead of those of concessionaires, this does not mean that the State would be unreasonable or shortsighted in negotiating agreements. This bill implies the opposite.

Second, this bill essentially mandates open-ended relief that could easily exceed \$100 million, with the bulk of that relief going to a single airport concessionaire, DFS Group L.P. ('DFS'), who holds the statewide in-bond concession and the retail concessions at Honolulu International Airport and Kona International Airport at Keahole. It is relevant that the State has a lawsuit pending against DFS, alleging that DFS fraudulently transferred significant sums of moneys to its corporate parent at a time when DFS owed the State tens of millions of dollars. Such a transfer to its controlling shareholder is highly relevant because DFS subsequently claimed to be financially unable to pay amounts due to the State, and then threatened to declare bankruptcy if the State attempted to enforce its contract with DFS.

The State and DFS are presently discussing a possible settlement of this lawsuit. A few weeks ago, DFS made a \$25 million payment, meeting one of the preconditions for these discussions. If Senate Bill No. 44 were to become law, it would dramatically and adversely affect these discussions. Based on DFS' original position, the State anticipates that DFS would, at a minimum, either demand return of the \$25 million payment, or insist that the State forgive most of DFS' back rent obligation, as if the State had guaranteed that DFS would never lose money.

Third, the mandated open-ended relief required by this bill poses an unacceptable threat to the continued viability of the State's airport system. It would make it impossible for the State to guarantee the financial integrity of the airport revenue fund. This, in turn, could result in sanctions by the Federal Aviation Administration and in potential violations of agreements with the State's bondholders.

Fourth, this bill singles out a tiny number of businesses for an unprecedented amount of economic relief. While the events of September 11, 2001, and resulting changes in our society certainly have had a big impact on airport concessionaires, they are not alone. It would be inherently unfair for the State to provide tens of millions of dollars, or more, in relief to such a narrow group of affected businesses.

Fifth, this bill would have the airport system's primary mission be one of serving the concessionaires rather than serving the public. While the State has no desire to put any existing concessionaire out of business, it would be wrong to make that the primary goal of negotiations. That is exactly what this bill would do.

Sixth, many of the terms of this bill are vague, ambiguous, or even inconsistent. Deciphering the rights and entitlements of the airport concessionaires and ensuring that all of the relief mechanisms are properly followed would be an administrative nightmare. For example, it is difficult to understand and harmonize the subsections within section 4 of the bill, as well as discern how section 4 would be applied in conjunction with other sections such as section 5. It appears that under section 4 of the bill, those concessions that receive relief under section 5 of the bill could potentially receive substantial additional relief over and above the relief mandated under section 5.

Section 4 of the bill provides that, if cancellation or modification of the contract cannot be agreed to within sixty days, 'a party may seek relief through the courts.' But this bill also states, '[t]he concessionaire shall have no right to make any claims against the State due to such cancellation.' Inconsistencies like this one would virtually guarantee the need for expensive litigation to sort out the controlling rule.

Further, under sections 1 and 4 of this bill, the State would have to negotiate relief with any concessionaires that had contracts as of January 1, 2003, which would include at least two concessionaires whose contracts have since been terminated and are no longer airport tenants.

Also of note is that under section 5 of this bill, one concession could potentially continue receiving mandated 'break-even no profit' relief through 2008.

While section 7 seems to be intended to prevent concessionaires receiving relief under section 5 from receiving duplicate relief or benefits, it is unclear what such concessionaires could receive or what the State would be required to do or negotiate if an event similar to September 11, 2001, were to occur in the future.

Based on sections 3, 4, and 5 of the bill, the State could easily find itself caught in an unending cycle of renegotiations with no ability to determine whether and to what extent relief should be granted.

Seventh, under section 5 of the bill, if, for example, the State is unable to reach agreement with a concessionaire who had previously received relief under Act 15, Third Special Session Laws of Hawaii 2001, the State must either: (1) terminate the contract, give up any right to claim the concessionaire's performance bond, and give up the right to collect most (if not all) of any back rent amounts or (2) permit a court-appointed certified public accountant to determine the amount of relief the State must provide to the airport concession.

Preventing the State from calling upon the very security it obtained to ensure that each concessionaire completed performance under each respective contract would be unwise and extremely detrimental to the State. For example, the performance bonds provided by DFS alone to secure its performance add up to approximately \$50 million.

Eighth, as a property owner and lessor, the State should have the discretion to determine if relief is warranted and at what level. These rights are basic to any property owner or lessor. The bill denies these rights to the State.

Ninth, and particularly troubling, is the tenor of distrust that runs through this bill. Without having given this administration a meaningful opportunity to work with the concessionaires, some legislators may have assumed or already concluded that this administration cannot be trusted to negotiate settlements that are fair and reasonable, and in the best interests of all of the people of Hawaii.

Tenth, and most troubling of all, is the possibility that this bill was motivated by a fear that the administration would indeed put the best interests of all of the people of this State ahead of all other interests. Under this bill, the airport concessions seemingly are guaranteed relief regardless of the impact on the public or the State's ability to operate the state airport system. To the extent that this bill reflects narrow-minded favoritism of a single special-interest group over the interests of the public, that alone is reason enough to veto it.

For the foregoing reasons, I am returning Senate Bill No. 44 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 44, entitled 'A Bill for an Act Relating to Transportation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 44 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 44 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 6th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 575, informing the Senate that on June 4, 2003, she signed into law House Bill No. 75 as Act 131, entitled: "RELATING TO CONDOMINIUMS."

Gov. Msg. No. 576, informing the Senate that on June 4, 2003, she signed into law House Bill No. 1328 as Act 132, entitled: "RELATING TO THE CONSUMER ADVOCATE."

Gov. Msg. No. 577, informing the Senate that on June 4, 2003, she signed into law House Bill No. 736 as Act 133, entitled: "RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES."

Gov. Msg. No. 578, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1312 as Act 134, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Gov. Msg. No. 579, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1395 as Act 135, entitled: "RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS."

Gov. Msg. No. 580, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1400 as Act 136, entitled: "RELATING TO TAX ADMINISTRATION."

Gov. Msg. No. 581, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1438 as Act 137, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 582, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1439 as Act 138, entitled: "MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."

Gov. Msg. No. 583, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1440 as Act 139, entitled: "RELATING TO COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 584, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1441 as Act 140, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 585, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1442 as Act 141, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 586, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1443 as Act 142, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 587, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 1444 as Act 143, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Gov. Msg. No. 588, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 975 as Act 144, entitled: "RELATING TO GOVERNMENT."

Gov. Msg. No. 589, informing the Senate that on June 4, 2003, she signed into law House Bill No. 324 as Act 145, entitled: "RELATING TO DRIVER LICENSING."

Gov. Msg. No. 590, informing the Senate that on June 4, 2003, she signed into law House Bill No. 980 as Act 146, entitled: "RELATING TO CIVIL SETTLEMENTS."

Gov. Msg. No. 591, informing the Senate that on June 4, 2003, she signed into law House Bill No. 10 as Act 147, entitled: "RELATING TO PUBLIC UTILITIES."

Gov. Msg. No. 592, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 837 as Act 148, entitled: "RELATING TO WORKFORCE DEVELOPMENT."

Gov. Msg. No. 593, informing the Senate that on June 4, 2003, she signed into law House Bill No. 135 as Act 149, entitled: "RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS."

Gov. Msg. No. 594, informing the Senate that on June 4, 2003, she signed into law House Bill No. 287 as Act 150, entitled: "RELATING TO PUBLIC EMPLOYEES."

Gov. Msg. No. 595, informing the Senate that on June 4, 2003, she signed into law House Bill No. 1217 as Act 151, entitled: "RELATING TO CONTROLLED SUBSTANCES."

Gov. Msg. No. 596, informing the Senate that on June 4, 2003, she signed into law House Bill No. 1303 as Act 152, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Gov. Msg. No. 597, informing the Senate that on June 4, 2003, she signed into law House Bill No. 1465 as Act 153, entitled: "RELATING TO INTOXICATING LIQUOR."

Gov. Msg. No. 598, informing the Senate that on June 4, 2003, she signed into law Senate Bill No. 528 as Act 154, entitled: "RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS."

Gov. Msg. No. 599, informing the Senate that on June 5, 2003, she signed into law House Bill No. 139 as Act 155, entitled: "RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Gov. Msg. No. 600, informing the Senate that on June 14, 2003, the Lt. Governor signed into law Senate Bill No. 1423 as Act 156, entitled: "RELATING TO A COMMISSION ON FATHERHOOD."

Gov. Msg. No. 601, informing the Senate that on June 16, 2003, she signed the following bills into law:

House Bill No. 485 as Act 166, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU'OLI SCHOOL";

House Bill No. 488 as Act 167, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE";

House Bill No. 939 as Act 168, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL";

House Bill No. 1362 as Act 169, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL"; and

House Bill No. 1564 as Act 170, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY."

Gov. Msg. No. 602, informing the Senate that on June 16, 2003, she signed the following bills into law:

House Bill No. 377 as Act 157, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 378 as Act 158, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 379 as Act 159, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 380 as Act 160, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 381 as Act 161, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 382 as Act 162, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES";

House Bill No. 383 as Act 163, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES"; and

House Bill No. 384 as Act 164, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Gov. Msg. No. 603, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1068 as Act 165, entitled: "RELATING TO HEALTH CARE FACILITIES."

Gov. Msg. No. 604, informing the Senate that on June 16, 2003, she signed into law House Bill No. 731 as Act 171, entitled: "RELATING TO WORKERS' COMPENSATION."

Gov. Msg. No. 605, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1394 as Act 172, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Gov. Msg. No. 606, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1397 as Act 173, entitled: "RELATING TO SIMPLIFIED TAX ADMINISTRATION."

Gov. Msg. No. 607, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1446 as Act 174, entitled: "RELATING TO TECHNOLOGY."

Gov. Msg. No. 608, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 3 as Act 175, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC."

Gov. Msg. No. 609, informing the Senate that on June 16, 2003, she signed into law House Bill No. 645 as Act 176, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC."

Gov. Msg. No. 610, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1279 as Act 177, entitled: "RELATING TO TOBACCO."

Gov. Msg. No. 611, informing the Senate that on June 16, 2003, she signed into law House Bill No. 1152 as Act 178, entitled: "RELATING TO STATE FUNDS."

Gov. Msg. No. 612, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1311 as Act 179, entitled: "RELATING TO SPECIAL FUNDS."

Gov. Msg. No. 613, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1051 as Act 180, entitled: "RELATING TO PERSONAL TRANSPORTATION."

Gov. Msg. No. 614, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 402 as Act 181, entitled: "RELATING TO MEDICAL EDUCATION."

Gov. Msg. No. 615, informing the Senate that on June 16, 2003, she signed into law House Bill No. 130 as Act 182, entitled: "RELATING TO PENSION AND RETIREMENT SYSTEMS."

Gov. Msg. No. 616, informing the Senate that on June 16, 2003, she signed into law House Bill No. 1300 as Act 183, entitled: "RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."

Gov. Msg. No. 617, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1594 as Act 184, entitled: "RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."

Gov. Msg. No. 618, informing the Senate that on June 16, 2003, she signed into law Senate Bill No. 1492 as Act 185, entitled: "RELATING TO ASSISTED LIVING FACILITIES."

Gov. Msg. No. 619, informing the Senate that on June 16, 2003, she signed into law House Bill No. 320 as Act 186, entitled: "RELATING TO RISK MANAGEMENT."

Gov. Msg. No. 620, informing the Senate that on June 17, 2003, she signed into law House Bill No. 1175 as Act 187, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION."

Gov. Msg. No. 621, informing the Senate that on June 17, 2003, she signed into law House Bill No. 281 as Act 188, entitled: "RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE."

Gov. Msg. No. 622, informing the Senate that on June 17, 2003, she signed into law Senate Bill No. 337 as Act 189, entitled: "RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES."

Gov. Msg. No. 623, informing the Senate that on June 17, 2003, she signed into law Senate Bill No. 617 as Act 190, entitled: "RELATING TO CRIMINAL OFFENSES."

Gov. Msg. No. 624, informing the Senate that on June 17, 2003, she signed into law House Bill No. 1361 as Act 191, entitled: "RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM."

Gov. Msg. No. 625, informing the Senate that on June 18, 2003, she signed into law Senate Bill No. 637 as Act 192, entitled: "RELATING TO MISSING CHILDREN."

Gov. Msg. No. 626, informing the Senate that on June 18, 2003, she signed into law House Bill No. 638 as Act 193, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Gov. Msg. No. 627, informing the Senate that on June 18, 2003, she signed into law House Bill No. 373 as Act 194, entitled: "RELATING TO POLITICAL SPEECH."

Gov. Msg. No. 628, dated June 20, 2003, transmitting the proclamation giving notice of her plan to return with her objections Senate Bill No. 1305, which reads as follows:

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1305, entitled 'A Bill for an Act Relating to State Funds,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto any specific item or items in any bill that appropriates money for specific purposes by striking out or reducing the same; and

WHEREAS, Senate Bill No. 1305 appropriates money for specific purposes and certain appropriation items in that bill are unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1305 with my objections to certain appropriations

items contained therein, to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 629, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections Senate Bill Nos. 41, 255, 740, 1088, 1135 and 1462, which read as follows:

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 41, entitled 'A Bill for an Act Relating to Public Contracts,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 41 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 41 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 255, entitled 'A Bill for an Act Relating to Agriculture,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 255 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate

Bill No. 255 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 740, entitled 'A Bill for an Act Relating to Health,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 740 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 740 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1088, entitled 'A Bill for an Act Relating to Long-Term Care,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1088 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1088 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1135, entitled 'A Bill for an Act Relating to Court Fees,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1135 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1135 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1462, entitled 'A Bill for an Act Relating to the Hawaii Tourism Authority,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1462 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1462 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 630, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections Senate Bill No. 58 and House Bill No. 1230, which read as follows:

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 58, entitled 'A Bill for an Act Relating to School Repair and Maintenance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto any specific item or items in any bill that appropriates money for specific purposes by striking out or reducing the same; and

WHEREAS, Senate Bill No. 58 appropriates money for specific purposes and a certain appropriation item in that bill is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 58 with my objections to a certain appropriation item contained therein, to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1230, entitled 'A Bill for an Act Relating to Transportation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto any specific item or items in any bill that appropriates money for specific purposes by striking out or reducing the same; and

WHEREAS, House Bill No. 1230 appropriates money for specific purposes and certain appropriation items in that bill are unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to

the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1230 with my objections to certain appropriation items contained therein, to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 631, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections Senate Bill Nos. 464 and 474; and House Bill Nos. 298 and 531, which read as follows:

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 464, entitled 'A Bill for an Act Relating to Implementation of a Fixed Rail Transit System,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 464 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 464 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 474, entitled 'A Bill for an Act Relating to the Auditor,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 474 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 474 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 298, entitled 'A Bill for an Act Relating to Correctional Facilities,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 298 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 298 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 531, entitled 'A Bill for an Act Relating to Public Employees,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 531 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House

Bill No. 531 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 632, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections Senate Bill Nos. 209, 319, 534, 540, 576, 658 and 745, which read as follows:

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 209, entitled 'A Bill for an Act Relating to Public Employment,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 209 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 209 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 319, entitled 'A Bill for an Act Relating to Counties,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 319 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate

Bill No. 319 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 534, entitled 'A Bill for an Act Relating to Agriculture,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 534 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 534 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 540, entitled 'A Bill for an Act Making an Appropriation for Agricultural Research and Development,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 540 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 540 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th

day of June, 2003.

Governor of Hawaii”

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 576, entitled ‘A Bill for an Act Relating to the University of Hawaii,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 745, entitled ‘A Bill for an Act Relating to Emergency Medical Services,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 576 is unacceptable to the Governor of the State of Hawaii;

WHEREAS, Senate Bill No. 745 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 576 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 745 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

Gov. Msg. No. 633, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections House Bill Nos. 29, 290, 293, 640 and 1013, which read as follows:

“P R O C L A M A T I O N

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 658, entitled ‘A Bill for an Act Relating to Emergency Contraceptives for Sex Assault Survivors in Emergency Rooms,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 29, entitled ‘A Bill for an Act Relating to Meal Breaks,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 658 is unacceptable to the Governor of the State of Hawaii;

WHEREAS, House Bill No. 29 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 658 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 29 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE

/s/ Linda Lingle
LINDA LINGLE

Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 290, entitled ‘A Bill for an Act Relating to Unemployment,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 290 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 290 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 293, entitled ‘A Bill for an Act Relating to the Farmers’ Market,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 293 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 293 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 640, entitled ‘A Bill for an Act Making an Appropriation for the Loss Mitigation Grant Program,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 640 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 640 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1013, entitled ‘A Bill for an Act Relating to Examinations for the Determination of Permanent Impairment,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1013 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1013 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

Gov. Msg. No. 634, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections Senate Bill Nos. 38 and 1460; and House Bill Nos. 282, 993 and 1613, which read as follows:

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 38, entitled 'A Bill for an Act Relating to the Hawaii Tourism Authority,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 38 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 38 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1460, entitled 'A Bill for an Act Relating to Contracts Entered Into by the Hawaii Tourism Authority,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1460 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1460 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 282, entitled 'A Bill for an Act Relating to the Auditor,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 282 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 282 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 993, entitled 'A Bill for an Act Relating to Reconstructed Vehicles,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 993 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 993 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1613, entitled 'A Bill for an Act Relating to North Kohala,' passed by the Legislature, was

presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1613 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1613 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 635, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections House Bill Nos. 133, 285, 426, 968, 1003, 1456, 1579 and 1652; and Senate Bill No. 317, which read as follows:

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 133, entitled 'A Bill for an Act Relating to Child Protection,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 133 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 133 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 285, entitled 'A Bill for an Act Relating to Administrative Procedure,' passed by the

Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 285 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 285 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 426, entitled 'A Bill for an Act Relating to Public Lands,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 426 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 426 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 968, entitled 'A Bill for an Act Relating to Unemployment Benefits,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 968 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 968 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1003, entitled 'A Bill for an Act Relating to Crime Victim Compensation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1003 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1003 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1456, entitled 'A Bill for an Act Relating to the Deposit Beverage Container Program,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1456 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House

Bill No. 1456 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1579, entitled 'A Bill for an Act Relating to the Economic Diversification Authority,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1579 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1579 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1652, entitled 'A Bill for an Act Making an Appropriation to the Medicaid Prescription Drug Rebate Special Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1652 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1652 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th

day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 317, entitled 'A Bill for an Act Making an Appropriation for the Fiftieth Anniversary Commemoration of the Korean War Commission,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 317 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 317 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 636, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her objections, Senate Bill Nos. 748, 768, 1647 and 1661; and House Bill No. 1400, which read as follows:

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 748, entitled 'A Bill for an Act Relating to Nursing Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 748 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 748 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,

State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 768, entitled 'A Bill for an Act Relating to Collective Bargaining,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 768 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 768 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1647, entitled 'A Bill for an Act Relating to Services for Individuals Who Are Blind or Visually Impaired,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1647 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1647 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE

Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1661, entitled ‘A Bill for an Act Relating to the Housing and Community Development Corporation of Hawaii,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1661 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1661 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1400, entitled ‘A Bill for an Act Relating to Hotel Construction and Remodeling Tax Credit,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1400 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1400 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

Gov. Msg. No. 637, dated June 20, 2003, transmitting the proclamations giving notice of her plans to return with her

objections, House Bill Nos. 289 and 32; and Senate Bill No. 1237, which read as follows:

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 289, entitled ‘A Bill for an Act Relating to Education,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 289 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 289 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor’s plan to return with the Governor’s objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 32, entitled ‘A Bill for an Act Relating to Education,’ passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 32 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 32 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii”

“P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1237, entitled 'A Bill for an Act Relating to Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1237 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1237 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th
day of June, 2003.

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 638, informing the Senate that on June 19, 2003, she signed into law House Bill No. 1255 as Act 195, entitled: "MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

Gov. Msg. No. 639, informing the Senate that on June 24, 2003, she signed into law Senate Bill No. 78 as Act 196, entitled: "RELATING TO ELDER ABUSE."

Gov. Msg. No. 640, informing the Senate that on June 24, 2003, she signed into law Senate Bill No. 1321 as Act 197, entitled: "RELATING TO MENTAL HEALTH."

Gov. Msg. No. 641, informing the Senate that on June 24, 2003, she signed into law House Bill No. 422 as Act 198, entitled: "RELATING TO A CENTER FOR NURSING."

Gov. Msg. No. 642, informing the Senate that on June 24, 2003, she signed into law House Bill No. 507 as Act 199, entitled: "RELATING TO EMERGENCY MEDICAL TECHNICIANS."

Gov. Msg. No. 643, informing the Senate that on June 24, 2003, she signed into law House Bill No. 200 as Act 200, entitled: "RELATING TO THE STATE BUDGET."

Gov. Msg. No. 644, informing the Senate that on June 24, 2003, she signed into law House Bill No. 123 as Act 201, entitled: "RELATING TO THE PRACTICE OF PHARMACY."

Gov. Msg. No. 645, informing the Senate that on June 24, 2003, she signed into law House Bill No. 914 as Act 202, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES."

Gov. Msg. No. 646, informing the Senate that on June 24, 2003, she signed into law Senate Bill No. 1700 as Act 203, entitled: "RELATING TO CHARTER SCHOOLS."

Gov. Msg. No. 647, informing the Senate that on June 24, 2003, she signed into law House Bill No. 512 as Act 204, entitled: "RELATING TO HEALTH."

Gov. Msg. No. 648, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 574 as Act 205, entitled: "RELATING TO CAPTIVE INSURANCE."

Gov. Msg. No. 649, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 665 as Act 206, entitled: "RELATING TO PREPAID HEALTH CARE PLAN."

Gov. Msg. No. 650, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 855 as Act 207, entitled: "RELATING TO ENERGY."

Gov. Msg. No. 651, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 1058 as Act 208, entitled: "RELATING TO CAPTIVE INSURANCE."

Gov. Msg. No. 652, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 1200 as Act 209, entitled: "RELATING TO CAPTIVE INSURANCE."

Gov. Msg. No. 653, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 1319 as Act 210, entitled: "RELATING TO UNIFORM LIMITED PARTNERSHIP ACT."

Gov. Msg. No. 654, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 1324 as Act 211, entitled: "RELATING TO CONCILIATION PANELS."

Gov. Msg. No. 655, informing the Senate that on June 26, 2003, she signed into law House Bill No. 1164 as Act 212, entitled: "RELATING TO INSURANCE."

Gov. Msg. No. 656, informing the Senate that on June 26, 2003, she signed into law House Bill No. 1230 as Act 213, entitled: "RELATING TO TRANSPORTATION."

Gov. Msg. No. 657, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 58 as Act 214, entitled: "RELATING TO SCHOOL REPAIR AND MAINTENANCE."

Gov. Msg. No. 658, informing the Senate that on June 26, 2003, she signed into law Senate Bill No. 1305 as Act 215, entitled: "RELATING TO STATE FUNDS."

*There are no Governor's Messages numbered 659 to 685.

Gov. Msg. No. 686, dated July 2, 2003, transmitting her statements of objections to Senate Bill Nos. 38, 41, 44, 209, 255, 317 and 319 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 38

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning without my approval, Senate

Bill No. 38, entitled 'A Bill for an Act Relating to the Hawaii Tourism Authority.'

The purpose of this bill is to authorize the Hawaii Tourism Authority (HTA) to hire attorneys independent of the Attorney General. At present, the HTA's legal services are provided through the Department of the Attorney General.

This bill is unnecessary because the Attorney General is capable of providing the services needed by the HTA either through regular or special deputy attorneys general. Furthermore, existing statutes provide for the contracting of private attorneys with special expertise when needed for specific projects, and the Attorney General has never denied a request from the HTA for an attorney with special expertise.

If the HTA were authorized to hire or retain attorneys independent of the Attorney General, the advice of private counsel may conflict with the advice given to other state agencies by the Attorney General and result in litigation that could have been avoided if the advice had been coordinated and reviewed by the Attorney General.

For the foregoing reasons, I am returning Senate Bill No. 38 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 41

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 41, entitled 'A Bill for an Act Relating to Public Contracts.'

The purpose of this bill is to require the Hawaii Tourism Authority (HTA) to disclose its publicly funded contracts and subcontracts by specifically subjecting them to the disclosure requirements of the Uniform Information Practices Act (UIPA), chapter 92F, Hawaii Revised Statutes, except for any information deemed proprietary by the person providing the information to the HTA.

This bill is objectionable because it invites confusion and accomplishes the opposite of the intent of disclosure and openness that was articulated by the Legislature in its committee reports.

The HTA is already subject to the disclosure requirements of the UIPA. Instead of requiring full disclosure, this bill provides an exemption from disclosure. Under this bill, this exemption would be invoked by persons providing information to the HTA.

Whether or not information is proprietary should be determined by the Office of Information Practices (OIP) under the provisions of chapter 92F, and not by the provider of the information.

This bill needs to be reworked by changing who determines whether information is proprietary from the provider of the information to the OIP. So changed, it could receive my enthusiastic support.

For the foregoing reasons, I am returning Senate Bill No. 41 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 6, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 44

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 44, entitled 'A Bill for an Act Relating to Transportation.'

The purpose of Senate Bill No. 44 is to ensure that economic relief is provided to airport concessionaires, either in an amount agreed to in negotiations between the State Department of Transportation (the 'State') and the concessionaires or as mandated by this bill.

This bill is fiscally irresponsible and philosophically objectionable for a number of reasons. First, it implies that each and every concessionaire is deserving of more relief than is likely to be agreed to by the State in separate arms-length negotiations with each concessionaire. While it is true and proper that the State will always put the interests of the public ahead of those of concessionaires, this does not mean that the State would be unreasonable or shortsighted in negotiating agreements. This bill implies the opposite.

Second, this bill essentially mandates open-ended relief that could easily exceed \$100 million, with the bulk of that relief going to a single airport concessionaire, DFS Group L.P. ('DFS'), who holds the statewide in-bond concession and the retail concessions at Honolulu International Airport and Kona International Airport at Keahole. It is relevant that the State has a lawsuit pending against DFS, alleging that DFS fraudulently transferred significant sums of moneys to its corporate parent at a time when DFS owed the State tens of millions of dollars. Such a transfer to its controlling shareholder is highly relevant because DFS subsequently claimed to be financially unable to pay amounts due to the State, and then threatened to declare bankruptcy if the State attempted to enforce its contract with DFS.

The State and DFS are presently discussing a possible settlement of this lawsuit. A few weeks ago, DFS made a \$25 million payment, meeting one of the preconditions for these discussions. If Senate Bill No. 44 were to become law, it would dramatically and adversely affect these discussions. Based on DFS' original position, the State anticipates that DFS would, at a minimum, either demand return of the \$25 million payment, or insist that the State forgive most of DFS' back rent

obligation, as if the State had guaranteed that DFS would never lose money.

Third, the mandated open-ended relief required by this bill poses an unacceptable threat to the continued viability of the State's airport system. It would make it impossible for the State to guarantee the financial integrity of the airport revenue fund. This, in turn, could result in sanctions by the Federal Aviation Administration and in potential violations of agreements with the State's bondholders.

Fourth, this bill singles out a tiny number of businesses for an unprecedented amount of economic relief. While the events of September 11, 2001, and resulting changes in our society certainly have had a big impact on airport concessionaires, they are not alone. It would be inherently unfair for the State to provide tens of millions of dollars, or more, in relief to such a narrow group of affected businesses.

Fifth, this bill would have the airport system's primary mission be one of serving the concessionaires rather than serving the public. While the State has no desire to put any existing concessionaire out of business, it would be wrong to make that the primary goal of negotiations. That is exactly what this bill would do.

Sixth, many of the terms of this bill are vague, ambiguous, or even inconsistent. Deciphering the rights and entitlements of the airport concessionaires and ensuring that all of the relief mechanisms are properly followed would be an administrative nightmare. For example, it is difficult to understand and harmonize the subsections within section 4 of the bill, as well as discern how section 4 would be applied in conjunction with other sections such as section 5. It appears that under section 4 of the bill, those concessions that receive relief under section 5 of the bill could potentially receive substantial additional relief over and above the relief mandated under section 5.

Section 4 of the bill provides that, if cancellation or modification of the contract cannot be agreed to within sixty days, 'a party may seek relief through the courts.' But this bill also states, '[t]he concessionaire shall have no right to make any claims against the State due to such cancellation.' Inconsistencies like this one would virtually guarantee the need for expensive litigation to sort out the controlling rule.

Further, under sections 1 and 4 of this bill, the State would have to negotiate relief with any concessionaires that had contracts as of January 1, 2003, which would include at least two concessionaires whose contracts have since been terminated and are no longer airport tenants.

Also of note is that under section 5 of this bill, one concession could potentially continue receiving mandated 'break-even no profit' relief through 2008.

While section 7 seems to be intended to prevent concessionaires receiving relief under section 5 from receiving duplicate relief or benefits, it is unclear what such concessionaires could receive or what the State would be required to do or negotiate if an event similar to September 11, 2001, were to occur in the future.

Based on sections 3, 4, and 5 of the bill, the State could easily find itself caught in an unending cycle of renegotiations with no ability to determine whether and to what extent relief should be granted.

Seventh, under section 5 of the bill, if, for example, the State is unable to reach agreement with a concessionaire who had previously received relief under Act 15, Third Special Session

Laws of Hawaii 2001, the State must either: (1) terminate the contract, give up any right to claim the concessionaire's performance bond, and give up the right to collect most (if not all) of any back rent amounts or (2) permit a court-appointed certified public accountant to determine the amount of relief the State must provide to the airport concession.

Preventing the State from calling upon the very security it obtained to ensure that each concessionaire completed performance under each respective contract would be unwise and extremely detrimental to the State. For example, the performance bonds provided by DFS alone to secure its performance add up to approximately \$50 million.

Eighth, as a property owner and lessor, the State should have the discretion to determine if relief is warranted and at what level. These rights are basic to any property owner or lessor. The bill denies these rights to the State.

Ninth, and particularly troubling, is the tenor of distrust that runs through this bill. Without having given this administration a meaningful opportunity to work with the concessionaires, some legislators may have assumed or already concluded that this administration cannot be trusted to negotiate settlements that are fair and reasonable, and in the best interests of all of the people of Hawaii.

Tenth, and most troubling of all, is the possibility that this bill was motivated by a fear that the administration would indeed put the best interests of all of the people of this State ahead of all other interests. Under this bill, the airport concessions seemingly are guaranteed relief regardless of the impact on the public or the State's ability to operate the state airport system. To the extent that this bill reflects narrow-minded favoritism of a single special-interest group over the interests of the public, that alone is reason enough to veto it.

For the foregoing reasons, I am returning Senate Bill No. 44 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 209

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 209, entitled 'A Bill for an Act Relating to Public Employment.'

The purpose of this bill is to appropriate \$60,000 for fiscal year 2003-2004 to the Department of Education to convert ten-month certificated positions to twelve-month certificated positions to provide services for multi-track year-round schools within the State of Hawaii.

While I believe that services are needed for multi-track schools, I also believe that the Department of Education already has existing capacity within its budget to provide the additional

services that are required by the four schools in question. It would not be fiscally prudent to fund these services with a new appropriation from the general fund at a time when the State is facing a projected budget deficit of more than \$230 million.

For the foregoing reasons, I am returning Senate Bill No. 209 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 255

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 255, entitled 'A Bill for an Act Relating to Agriculture.'

The purpose of this bill is to amend chapter 205 (land use) of the Hawaii Revised Statutes by adding a new section to prohibit private restrictions on agricultural uses and activities on lands classified as agricultural by the Land Use Commission, except for restrictions intended to protect environmental or cultural resources.

This bill was introduced to address concerns regarding the proliferation of agricultural lands of residential subdivisions, gentleman farmer estates, and gated communities. Such developments often restrict agricultural activities by covenants or other types of servitudes.

I wholeheartedly support agriculture, which is a vital component of our economy, and I believe that most restrictive covenants against agricultural uses are contrary to the public good. This bill, however, is too far-reaching, and would prohibit landowners from placing any restrictions on agricultural uses of their agricultural lands.

I believe that the problems this bill attempted to remedy should be addressed in a fashion that will ensure the ability to use agricultural lands for agricultural activities, while allowing for reasonable restrictions where appropriate. My administration intends to work with all stakeholders to draft a bill for the next legislative regular session that accommodates the interests of both agriculture and private property owners.

For the foregoing reasons, I am returning Senate Bill No. 255 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 317

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 317, entitled 'A Bill for an Act Making an Appropriation for the Fiftieth Anniversary Commemoration of the Korean War Commission.'

The purpose of this bill is to appropriate \$30,000 additional funds to allow the Fiftieth Anniversary Commemoration of the Korean War Commission to complete its activities commemorating the fiftieth anniversary of the end of the Korean War.

While I believe this project to be worthwhile, the State's current fiscal condition cannot be ignored. The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning Senate Bill No. 317 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 319

Honorable Members
Twenty-Second Legislature

State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 319, entitled 'A Bill for an Act Relating to Counties.'

The purpose of this bill is to reduce solid waste in the State of Hawaii by requiring counties with a population of at least 500,000 to establish a food waste recycling program. The program would require the owners or operators of certain food establishments to arrange for the collection, and delivery to a recycling facility, of a minimum of fifty percent of the establishments' food waste.

The bill is objectionable because it is unnecessary and goes against the concept of home rule.

According to the 2000 census, the City and County of Honolulu is the only county that would be required to comply with this bill. Yet, Honolulu is also the only county that currently has a mandatory food waste recycling program, pursuant to section 9-3.5, Revised Ordinances of Honolulu.

Regulation of food waste removal is best left to the counties so that the people most directly affected by such regulation can determine for themselves how best to implement it. The City and County of Honolulu testified against this bill because it prefers its own food waste recycling program to the one that would be forced upon it by this bill.

For the foregoing reasons, I am returning Senate Bill No. 319 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 687, dated July 2, 2003, transmitting her statements of objections to Senate Bill Nos. 464, 474, 534, 540, 576 and 658 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 464

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 464, entitled 'A Bill for an Act Relating to Implementation of a Fixed Rail Transit System.'

The purpose of this bill is to address growing traffic congestion problems by requiring the State Department of Transportation, in conjunction with both the Oahu Metropolitan Planning Organization (OMPO) and the City and County of Honolulu, to develop an action plan for the implementation of a fixed rail transit system for Oahu.

This bill is objectionable because I have already created a task force that includes representatives of the Legislature, the Honolulu City Council, the Mayor, OMPO, the Federal

Highway Administration, the Federal Transit Administration, and both state and city transportation departments to study all possible transportation options that could help alleviate the traffic congestion problem on Oahu. This task force is taking a broad view of the transportation options available, and is looking at a variety of alternatives, including but not limited to rail transit, as a means of addressing this pressing issue that is of tremendous concern to our residents and families on Oahu.

Additionally, I note that the development of the action plan required by this bill would be a large undertaking for which no funding has been provided.

For the foregoing reasons, I am returning Senate Bill No. 464 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 474

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 474, entitled 'A Bill for an Act Relating to the Auditor.'

The purpose of Senate Bill No. 474 is to facilitate the acquisition of FERPA-protected information by making the Legislative Auditor an 'authorized representative' of the Department of Education (DOE) and of the Department of Health (DOH).

The Federal Family Educational and Privacy Rights Act, 20 U.S.C. § 1232g (FERPA), generally prohibits the disclosure of personally identifiable information about students. There are, however, exceptions. The DOE may disclose such records pursuant to a subpoena together with prior notification to the students' parents, or to a recipient who is an 'authorized representative' of the DOE. FERPA sometimes slows down the work of the Hawaii State Legislative Auditor ('Legislative Auditor') when auditing programs within the DOE and DOH by necessitating the issuance of a subpoena and notification to parents.

According to the Department of the Attorney General, enactment of Senate Bill No. 474 would subject the State to a significant risk of lawsuits. Specifically, the disclosure of education records without prior parental notification or issuance of a subpoena would probably result in expensive lawsuits filed by parents challenging this bill as an invalid attempt to circumvent federal law. In my opinion, this potential liability clearly exceeds any possible benefit that might result from this bill.

It should be noted that auditors in some states are automatically considered authorized representatives of educational agencies for purposes of FERPA compliance. These are states in which the person or organization conducting the audit is hired by the educational agency and conducts a

single audit of federal funds received by the educational agency, which is clearly not the case with the Legislative Auditor in Hawaii.

The Family Policy Compliance Office ('Compliance Office'), U.S. Department of Education, which is the federal agency authorized to administer FERPA, contends that the FERPA exception in question applies only when the 'authorized representative' is an executive branch auditor or an outside auditor hired by the educational agency or the state to conduct a single audit of federal funds received by the educational agency or the state. Hawaii's Legislative Auditor does not conduct the type of single audit that falls within the FERPA exception. Therefore, under the Compliance Office's interpretation of FERPA, the DOE would not be allowed to disclose education records to the Legislative Auditor even after enactment of Senate Bill No. 474, and so this bill would not accomplish its intended goal in any event.

For the foregoing reasons, I am returning Senate Bill No. 474 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 534

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 534, entitled 'A Bill for an Act Relating to Agriculture.'

The purpose of this bill is to appropriate \$400,000 to the University of Hawaii College of Tropical Agriculture and Human Resources for various agricultural research and outreach programs, including the development of high value agricultural products, breeding programs, and related activities.

While I believe this project to be worthwhile, the State's current fiscal condition cannot be ignored. The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs

and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning Senate Bill No. 534 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 540

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 540, entitled 'A Bill for an Act Making an Appropriation for Agricultural Research and Development.'

The purpose of this bill is to appropriate \$850,000 for agricultural research and market development and pineapple research projects. The amount of \$800,000 is appropriated to the Department of Agriculture as a grant to the Hawaii Farm Bureau Federation with the requirements that the money be disbursed to the Hawaii Agriculture Research Center and that \$500,000 of the money be used for sugar research. The remaining \$50,000 is appropriated to the Department of Agriculture for specific pineapple research projects.

While I believe this project to be worthwhile, the State's current fiscal condition cannot be ignored. The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short,

we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning Senate Bill No. 540 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 576

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 576, entitled 'A Bill for an Act Relating to the University of Hawaii.'

Current law, section 304-16.5, Hawaii Revised Statutes, authorizes expenditures from the University of Hawaii (UH) tuition and fees special fund in order to generate private donations for deposit into the UH Foundation. The purpose of Senate Bill No. 576 is to provide that any expenditure from the UH tuition and fees special fund shall be subject to section 42F-103(a)(4), Hawaii Revised Statutes, which gives the UH and legislative committees and their staff, as well as the legislative auditor (Auditor), full access to the records, reports, and files of the individual or organization receiving the funds, such as the UH Foundation.

This bill is objectionable because it would make it impossible for the UH Foundation to assure prospective donors that their privacy rights would be protected, and would thereby jeopardize the UH Foundation's ability to raise money for UH's needs.

While the bill does subject the Auditor to the same restrictions on disclosure of records as currently apply to the UH Foundation, and provides that upon written request from a private donor the Auditor would be prohibited from disclosing that donor's name and personal information, it does not place these limitations on legislative committees and members of their staff. This would have a chilling effect on private donors not wanting the public to know information about their personal assets, business plan, estate plan, or in some cases their identity.

If there is a perceived need for greater accountability by the UH Foundation, I am confident it can be achieved without the adverse consequences that surely would flow from enactment of this bill.

For the foregoing reasons, I am returning Senate Bill No. 576 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 658

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 658, entitled 'A Bill for an Act Relating to Emergency Contraceptives for Sex Assault Survivors in Emergency Rooms.'

The purpose of this bill is to require hospitals that provide emergency care to sexual assault survivors, to provide information on emergency contraceptives, and to offer and provide emergency contraceptives to sexual assault survivors.

This bill is objectionable because it would not withstand a legal challenge. According to the Department of the Attorney General, this bill violates the constitutional right to the free exercise of religion.

Individuals and religious institutions, such as St. Francis Hospital (St. Francis), have a constitutional right to the free exercise of religion. Citing religious beliefs, St. Francis does not allow its medical personnel to dispense emergency contraception drugs while carrying out their duties at St. Francis.

This bill directly interferes with the constitutional right to the free exercise of religion by requiring hospital personnel to administer emergency contraception drugs even if such an act is in contravention of religious beliefs and hospital policies which reflect those beliefs, as is the case at St. Francis.

When the State interferes with an individual's or an institution's right to the free exercise of religion, the State must show not only that the limitation in question furthers a compelling state interest, but also that the desired result is accomplished in a reasonable and least-restrictive manner.

The penalty provisions of this bill are unusually severe. After the first two violations, this bill would require the Department of Health to suspend or revoke the license of a hospital violating the bill.

This bill would not have been objectionable if the Legislature had included an 'opt-out' provision for religious hospitals. During the legislative session, I indicated that I would sign an emergency contraception bill only if it included an 'opt out' provision for religious hospitals. For whatever reason, the Legislature chose not to include such a provision.

Another possible alternative would be the approach taken by the State of Illinois. In 2001, Illinois enacted a bill that requires all hospitals to provide emergency contraception information to sexual assault victims. This law does not require the hospital to

actually administer the drug if requested, but only requires that the hospital provide the victim with 'a description of how and when victims may be provided emergency contraception upon the written order of a physician.' Like an 'opt out' provision, such a requirement would not force the religious hospital to administer emergency contraception drugs in contravention of its religious beliefs.

The current practice at St. Francis is to do what the Illinois law requires, and also to arrange for transportation of the victim to another hospital that does not have an objection to providing emergency contraception drugs.

For the foregoing reasons, I am returning Senate Bill No. 658 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 688, dated July 2, 2003, transmitting her statements of objections to Senate Bill Nos. 740, 745, 748, 768, 1088 and 1135 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 740

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 740, entitled 'A Bill for an Act Relating to Health.'

The purpose of this bill is to establish statutorily within the Department of Health the public health nursing (PHN) services program. The bill enumerates specific services that the program shall provide.

This attempt to codify the PHN program, which has been in existence since 1923, is commendable to the extent that it recognizes the importance and value of the services that have been provided to the community for the last eighty years. The PHN program provides essential services to some of the State's most vulnerable populations including special needs infants, the elderly, and victims of natural disasters. Although I believe it is a vital program, this bill is objectionable for a number of reasons.

First, the bill creates an overly broad mandate. For instance, it provides that the PHN program 'shall' provide health care services when no other resources are available in the community. There is no limitation that the services will be provided only to the extent that staff and other resources are available. Without some explicitly stated restrictions, the mandate could result in community demands that far exceed the program's current abilities to respond.

Second, the broad mandatory language may result in excessive financial liability. If the needs of the community exceed the program's ability to respond, there is potential legal liability from assuming an obligation that we know cannot be

met. In this time of fiscal austerity, there is no guarantee of increased resources to meet the increased demands. It would not be fiscally prudent to expand services at a time when funding is scarce and the prospect of increasing funding is unlikely.

Third, the mandatory language in this bill would unnecessarily restrict the flexibility of the program to adapt to changing community needs. As the program currently operates and, presumably, will continue to operate, it is not restricted to providing a limited set of services. If the bill becomes law, however, the statute would need to be amended before the program could discontinue one of the enumerated services, or before adding a service not enumerated, which would be an inefficient use of time and resources.

I envision a bill being crafted in the future that would not only recognize the immense value of the PHN program, but would also be tailored to limit unnecessary liability and allow for the flexibility the program currently has to meet the changing needs of the community. This bill does not satisfy those requirements.

For the foregoing reasons, I am returning Senate Bill No. 740 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 745

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 745, entitled 'A Bill for an Act Relating to Emergency Medical Services.'

The purposes of this bill are to require the State to provide emergency aeromedical helicopter services statewide and to appropriate \$611,500 for fiscal year 2004-2005 to the Emergency Medical Services System of the Department of Health for emergency aeromedical helicopter services for the County of Maui, with matching funds to be provided by the County of Maui. This bill further appropriates \$388,500 for fiscal year 2004-2005 to the Emergency Medical Services System for the integration of additional ground ambulance services with the emergency aeromedical helicopter services.

This bill is objectionable because it requires the State through the Department of Health to establish emergency aeromedical helicopter services statewide, but without statewide funding. The State would be open to liability if emergency aeromedical helicopter services were not available to a person who needed them in a county other than Maui.

Through its appropriations, this bill also would impose a substantial financial burden on the State during a fiscally challenging time. While it truly would be wonderful to have emergency aeromedical helicopter services statewide, the State cannot spend money that it does not have.

The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. The challenge presented by this budget increased when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning Senate Bill No. 745 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 748

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 748, entitled 'A Bill for an Act Relating to Nursing Education.'

The purpose of this bill is to establish a nursing education loan program, administered by the University of Hawaii, to provide loans to qualified nursing students who agree to later secure employment as a nurse in Hawaii. Repayment of the principal and interest will be waived in an amount dependent upon the student's length of employment in Hawaii.

This bill is objectionable because it is questionable whether the partial and total waivers on the principal and interest of the student loans will actually alleviate the nursing shortage in Hawaii enough to justify the cost. Representatives of the School of Nursing testified that qualified applicants for the program have to be turned away because of limitations placed on the number of students that can be admitted to the school. There also is an insufficient number of clinical sites where students can be provided with clinical training and experience.

Furthermore, the bill establishes a special fund to provide loans to qualified nursing students but does not appropriate any moneys into the fund. It is not good policy to establish a special fund without any appropriation or dedicated funding source.

For the foregoing reasons, I am returning Senate Bill No. 748 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 768

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 768, entitled 'A Bill for an Act Relating to Collective Bargaining.'

The purpose of this bill is to amend section 89-11(d), Hawaii Revised Statutes, to restore binding arbitration as the impasse resolution mechanism in labor contract disputes involving government workers in bargaining units 2, 3, 4, 6, 8, and 13.

If enacted, this bill would repeal these workers' right to strike, which had been reinstated as the impasse resolution mechanism by Act 90, Session Laws of Hawaii 2001, after six years of experience with binding arbitration.

Public worker strikes inconvenience the public, and are hard on public workers and their families. Elected officials and labor leaders all have a strong incentive to avoid them. In short, public worker strikes are a no-win proposition.

Because binding arbitration is one way to avoid even the possibility of a public worker strike, it has some appeal as an impasse resolution mechanism. Experience has demonstrated, however, that binding arbitration does not work as well in practice. We have learned that having binding arbitration to fall back on tends to lessen the incentive public worker union leaders and government employers otherwise have to engage in meaningful negotiation and good faith collective bargaining. One apparent reason is a universal expectation that arbitrators will 'split the baby,' choosing a number somewhere between the last offers of the two sides. This has had the perverse effect of encouraging both sides to take extreme positions, making negotiated settlements the exception rather than the rule.

Under a system of binding arbitration, recent negotiations often have been effectively replaced by decisions of third-party arbitrators. This has dramatically reduced accountability of union leaders and public officials.

Not having the safety net of binding arbitration forces both sides to get serious, stay focused, and negotiate in good faith. It also forces them to be accountable for positions taken, and for end results.

Reasonable settlements seem more likely to result when the alternative is a strike. Public officials must balance the ability

to maintain a well-paid workforce against other government priorities and public resources. Unlike outside arbitrators, the Governor and mayors must keep all these interests in mind and then be accountable to the public. With binding arbitration, arbitrators make what amounts to the final call, and they do so with virtually no accountability.

The Legislature's concern regarding the impact a strike would have on the provision of necessary governmental services is alleviated by the fact that most employees involved in public safety services (i.e., health care, police protection, firefighting, and corrections) maintain their rights to binding arbitration.

Assuming appropriate modifications and limitations could be agreed upon by myself and the four county mayors, binding arbitration perhaps could be extended to other government workers in a way that would prove beneficial to the affected workers, their government employers, and the public. Binding arbitration as provided for in this bill, however, would not be in the best interests of the State, the counties, or the public.

For the foregoing reasons, I am returning Senate Bill No. 768 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1088

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1088, entitled 'A Bill for an Act Relating to Long-Term Care.'

The purpose of Senate Bill No. 1088 is to establish a long-term care tax and provide long-term care benefits.

This bill is objectionable for the following reasons:

First, it does not adequately address the needs for long-term care for the people of Hawaii. In exchange for taxes paid over a lifetime, individuals would qualify for only 365 days of benefits too small to cover the current average daily cost of long-term care, much less what such costs might be at the time benefits were actually paid. Some individuals who would otherwise plan for their own long-term care needs might instead rely entirely on this program and end up much worse off as a result.

Second, the bill is fundamentally unfair and regressive. It would be disproportionately burdensome on low-income and middle-income taxpayers. The percentage of income that would have to be paid under this bill by a person earning \$20,000 is five times greater than the rate on someone earning \$100,000.

Third, the bill imposes unreasonable financial and administrative burdens on the State and private employers. The

Department of Taxation estimates that it would cost the State approximately \$1 million to set up this program, and approximately \$320,000 each year for administration.

More funds would be needed to ensure compliance, but compliance costs for the collection of a \$120 tax would be an inefficient use of resources in any event.

The bill creates additional complications in the administration of taxes because of a mismatching of funds -- the tax would be deposited into a special fund while a partial credit for the cost of long-term care insurance would be awarded from the general fund.

All employers would need to modify their payroll systems to account for the collection of the tax from their employees.

The cost of keeping track of the program itself, as opposed to just tax administration, is unknown at this time.

Fourth, the long-term care tax provided for by this bill would drain financial resources from Hawaii's economy. This loss is estimated to be approximately \$100 million per year.

Finally, I am concerned that the long-term care special fund, which is projected to grow to approximately \$1.2 billion over the next ten years, might not be used for the intended purpose. Given relatively recent raids on the state retirement fund and other special funds, I am concerned that the Legislature might be tempted to use this fund for other worthwhile purposes, leaving the State with yet another unfunded liability and taxpayers in doubt of whether they would ever receive the benefits that they had already paid for.

For the foregoing reasons, I am returning Senate Bill No. 1088 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1135

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1135, entitled 'A Bill for an Act Relating to Court Fees.'

The purpose of this bill is to authorize certain district court fees to be deposited in the judiciary computer system special fund and to appropriate \$3.5 million from that fund in each year of the biennium to implement the judiciary information management system.

This bill is objectionable because it takes amounts that would have been deposited into the general fund and deposits those funds in a special fund instead. This has a negative impact on the State's limited resources.

While I believe this project to be worthwhile, I am confident that there are other, more appropriate financing mechanisms available to the Judiciary. Meanwhile, the State's current fiscal condition cannot be ignored.

The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

Furthermore, Judiciary personnel have assured my administration that a veto of this bill will not stop the Judiciary from continuing to upgrade its information management system during the coming year.

For the foregoing reasons, I am returning Senate Bill No. 1135 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 689, dated July 2, 2003, transmitting her statements of objections to Senate Bill Nos. 1237, 1460, 1462, 1647 and 1661 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1237

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my

approval, Senate Bill No. 1237, entitled 'A Bill for an Act Relating to Education.'

The purposes of this bill are to define 'out of field teacher' to mean an individual who is teaching outside the teacher's authorized licensing field as indicated on the individual's license issued by the Hawaii Teacher Standards Board; define 'teaching out of field' and 'out of field teaching' to mean teaching outside the teacher's authorized licensing field as indicated on a teacher's license issued by the Board; require that the Department of Education's report on teachers and emergency hires to the Board be posted on the Department's Internet website; establish provisions relating to reporting violations of teacher licensing or credentialing; require any licensed teacher, employees, or officers of the Department of Education, and employees or officers of any teacher preparation institution to report violations to the Hawaii Teacher Standards Board; establish petty misdemeanor non-reporting penalties, provisions for reports by other people, confidentiality, and action on reporting; authorize the Board to fund its currently established positions without having to reestablish them and authorize the positions to be made permanent.

This bill is objectionable because it makes it a petty misdemeanor crime for any licensed teacher, employee, or officer of the Department of Education, or employee or officer of any teacher preparation institution, to fail to report to the Board of Education the identity of any person who they have reason to believe is teaching outside of that person's area of certification. This imposes the burden of monitoring proper licensing of teachers on an overly broad group.

For the foregoing reasons, I am returning Senate Bill No. 1237 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1460

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1460, entitled 'A Bill for an Act Relating to Contracts Entered Into by the Hawaii Tourism Authority.'

This bill requires the Hawaii Tourism Authority (HTA) to put certain provisions into its contracts that exceed \$6,000,000 or those that are of a level of complexity (as determined by the Executive Director of the HTA) that a reasonably prudent person would expect of a complex contract. Such contract provisions would include language on intellectual property, loyalty to and in support of the HTA, subcontracting only with prior consent, no subcontracting beyond the term of the contract, standards of conduct, confidentiality, best efforts, payments related to deliverables, and performance standards with detailed goals and timelines.

The HTA's Executive Director may suspend these required provisions if the Executive Director notes the reasons for the suspension in a memorandum attached to the contract, and forwards it to the Legislature within ten days.

This bill violates the fundamental government principal of separation of powers, under which the legislative branch of government enacts laws that are then carried out by the executive branch in its discretion. This bill mandates, in minute detail, what provisions must be included in a contract. Such legislative micromanagement of an executive function is inappropriate, especially where there has been no showing of need and the Legislature has acknowledged that 'the current executive director of the HTA has strived to include these provisions in all HTA contracts.'

Although this bill allows for the suspension of a required provision under certain circumstances, it could still unnecessarily limit HTA's contracting options. Such discretion should properly rest with the executive branch. Moreover, the bill's requirement that all such suspensions be reported to the Legislature within ten days is a further example of legislative micromanagement.

For the foregoing reasons, I am returning Senate Bill No. 1460 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1462

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning without my approval, Senate Bill No. 1462, entitled 'A Bill for an Act Relating to the Hawaii Tourism Authority.'

This bill contains many provisions affecting the Hawaii Tourism Authority (HTA). One major change would provide HTA with complete autonomy with regard to the expenditure of tourism special funds and convention center enterprise special funds by exempting it from chapters 38 and 40, Hawaii Revised Statutes. These chapters govern deposits of public funds and audit and accounting procedures. The bill would also allow disbursements from the tourism special fund and convention center enterprise special fund to be drawn upon checks prepared and signed as approved by the HTA Executive Director and a member of the HTA board.

This bill is objectionable because, by exempting HTA from chapters 38 and 40, there would be no controls to ensure the proper expenditure and protection of HTA funds, which are public funds. Presently the Department of Accounting and General Services (DAGS) supervises and pre-audits HTA expenditures to make certain that amounts appropriated are not exceeded, and that there is full compliance with executive orders and rules. If this bill were to become law, HTA would have to implement a system of internal controls and cash

management procedures to replace those currently provided by DAGS and the Department of Budget and Finance. Hiring its own staff to ensure such fiscal accountability would be duplicative and wasteful.

Moreover, HTA's financial transactions are an integral part of the State's Comprehensive Annual Financial Report (CAFR), which is used to determine the State's bond rating. Reporting HTA's transactions after-the-fact, as this bill allows, could negatively impact the CAFR, and thereby damage state interests.

HTA's contracting issues can be addressed without adding more people and systems to government. Our Administration has worked, and will continue to work, with HTA to streamline the contracting process and expedite payment to vendors, while still ensuring efficiency, accountability, and responsible use of public funds. Even now, HTA is in the process of scrutinizing its past performance, and clarifying its proper roles and functions.

This bill would also appropriate \$8,000,000 out of the tourism special fund for fiscal year 2003-2004 to respond to any adverse effects due to world conflicts, terrorist threats, and SARs, and to strengthen the programs and operations of the HTA. I am not opposed to this appropriation and would support it if appropriate next session.

Some other provisions of this bill, such as the establishment of a tourism registry, the appointment of a sports coordinator, and the performing of an annual financial audit, are being done administratively.

For the foregoing reasons, I am returning Senate Bill No. 1462 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1647

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1647, entitled 'A Bill for an Act Relating to Services for Individuals Who Are Blind or Visually Impaired.'

The purposes of this bill are to appropriate \$43,000 for fiscal year 2003-2004 to the Public Utilities Commission for a telephone reading system that provides individuals who are blind or visually impaired with toll-free statewide telephone access to time-sensitive information for one year, and to authorize the Public Utilities Commission to contract with a qualified private nonprofit organization to provide these services.

While I believe this project to be worthwhile, releasing these funds would mean spending money that we do not have.

The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning Senate Bill No. 1647 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1661

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1661, entitled 'A Bill for an Act Relating to the Housing and Community Development Corporation of Hawaii.'

The purpose of this bill is to require the Housing and Community Development Corporation of Hawaii (HCDCH) to complete construction of the Villages of Kapolei by June 30, 2011, and to to collaborate and coordinate with the State Department of Transportation (DOT) and the City and County of Honolulu (City) in implementing the recommendations of the private traffic study for the Villages of Kapolei prepared by Walkable Communities, Inc.

This bill is objectionable because it requires the HCDCH to complete the construction of the Villages of Kapolei by a

specific date without consideration of factors beyond the HCDCH's control that could make it impossible to comply with the law. For example, the HCDCH has little or no control over fluctuating real estate market conditions and the City's ability to complete water and sewer infrastructure.

This bill further requires the HCDCH to collaborate and coordinate with the City and the DOT to implement the recommendations of the traffic study. However, some recommendations may negatively impact the larger Kapolei region or the Ewa Transportation Master Plan and jeopardize the dedication of the roadway infrastructure to the City.

Even without this bill, completion of the Villages of Kapolei remains one of the HCDCH's top priorities. Approximately 2,600 housing units, three schools -- the Kapolei Elementary, Middle, and High Schools -- and the Kapolei Recreation Center have been built. The remainder will be completed as soon as practicable, consistent with community concerns and financial and engineering realities.

For the foregoing reasons, I am returning Senate Bill No. 1661 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 690, dated July 2, 2003, transmitting her statements of objections to House Bill Nos. 29, 32, 133, 282, 285, 289 and 290 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 29

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 29, entitled 'A Bill for an Act Relating to Meal Breaks.'

The purpose of this bill is to require employers to provide employees with at least a thirty-minute meal break after more than eight hours of work, except when the employer is: (1) subject to a collective bargaining agreement that expressly provides for employee meal breaks; (2) a carrier of passengers or property by motor vehicle or a power generating utility regulated under chapter 269, Hawaii Revised Statutes (HRS); or (3) the operator of a continuously operating facility that is regulated by environmental permits.

The impetus for the bill was the Hawaii Civil Rights Commission's concern that, because state law does not require a meal period or other break, enforcing section 378-10, HRS, would be problematic. This law, enacted in 1999, prohibits an employer from preventing an employee from expressing breast milk during any meal or other break period required by law or by a collective bargaining agreement. The Commission, however, has never received a complaint on this issue.

This bill also provides that no employer shall prohibit an employee from expressing breast milk during any meal break or other break that is required by law, required by a collective bargaining agreement, or provided by the employer on a voluntary basis. In addition, an employer is prohibited from discriminating against an employee for expressing milk during the meal break or any other break.

This bill is objectionable because it applies only to small businesses that do not engage in business outside of Hawaii. Chapter 387, Hawaii Revised Statutes, which this bill would amend, does not cover employers subject to the federal Fair Labor Standards Acts (i.e., employers with gross receipts of \$500,000 or more and those engaged in interstate commerce).

In short, there has been no demonstrated need for this bill. In those cases where employees work more than eight hours at a time, the employee and employer should have the flexibility to structure meal and other breaks in ways that make sense under the circumstances, rather than to have breaks mandated by law.

In sum, it makes no sense to burden businesses in Hawaii with a new regulation of this kind in the absence of a demonstrated need. It makes even less sense to target only small, local businesses.

For the foregoing reasons, I am returning House Bill No. 29 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 32

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 32, entitled 'A Bill for an Act Relating to Education.'

The purposes of this bill are to authorize schools to assess and collect annual fees for textbooks and to require schools to provide a copy of the current list of textbooks and instructional materials upon the request of a student or parent or guardian of a student attending the school. The bill also exempts publishers of library books from the requirement that the publisher furnish the State with computer diskettes from which Braille versions can be produced.

This bill is objectionable on philosophical grounds, and also because it is legally flawed.

The Department of Education (DOE) annual budget is in excess of \$1.3 billion, and is scheduled to increase significantly over each year of the biennium. If more books and instructional materials are needed in our public schools, and I believe they are, then the DOE should pay for them with funds from its existing budget and not place further financial burden on parents and guardians of school children.

The fundamental problem that prompted this bill is not a shortage of textbooks and instructional materials. This is a symptom of the real problem, which is that Hawaii's totally unique, single-district statewide school system, including its overly centralized DOE, is poorly structured and is not getting enough of its \$1.3 billion annual budget into classrooms.

Bills like this one distract the public from the obvious need to decentralize control and build in greater accountability.

Our focus must remain fixed on real solutions, such as establishing clear lines responsibility and accountability for performance, decentralizing control, empowering principals and holding them accountable through performance contracts, and redirecting to classrooms up to fifty percent of the funds currently spent on administration.

There also are internal inconsistencies and ambiguities in this bill. For example, the bill does not contain an appropriation provision authorizing the expenditure of moneys collected as fees for instructional materials and textbooks. As a result, it is legally questionable whether any such moneys could actually be expended. It would make no sense to collect fees solely for the sake of collecting fees.

The bill also appears to have inadvertently limited the DOE's ability to hold students accountable for losing or destroying books. At a minimum, there is unnecessary ambiguity in the bill that would cause administrative difficulties and could result in legal challenge to the statute itself.

Without the authority to collect restitution from students who negligently lose or destroy textbooks, the ability of teachers and principals to deter such actions and to hold students accountable would be compromised.

For the foregoing reasons, I am returning House Bill No. 32 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 133

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 133, entitled 'A Bill for an Act Relating to Child Protection.'

The purpose of this bill is to grant full immunity from prosecution for leaving an unharmed newborn at a hospital and provide immunity from liability for the hospitals and their personnel for receiving such a newborn.

This is a so-called safe-haven measure, intended to protect newborns from being killed by a mother who is unable or unwilling to care for the child.

My first reaction to this bill was mixed, but mostly positive. While questioning the need for such a law, I thought to myself, 'but if it saves just one life it will be a good law.' This mostly positive reaction seemed to be validated when I learned that forty-two other states have already enacted similar laws, and that the first to do so was Texas in 1999 under then-Governor George Bush.

However, additional research and lively discussions with people on both sides of the issue have caused me to reassess my initial thinking. In fact, I now believe that any good that might be accomplished by this bill is likely to be outweighed by the harm that it would cause.

I am concerned, for example, that the individual dropping off the newborn would not be required to prove that she is the baby's parent, or have to provide even minimal information about the baby. This could jeopardize the child's health and make it exceedingly difficult for the extended families, or the child's father, to learn of the baby's whereabouts and to assert their interests in caring for the child. The abandoned baby would be prevented from ever learning about its medical and genealogical history.

In Hawaii, the extended family is commonly recognized as an integral part of the nuclear family, and the Hawaiian cultural practice of open adoption called 'hanai' is still common practice. This bill could have an adverse impact on such support systems.

I believe that our focus should be on the long-term well being of the newborn, and that safe-haven measures like this one fall short in that critically important respect. Experts around the country are increasingly critical of such laws.

For the foregoing reasons, I am returning House Bill No. 133 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 282

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 282, entitled 'A Bill for an Act Relating to the Auditor.'

The purposes of this bill are to enable the Legislative Auditor to be reimbursed for all or part of the costs of an audit the Auditor conducts, when moneys for such costs have been appropriated or generated by any department, office, or agency of the State or its political subdivision, and to establish a revolving fund in which to deposit such moneys and legislative appropriations.

While this bill has a commendable intent, to provide funds to enable the Legislative Auditor to conduct audits, the mechanism selected to achieve that intent is unduly cumbersome and

potentially wasteful. By allowing the Legislative Auditor to decide unilaterally when to conduct or contract for financial audits of executive branch agencies, and then to claim reimbursement for the cost of all such audits, this bill invites duplication and waste of limited resources for the many departments, offices, agencies, and political subdivisions that must budget for and schedule their own audits. If the Legislature wants the Legislative Auditor to conduct more audits of executive branch agencies, it should appropriate sufficient funds directly to the Legislative Auditor for that purpose.

For the foregoing reasons, I am returning House Bill No. 282 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 285

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 285, entitled 'A Bill for an Act Relating to Administrative Procedure.'

The purpose of this bill is to require that administrative rules conform to enabling statutes, to provide for the automatic repeal of administrative rules when the enabling statute or ordinance is repealed, and to require the Small Business Regulatory Review Board to include in its report to the Legislature recommendations as to whether a rule is an appropriate function of state government and whether its goal can be implemented as cost-effectively by the private sector as by state government.

This bill is objectionable because it is unnecessary to accomplish its goals, and it could result in confusion and wasteful litigation over the legal status of certain rules.

Although under current law, administrative rules could theoretically remain 'on the books' indefinitely after repeal of the underlying statute, such rules would cease to be enforceable upon such repeal, without some other statutory authority. Our administration will periodically review existing rules to determine if they continue to serve a valid purpose, and section 91-3(f), Hawaii Revised Statutes, already provides a relatively simple process for the repeal of rules that are null and void or unnecessary, while ensuring that the public is notified and that any interested person may petition the agency seeking to repeal rules.

The automatic repeal of rules as mandated by this bill may or may not result in the repeal of rules that were implemented under, or relate to, more than one statute. This uncertainty would invite litigation.

Other provisions of this bill, such as the requirement to conform to federal mandates, already are part of existing policy.

The requirement that the Small Business Regulatory Review Board review rules and recommend whether the private sector can more cost-effectively provide the same goal can also be implemented through an administrative directive.

For the foregoing reasons, I am returning House Bill No. 285 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 289

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 289, entitled 'A Bill for an Act Relating to Education.'

The stated purpose of this bill is to establish fifteen complex areas comprised of multiple school complexes as determined by the Superintendent of Education (Superintendent) in consultation with the Board of Education (BOE).

In truth, this bill would simply codify an internal reorganization that was proposed by the Superintendent in December of 2001 and approved by the BOE on January 10, 2002, and already has been implemented by the Department of Education (DOE).

This bill is objectionable because it pretends to be education reform when in reality it is the opposite. It would 'etch into stone' the latest of the DOE's many reorganizations, and make it that much more difficult not just to achieve real reform, but also to manage the system. For example, if the Superintendent were to determine at some future point in time that it made more sense to have 16 complex areas, or 14, such a change would require another act of the Legislature. That would be an intolerable situation.

The Superintendent should have a reasonable degree of managerial freedom to do her job, and should not be required to get bills passed in the legislature any and every time she wants to exercise her managerial prerogative. The BOE has the authority and responsibility to provide oversight and to hold the Superintendent accountable.

The Legislature's penchant to micromanage has not led to better schools in the past, nor will it in the future. This bill is yet another example of such micromanagement.

The time has come for the Legislature to release its stranglehold on public education. It should let the people decide the issue of local school boards, and stop offering do-nothing bills in the guise of education reform.

For the foregoing reasons, I am returning House Bill No. 289 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 290

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 290, entitled 'A Bill for an Act Relating to Unemployment.'

The primary purpose of this bill is to create a temporary state program to extend unemployment insurance benefits for an additional thirteen weeks for unemployed workers who had claims for unemployment benefits on or after September 11, 2001, and have exhausted their right to collect state, federal, and other unemployment benefits. Eligibility is conditioned on the federal Temporary Extended Unemployment Compensation (TEUC) program not being extended after May 31, 2003.

This bill is objectionable because it is unnecessary. On May 28, 2003, President George W. Bush signed federal legislation, Public Law No. 108-26, to extend the federal TEUC program until December 31, 2003. Because an individual would be eligible for the additional benefits under this bill only if the federal TEUC program was not extended and because that program has been extended, no individual can qualify for the additional benefits under this bill.

For the foregoing reasons, I am returning House Bill No. 290 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 691, dated July 2, 2003, transmitting her statements of objections to House Bill Nos. 293, 298, 426, 531, 640, 968 and 993 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 293

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 293, entitled 'A Bill for an Act Relating to the Farmers' Market.'

The purpose of this bill is to appropriate \$7,000 for the Department of Agriculture to assess the economic feasibility of establishing a world-class farmers' market in Hawaii.

This bill is objectionable because this appropriation would result only in a feasibility study for something that goes beyond essential or core services. In fiscally challenging time like these, we must exercise fiscal discipline and stay focused on the core functions of government.

The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning House Bill No. 293 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 298

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 298, entitled 'A Bill for an Act Relating to Correctional Facilities.'

The purpose of this bill is to direct the executive branch to initiate the process to develop a replacement facility for the Oahu Community Correctional Center (OCCC) on the

undeveloped portion of the Halawa Correctional Facility (HCF) site.

This bill is objectionable because it prevents the consideration of alternative, possibly more appropriate, sites and because it requires expensive soil testing and a feasibility and planning study without appropriating any funds to do so. If the HCF site is later determined to be the best site upon which to construct a replacement facility for OCCC, existing laws already allow the administration to take steps necessary to pursue that option. Accordingly, this bill is also unnecessary.

For the foregoing reasons, I am returning House Bill No. 298 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 426

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 426, entitled 'A Bill for an Act Relating to Public Lands.'

The purpose of this bill is to authorize the Department of Land and Natural Resources (DLNR) to issue new leases to the Kauai Beachfront Hotel (now known as the Aloha Beach Resort Kauai), the existing state lessee of resort properties at Wailua, Lihue, Kauai (Kauai Beachfront Leases).

This bill raises a serious policy question because it provides a special benefit to one entity that is not available to similarly situated entities. The State has a general policy, stated in section 171-14, Hawaii Revised Statutes, to award leases through public auction, thereby providing a fair opportunity for the public to bid on the lease and for the State to obtain the best deal possible.

This bill also is unnecessary in order to issue new leases on this property. Under section 171-61, Hawaii Revised Statutes, leases can be canceled and re-auctioned by the Board of Land and Natural Resources (BLNR) whenever land can be re-leased for a higher or better use or for an existing use to a greater economic benefit to the State. In fact, the BLNR took action at its meeting held on May 24, 2002, to approve the cancellation and re-auction of the Kauai Beachfront Leases.

Finally, there is a serious concern that this bill may be unconstitutional pursuant to Section 5 of Article XI of the State Constitution, which provides that the legislative power over the lands owned by the State and its political subdivisions shall be exercised only by general law.

For the foregoing reasons, I am returning House Bill No. 426 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 531

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 531, entitled 'A Bill for an Act Relating to Public Employees.'

This bill amends provisions relating to compensation and benefit adjustments for excluded managerial civil service employees. The bill provides that, in formulating recommendations to the appropriate authority, the respective director shall ensure that proposed adjustments are consistent with civil service laws and equivalent or not less than adjustments provided for counterpart included civil service employees within the employer's jurisdiction.

This bill is objectionable and poor public policy, because the compensation and benefits packages for high-level excluded managerial employees will be linked to benefits obtained by the Unions through negotiation. This creates a conflict of interest for excluded managers, it reduces management's flexibility in employing excluded personnel, and it is contrary to the underlying rationale for creating excluded positions that are not subject to collective bargaining. In addition, the establishment of a compensation 'floor' that is no less than the compensation negotiated for counterpart included civil service employees undermines the effort to establish pay for performance. Poor excluded performers receive the same as included counterparts, leaving less resources available to reward outstanding performers.

For the foregoing reasons, I am returning House Bill No. 531 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 640

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 640, entitled 'A Bill for an Act Making an Appropriation for the Loss Mitigation Grant Program.'

The purpose of this bill is to use \$500,000 from the Hawaii Hurricane Relief Fund for fiscal year 2003-2004 and another \$500,000 in fiscal year 2004-2005 to develop and implement the grant program established under Act 179, Session Laws of Hawaii 2002.

This bill is objectionable because it would take money from the Hawaii Hurricane Relief Fund to fund a relatively small program that would involve significant administration costs.

Although there is a logical relationship between the Hurricane Relief Fund and the purpose of this bill since the grants funded under this bill should reduce hurricane losses, too few property owners would benefit from this bill to justify the use of the moneys in the Hawaii Hurricane Relief Fund. There are administrative costs that would be incurred in operating this program, including costs for providing notice of the availability of the grant program, processing applications, and other staffing functions that are not funded in this bill. These administrative costs would reasonably be expected to consume a significant portion of the funds provided by this bill.

This bill also has a fiscal impact on the State. The State's general fund financial plan assumes a transfer of interest income of \$9 million annually from the principal balance of the Hurricane Relief Fund. Reducing that principal will reduce general fund revenues.

It should be noted that hurricane mitigation is a worthwhile concept, and the potential to use money provided by this bill as matching funds to qualify for additional federal money is attractive. Even so, the State must resist the urge to dip into the Hurricane Relief Fund so that the principal of this fund will be available to provide coverage for future hurricane losses. This bill represents the kind of 'painless' decision that led to the current fiscal challenge. Faced now with a projected budget deficit of more than \$230 million, the State must make the hard choices necessary to put our financial house back in order.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget, it would be impossible to restore trust and integrity in government and expand and diversify the economy. These are things that we must do to achieve a true New Beginning for the people of Hawaii. Too much is at stake for us to lose our focus or our resolve.

For the foregoing reasons, I am returning House Bill No. 640 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 968

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 968, entitled 'A Bill for an Act Relating to Unemployment Benefits.'

The purpose of this bill is to allow unemployment insurance (UI) claimants to receive their weekly benefit amount without regard to earnings received from current employment.

This bill is objectionable because the unemployment system was established to provide jobless workers with a means of getting through a temporary period of unemployment and not as an entitlement that should continue to be paid in full even after a job has been found.

This bill also is objectionable because it would apply retroactively to weeks beginning January 1, 2003 and cost approximately \$800,000 per month in benefits expended from the UI trust fund, or a seven percent increase from current levels. Employers in Hawaii have already been subject to higher tax assessments because the contribution rate schedule increased from Schedule C in 2002 to Schedule D in 2003, due to a lower trust fund balance. By permanently drawing from trust fund reserves, this measure would put upward pressure on the unemployment tax rate and thereby make it more difficult to hold down the costs of doing business in Hawaii.

For the foregoing reasons, I am returning House Bill No. 968 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 993

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 993, entitled 'A Bill for an Act Relating to Reconstructed Vehicles.'

The purpose of this bill is to make the state law relating to reconstructed vehicles applicable beginning on July 1, 2004, in counties with a population of less than 500,000, unless a county decides to adopt ordinances regulating reconstructed vehicles.

Currently, the City and County of Honolulu is the only county administering the Director of Transportation's rules relating to the inspection and certification of reconstructed vehicles. Thus, a reconstructed vehicle that may be operating in the counties of Maui, Kauai, and Hawaii may not be legally operated in the City and County of Honolulu unless it is inspected and certified by Honolulu, and a reconstructed vehicle permit is obtained.

This bill is objectionable because it would force counties to either enact their own ordinances regarding the specifications and requirements governing reconstructed vehicles by July 1, 2004, or be subject to state provisions. Counties should be able to choose whether to regulate reconstructed vehicles, and if they do, have the ability to structure the regulation to meet their own particular needs.

The mayors of all four counties requested that I veto this bill.

For the foregoing reasons, I am returning House Bill No. 993 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 692, dated July 2, 2003, transmitting her statements of objections to House Bill Nos. 1003, 1013, 1400, 1456, 1579, 1613 and 1652 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1003

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1003, entitled 'A Bill for an Act Relating to Crime Victim Compensation.'

The purpose of this bill is to assist the Crime Victim Compensation Commission (CVCC) by doing the following: (1) allowing the CVCC to transfer a minor's compensation award to an appropriate custodian for the minor's benefit under the Uniform Transfers to Minors Act; (2) allowing compensation (a) for mental health services to children or elderly individuals who witness a crime, and (b) to surviving relatives of victims of sexual assault and death; (3) renaming the award for 'pain and suffering' as the award for an 'acknowledgment of harm'; (4) authorizing the CVCC to hire new employees without regard to civil service; (5) requiring the Judiciary to provide information demonstrating compliance with section 351-62.6, Hawaii Revised Statutes; and (6) escheating any unclaimed victim restitution moneys to the CVCC special fund after public notice.

Although there are several positive aspects to this bill, the bill is objectionable because the removal of civil service protection is unnecessary and because funds should not escheat to the CVCC when the CVCC is the organization currently responsible for locating victims.

This bill removes civil service protections from new staff at the CVCC. No sufficient justification has been provided to demonstrate the need for these workers to be exempt from the civil service.

Furthermore, the CVCC is currently responsible for locating and paying victims. Under this bill, if the CVCC does not locate the victim, the restitution funds escheat to the CVCC special fund. Accordingly, this bill would appear to create a financial incentive for the CVCC when victims are not found. Laws that create such perceptions of government do not serve to restore trust and integrity in government.

The positive parts of this bill may and should be passed next year.

For the foregoing reasons, I am returning House Bill No. 1003 without my approval.

June 20, 2003

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1013

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1013, entitled 'A Bill for an Act Relating to Examinations for the Determination of Permanent Impairment.'

The purpose of this bill is to require an employer and an employee in a workers' compensation case to mutually agree upon a physician to conduct an examination for the determination of permanent impairment when an employer requests the examination. If no agreement is reached, the Director of Labor and Industrial Relations ('Director') is required to appoint a physician from a list of duly qualified physicians that the Director is required to compile and maintain. The Director is required to appoint the physicians in the order they appear on the list. The employer is required to pay for the cost of any examination it requests.

This bill is objectionable because there has been no demonstrated need for a change in the present system. Currently, the employer and employee either agree on a physician and the employer usually pays for the examination and report, or the employer and the employee each obtain and pay for their own examinations and reports. If the employee will not voluntarily attend an examination requested by the employer, the employer may ask the Director or the Labor and Industrial Relations Appeals Board for an order requiring the employee to attend the examination. The employer pays the physician it selects to do the examination and report. Under House Bill No. 1013, however, the employer might have no say in selection of the physician who would conduct the examination, but still be required to pay the cost of that examination.

This bill is also objectionable because it may make the system more adversarial and lengthy, and may increase workers' compensation costs for employers, including the State. Additionally, no appropriation was included to implement this bill.

For the foregoing reasons, I am returning House Bill No. 1013 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1400

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1400, entitled 'A Bill for an Act Relating to Hotel Construction and Remodeling Tax Credit.'

The purposes of this bill are to: (1) extend the period during which the Hotel Construction and Remodeling Tax Credit ('Credit') may be claimed; (2) implement a phased-in decrease in the amount of the Credit; and (3) expand the types of costs that may be included in the calculation of the Credit.

This bill is objectionable because it: (1) greatly expands the types of costs eligible for the Credit; (2) does not provide an overall cap on the amount of the Credit claimed; and (3) places too much of a burden on general fund revenue.

The provisions of this bill expand the definition of 'qualified hotel facility' to include commercial facilities in a 'qualified resort area.' Virtually any construction costs incurred by a hotel operator or owner would be eligible for the Credit. This broad expansion of the credit could dramatically increase claims for the Credit in unpredictable ways.

Lack of an overall cap on Credits claimed, combined with the greatly expanded eligible costs, make it exceptionally difficult to predict the fiscal impact of this bill. While such unpredictability might be tolerable under different fiscal circumstances, it could be disastrous at a time when the State is facing a projected budget deficit of more than \$230 million.

For the foregoing reasons, I am returning House Bill No. 1400 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1456

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1456, entitled 'A Bill for an Act Relating to the Deposit Beverage Container Program.'

The purpose of this bill is to amend statutes pertaining to the deposit beverage container program, part VIII of chapter 342G, Hawaii Revised Statutes (HRS), the so-called 'bottle law,' to clarify various ambiguities.

Since enactment of the bottle law, there has been uncertainty and disagreement over the meaning of various provisions,

including the effective date of the provision requiring distributors to pay a per-container fee. According to a report of the Senate Committee on Ways and Means, the Legislature intended that this bill would provide an effective date of January 1, 2005. The bill itself, however, does not do this, at least not clearly. In fact, in one section there is language calling for a retroactive effective date: 'Beginning October 1, 2002, payment of the deposit beverage container fee and deposits as described in section 342G-110 shall be made monthly based on sale reports of the deposit beverage distributors.'

Another provision of this bill makes it possible for dealers under certain conditions to charge customers for deposits on containers prior to January 1, 2005, but the bill leaves customers with no way to get back their deposits until after that date. Therefore, this bill would require such customers to bear the cost of the deposit and store the deposit beverage container until it could be redeemed on or after January 1, 2005.

This bill is objectionable because at best it fails to clarify existing confusion over the effective date for the payment of deposits. Such uncertainty invites wasteful litigation. At worst, the bill establishes a retroactive effective date of October 1, 2002, which would be unfair.

I called for repeal of the bottle law this past session, and I intend to do so again next session. I am convinced that the bottle law, once implemented, would be costly and bureaucratic, providing minimal benefit for our environment while hindering the adoption of more effective and efficient alternatives. The bottle law makes little sense under the best of fiscal circumstances. Faced with a projected budget deficit of more than \$230 million, and knowing that there are more effective ways to deal with the litter and landfill problems, it makes no sense to spend millions of dollars creating a new Bottle Division within the Department of Health, and mandating costly and cumbersome regulations.

Beverage containers account for only 7.3 percent of litter in Hawaii, and less than 2 percent of all solid waste. The bottle law ignores all but a tiny percentage of the problem. It would make far more sense to provide funding and other forms of support to community-based litter programs and county efforts to develop curbside and drop-off recycling.

Hawaii's Community Workday Program was thriving and highly successful before being largely dismantled in the mid-1990s. That community-based litter control program involved the public and private sectors plus thousands of volunteers in a campaign of education, anti-litter publicity, volunteer cleanup programs including adopt-a-highway and a litter hotline. At that time, Hawaii's litter rate was substantially lower than the average in states with bottle laws.

Clearly, bottle laws are not the wave of the future, they are a relic of the past. Actual experience in the 10 states that have bottle laws is telling: overall litter has not been substantially reduced, bottle laws contribute little to overall recycling levels, container return rates are at record low levels, and costs to operate and administer the programs are high. It has been more than 17 years since another state has enacted a bottle law.

One reason for the lack of new bottle laws is the development of infrastructure to provide recycling services to homes and apartments. These comprehensive recycling programs handle many other types of materials in addition to beverage containers. When California passed the last bottle law in 1986, curbside recycling was still a new idea. Today there are nearly 10,000 curbside programs in the US.

Bottle laws compete with these comprehensive programs — both provide the infrastructure to handle the same containers, but bottle laws pull the most valuable commodities out of the curbside programs, making them less efficient. This conflict spurred the repeal of Columbia, Missouri's deposit ordinance in April 2002 and underlies bottle bill repeal legislation that has been filed and/or heard in Iowa, Connecticut, New York, and Massachusetts.

We in Hawaii have a special pride in our environment, as well as an unusually strong economic incentive to protect it. The bottle law hastily enacted in Hawaii in anticipation of the last elections is a poorly thought-out, unnecessarily expensive, big-government program that would achieve relatively little. A non-bureaucratic, consumer-friendly recycling and litter-control plan would protect the environment better.

Last session, I proposed that substantial funding be appropriated to restart the Community Workday Program and to assist the counties in developing recycling programs. Both of these proposals were rejected by the Legislature. Next session, I will propose that the bottle law be repealed, and that we make major investments in litter control and recycling efforts. Without doubt, such initiatives would accomplish more for less.

For the foregoing reasons, I am returning House Bill No. 1456 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1579

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1579, entitled 'A Bill for an Act Relating to the Economic Diversification Authority.'

The purpose of this bill is to explicitly and specifically enumerate the duties of the Department of Business, Economic Development, and Tourism (DBEDT) to identify and implement ways to diversify Hawaii's economy. The bill requires DBEDT to develop and implement plans, programs, and initiatives to facilitate economic diversification.

This bill is objectionable because it is unnecessary. The enumerated duties already fall within the general objectives, functions, and duties of DBEDT. Section 201-2, Hawaii Revised Statutes, states that DBEDT's function is to 'make broad policy determinations with respect to economic development in the State and to stimulate through research and demonstration projects those industrial and economic development efforts which offer the most immediate promise of expanding the economy of the State.'

DBEDT has already accomplished what this bill intends to achieve, and continues to update its plans on an ongoing basis. Legislative micromanagement of the methods that DBEDT employs to achieve its objectives is inappropriate and reduces

the DBEDT's flexibility to use its resources in the most efficient and productive way possible. Such flexibility is especially important in these lean fiscal times.

For the foregoing reasons, I am returning House Bill No. 1579 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1613

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1613, entitled 'A Bill for an Act Relating to North Kohala.'

The purpose of this bill is to encourage the Department of Land and Natural Resources (DLNR) to renew its efforts to acquire, through land exchanges, lands necessary to provide additional protection of, and public access to, the Kohala Historical Sites State Monument, and to name a specific entity as caretaker for the Mo'okini Heiau.

This bill is unnecessary because the DLNR is already required by Act 166, Session Laws of Hawaii 1992, to acquire such lands. In fact, the DLNR is currently engaged in a number of actions relative to this matter. These have included discussions regarding land exchanges for buffer zones and easements for public access. The DLNR also will be seeking a commitment from the adjoining landowner to refrain from selling potential buffer parcels of land to others while these discussions continue. Finally, the DLNR is planning a community meeting to seek input regarding the care of Mo'okini Heiau.

This bill inappropriately designates a specific entity to serve as caretaker of the Mo'okini Heiau. To ensure fairness and accountability, management decisions such as this one should be made by the DLNR, consistent with established practice and in accordance with all applicable law and administrative rules. In any event, the DLNR will continue to consult with the Kahuna Nui of the Mo'okini Heiau, as required by the deed to the property.

For the foregoing reasons, I am returning House Bill No. 1613 without my approval.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1652

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1652, entitled 'A Bill for an Act Making an Appropriation to the Medicaid Prescription Drug Rebate Special Fund.'

The purpose of this bill is to appropriate \$500,000 to the Department of Human Services' Medicaid prescription drug rebate special fund for the development of a prescription drug benefits expansion program and for obtaining a waiver for the program from the Centers for Medicare and Medicaid Services.

This bill is objectionable because it is flawed legally. While the bill contains an appropriation making it possible to put money into the Medicaid prescription drug rebate special fund, the bill lacks an appropriation of money for expending out of this fund. Without additional legislation, the \$500,000 could not be used for anything, including the intended purpose.

In this time of pressing needs and budgetary constraints, it would make no sense to sign this bill under the circumstances. I believe that this money should remain in the general fund where it will be available for general fund appropriations made for other purposes.

This veto should not be seen as a criticism of the ultimate goal of this bill, which is to help make the cost of pharmaceuticals affordable to the people of this State. I am determined to do all that I can to accomplish this goal within the context of the State's fiscal situation.

The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health Systems Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Decisions like the one to veto this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget now, it will be impossible to restore trust and integrity in government and expand and diversify the economy in the years ahead. This kind of tough decision is needed in order to achieve a true New Beginning for the people of Hawaii.

For the foregoing reasons, I am returning House Bill No. 1652 without my approval.

Respectfully,
 /s/ Linda Lingle
 LINDA LINGLE
 Governor of Hawaii"

Governor of Hawaii"
 "EXECUTIVE CHAMBERS
 HONOLULU
 July 3, 2003

Gov. Msg. No. 693, dated July 2, 2003, transmitting her statements of objections to Senate Bill Nos. 58 and 1305; and House Bill No. 1230 which she has returned to the Senate and the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS
 HONOLULU
 June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 58

Honorable Members
 Twenty-Second Legislature
 State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 58, entitled 'A Bill for an Act Relating to School Repair and Maintenance.'

The purpose of this bill is to appropriate moneys for fiscal year 2003-2004 to support Hawaii 3R's, a Hawaii nonprofit organization, in its program to assist in the public and private efforts to repair and maintain Hawaii's public schools.

I strongly support the efforts and accomplishments of Hawaii 3R's and intend to approve the general fund appropriation in this bill of \$148,688 for fiscal year 2003-2004 as a grant for Hawaii 3R's. Given the State's critical fiscal condition, this amount represents a significant commitment by the State to Hawaii 3R's and reflects our belief in the effectiveness of our partnership to improve Hawaii's public schools.

However, I object to the \$51,312 general fund appropriation for fiscal year 2003-2004 to pay for a position in the Department of Accounting and General Services to coordinate the public and private efforts to repair and maintain public schools, designated in section 4 on pages 11-12 of the bill. I believe that we can assist Hawaii 3R's in a fiscally prudent manner by using existing resources to provide the needed coordination services.

Section 16 of Article III of the State Constitution provides that, '[e]xcept for items appropriated to be expended by the judicial and legislative branches, the governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same.' Because of the foregoing objection, pursuant to my line item veto authority, I have reduced the \$51,312 general fund appropriation for fiscal year 2003-2004 to pay for a position in the Department of Accounting and General Services to coordinate the public and private efforts to repair and maintain public schools (on pages 11-12) and changed it to \$0.

For the foregoing reason, I am returning Senate Bill No. 58 with the reduction set forth above totaling \$51,312 in general fund appropriations for fiscal year 2003-2004.

Respectfully,
 /s/ Linda Lingle
 LINDA LINGLE

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1305

Honorable Members
 Twenty-Second Legislature
 State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1305, entitled 'A Bill for an Act Relating to State Funds.'

The purpose of this bill is to appropriate moneys out of the Emergency and Budget Reserve Fund, established under section 328L-3, Hawaii Revised Statutes (HRS), to maintain levels of programs that the Legislature has determined to be essential to the public health, safety, and welfare. The bill also appropriates general revenues to develop a plan to implement the Hawaii Rx program.

While I believe many of the programs funded by this bill are worthwhile, the State's current fiscal condition cannot be ignored. The two-year budget recently passed by the Legislature is not balanced. The Legislature failed to include funding for the Hawaii Health System Corporation for the second year of the biennium. Such action would make sense only if one assumed that all state hospitals would be shut down one year from now. Because this assumption is not realistic, the budget passed by the Legislature is not fiscally sound.

The challenge presented by this budget increased after the Legislature adjourned when the Council on Revenues on May 16 reduced the revenue projection for the current year and the upcoming biennium by \$186.7 million. The combined impact of lower revenue projections and unrealistic assumptions by the Legislature has resulted in a budget deficit of more than \$230 million.

The State must now make the hard choices to restrict spending and resist tax increases in order to create a healthy business climate that will lead to more and better-paying jobs and a quality standard of living for Hawaii's families. In short, we must begin to put our financial house back in order by doing all that we can to match recurring expenses with recurring revenues.

Use of the Emergency Budget and Reserve Fund bypasses the normal budget process and avoids the fiscal discipline of matching recurring expenses with recurring revenues. While the State is facing an unexpected reduction in revenues, prudent management of the State's budget requires that funds in the Emergency Budget and Reserve Fund be saved as much as possible for future needs. As such, there should be only sparing and judicious use of the Emergency Budget and Reserve Fund.

Under section 328L-3, HRS, the Emergency Budget and Reserve Fund shall be used as a 'temporary' source of funding, and the Legislature may make appropriations from the Fund to 'maintain levels of programs' determined to be 'essential to public health, safety, welfare, and education.'

For the reasons stated above, I object to the following appropriations in this bill:

1. \$150,000 appropriated pursuant to chapter 103F, HRS, for forensic medical examinations of children in foster custody placements in section 4, pages 2-3 of the bill.
 2. \$100,000 appropriated as a grant to the Hawaii Youth Services Network in section 5, page 3 of the bill.
 3. \$300,000 appropriated as a grant for the bridge to hope program in section 9, pages 4-5 of the bill.
 4. \$200,000 appropriated as a grant to Volunteer Legal Services Hawaii in section 10, page 5 of the bill.
 5. \$100,000 appropriated as a grant to fund the continuation of the Kaneohe Community Family Center's core services in section 11, pages 5-6 of the bill.
 6. \$100,000 appropriated as a grant to fund the continuation of the Kuhio Park Terrace Family Center's core services in section 12, pages 6-7 of the bill.
 7. \$300,000 appropriated as a grant for the operation of the Waipahu Community Adult Day Health Center and Youth Day Care Center pilot project in section 13, page 7 of the bill.
 8. \$500,000 appropriated as a grant for existing Kalihi area youth service centers and other youth service centers in the State in section 17, page 9 of the bill. It should be noted that this appropriation violates section 42F-101, HRS, because the appropriation is not to a specified recipient.
 9. \$750,000 appropriated as a subsidy to Molokai General Hospital in section 18, page 9 of the bill.
 10. \$50,000 appropriated as a grant to Molokai General Hospital in section 19, page 9 of the bill.
 11. \$750,000 appropriated as a subsidy to Waianae Coast Comprehensive Health and Hospital Board, Inc. in section 21, page 10 of the bill.
 12. \$500,000 appropriated as a subsidy to Wahiawa General Hospital in section 22, page 10 of the bill.
 13. \$50,000 appropriated as a subsidy to St. Francis Medical Center in section 23, pages 10-11 of the bill.
 14. \$75,000 appropriated as a grant to the Maui AIDS Foundation in section 25, page 11 of the bill.
 15. \$1,450,000 appropriated to the Department of Health to provide resources to nonprofit, community-based health-care providers to care for the uninsured in section 27, page 11-12 of the bill.
 16. \$300,000 appropriated as a subsidy for the Kapiolani Medical Center for Women and Children Sex Abuse Treatment Center master contract in section 28, page 12 of the bill.
 17. \$450,000 appropriated pursuant to chapter 103F, HRS, for the Department of Health to contract for comprehensive oral health services to underserved children in section 31, page 13 of the bill.
- Because of the foregoing objections, I have taken the following actions:
1. Stricken the appropriation of \$150,000 for fiscal year 2003-2004 in section 4 of the bill (page 2, line 17) and changed it to zero.
 2. Stricken the appropriation of \$100,000 for fiscal year 2003-2004 in section 5 of the bill (page 3, line 4) and changed it to zero.
 3. Reduced the appropriation of \$300,000 for fiscal year 2003-2004 in section 9 of the bill (page 4, line 18) and changed it to \$150,000.
 4. Stricken the appropriation of \$200,000 for fiscal year 2003-2004 in section 10 of the bill (page 5, line 10) and changed it to zero.
 5. Reduced the appropriation of \$100,000 for fiscal year 2003-2004 in section 11 of the bill (page 5, line 20) and changed it to \$50,000.
 6. Reduced the appropriation of \$100,000 for fiscal year 2003-2004 in section 12 of the bill (page 6, line 11) and changed it to \$50,000.
 7. Stricken the appropriation of \$300,000 for fiscal year 2003-2004 in section 13 of the bill (page 7, line 8) and changed it to zero.
 8. Stricken the appropriation of \$500,000 for fiscal year 2003-2004 in section 17 of the bill (page 9, line 2) and changed it to zero.
 9. Reduced the appropriation of \$750,000 for fiscal year 2003-2004 in section 18 of the bill (page 9, line 13) and changed it to \$700,000.
 10. Stricken the appropriation of \$50,000 for fiscal year 2003-2004 in section 19 of the bill (page 9, line 18) and changed it to zero.
 11. Reduced the appropriation of \$750,000 for fiscal year 2003-2004 in section 21 of the bill (page 10, line 9) and changed it to \$675,000.
 12. Reduced the appropriation of \$500,000 for fiscal year 2003-2004 in section 22 of the bill (page 10, line 15) and changed it to \$250,000.
 13. Stricken the appropriation of \$50,000 for fiscal year 2003-2004 in section 23 of the bill (page 10, line 20) and changed it to zero.
 14. Stricken the appropriation of \$75,000 for fiscal year 2003-2004 in section 25 of the bill (page 11, line 10) and changed it to zero.
 15. Reduced the appropriation of \$1,450,000 for fiscal year 2003-2004 in section 27 of the bill (page 11, line 21) and changed it to \$1,300,000.
 16. Reduced the appropriation of \$300,000 for fiscal year 2003-2004 in section 28 of the bill (page 12, line 10) and changed it to \$100,000.
 17. Stricken the appropriation of \$450,000 for fiscal year 2003-2004 in section 31 of the bill (page 13, line 6) and changed it to zero.

Decisions like the one to veto many of the appropriations made under this bill are not easy, but they are necessary. Without fiscal discipline and prudent management of the budget, it would be impossible to restore trust and integrity in government and expand and diversify the economy. These are things that we must do to achieve a true New Beginning for the

people of Hawaii. Too much is at stake for us to lose our focus or our resolve.

For the foregoing reasons, I am returning Senate Bill No. 1305 with the appropriations stricken or reduced as described above totaling \$2,850,000.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1230

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1230, entitled 'A Bill for an Act Relating to Transportation.'

The purposes of this bill are to appropriate moneys to fund heightened security measures throughout the State's airports and harbor systems, create a special fund for passenger facility charges, and make other appropriations.

While the first parts of this bill have merit, I object to the appropriations contained in sections 5 to 10, inclusive, because the appropriations for operating and capital improvement projects funds for the Department of Transportation for fiscal year 2003-2004 are already contained in the general appropriations bill (House Bill No. 200).

Section 16 of Article III of the State Constitution provides that, '[e]xcept for items appropriated to be expended by the judicial and legislative branches, the governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same.'

Because of the foregoing objections, I have taken the following actions pursuant to my line item veto authority:

1. Section 5, pages 3-4. Striking out by drawing a line through the \$350,000 and the \$8,191,000 special fund appropriations out of the harbor special fund for fiscal year 2003-2004 for capital improvement projects, and changing them to \$0.

2. Section 6, pages 4-6. (a) Striking out by drawing a line through the \$12,250,000 appropriation, and its total funding source breakdown amounts of \$2,450,000 and \$9,800,000, out of the highway revenue bond fund and federal funds for fiscal year 2003-2004 for capital improvement projects, and changing them to \$0; (b) striking out by drawing a line through the \$6,500,000 appropriation, and its total funding source breakdown amounts of \$1,300,000 and \$5,200,000, out of the highway revenue bond fund and federal funds for fiscal year 2003-2004 for capital improvement projects, and changing them to \$0; (c) striking out by drawing a line through the \$2,500,000 appropriation, and its total funding source breakdown amounts of \$500,000 and \$2,000,000, out of the highway revenue bond fund and federal funds for fiscal year 2003-2004 for capital improvement projects, and changing them to \$0; (d) striking out

by drawing a line through the \$15,000,000 appropriation, and its total funding source breakdown amounts of \$3,000,000 and \$12,000,000, out of the highway revenue bond fund and federal funds for fiscal year 2003-2004 for capital improvement projects, and changing them to \$0; (e) striking out by drawing a line through the \$350,000, \$2,000,000, and \$10,250,000 appropriations, and their total funding source breakdown amounts of \$2,520,000 and \$10,080,000, out of the highway revenue bond fund and federal funds for fiscal year 2003-2004 for capital improvement projects, and changing them to \$0.

3. Section 7, page 7. Striking out by drawing a line through the \$2,700,000 special fund appropriation out of the highway other funds for fiscal year 2003-2004 for capital improvement projects, and changing it to \$0.

4. Section 8, pages 7-8. Striking out by drawing a line through all of the \$20,885,201 of the special fund appropriations out of the airports special fund for fiscal year 2003-2004 for additional positions, security services, equipment, rental, and supplies at state airports, and changing them to \$0.

5. Section 9, pages 8-9. Striking out by drawing a line through the \$5,981,676 of the special fund appropriations out of the harbors special fund for fiscal year 2003-2004 for security services and fringe benefits throughout the various state harbor locations, and changing it to \$0.

6. Section 10, page 9. Striking out by drawing a line through the \$4,067,783 of the reduce debt service payments for highways division for fiscal year 2003-2004, and changing it to \$0.

For the foregoing reasons, I am returning House Bill No. 1230 with the appropriations in sections 5 to 10 stricken as set forth above totaling \$91,025,660 in special fund appropriations for fiscal year 2003-2004.

Respectfully,

/s/ Linda Lingle
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 694, informing the Senate that on July 1, 2003, she signed into law Senate Bill No. 1134 as Act 216, entitled: "RELATING TO COURT COSTS."

Gov. Msg. No. 695, informing the Senate that on July 2, 2003, she signed into law Senate Bill No. 1156 as Act 217, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Gov. Msg. No. 696, informing the Senate that on July 2, 2003, she signed into law Senate Bill No. 254 as Act 218, entitled: "RELATING TO AGRICULTURE."

Gov. Msg. No. 697, informing the Senate that on July 2, 2003, she signed into law Senate Bill No. 773 as Act 219, entitled: "RELATING TO UNEMPLOYMENT INSURANCE."

Gov. Msg. No. 698, informing the Senate that on July 2, 2003, she signed into law Senate Bill No. 1326 as Act 220, entitled: "RELATING TO EDUCATION."

Gov. Msg. No. 699, informing the Senate that on July 2, 2003, she signed into law House Bill No. 857 as Act 221, entitled: "RELATING TO CORRECTIONAL FACILITIES."

Gov. Msg. No. 700, informing the Senate that on July 8, 2003, she permitted the following measure to become law without her signature:

House Bill No. 595 as Act 222, entitled: "RELATING TO CHECK CASHING."

HOUSE COMMUNICATION RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Hse. Com. No. 629, informing the Senate that the following bills passed Final Reading in the House of Representatives on May 1, 2003:

H.B. No. 512, H.D. 1, S.D. 2, C.D. 2;
H.B. No. 1152, H.D. 1, S.D. 1, C.D. 2;
H.B. No. 1400, H.D. 1, S.D. 2, C.D. 2;
S.B. No. 377, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 687, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 768, S.D. 1, H.D. 2, C.D. 1; and
S.B. No. 1462, H.D. 2, C.D. 2.

RULES OF THE SENATE
of the
TWENTY-SECOND LEGISLATURE OF THE STATE OF HAWAII

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RULES OF THE SENATE
of the
TWENTY-SECOND LEGISLATURE OF THE STATE OF HAWAII

PREAMBLE

The members of the Senate do hereby reaffirm the Senate's dedication to upholding the Constitutions of the United States and the State of Hawaii, to providing for openness and fairness in all of its proceedings, and to promoting collaboration and consultation in its committee work.

The Senate stands as a people-oriented institution that serves all of the people, whatever their background or persuasion. The Senate works for the public good and strives to give every person an equal opportunity to realize his or her highest potential. The Senate is an open public forum for organized debate and deliberative consideration of issues.

RULES OF THE SENATE

The following Rules shall be the Rules of the Senate of the Twenty-second Legislature of the State of Hawaii.

PART I. ORGANIZATION, OFFICERS AND EMPLOYEES

Rule 1. Organization

(1) When the Senate convenes in the first Regular Session of each Legislature, the member from the First Senatorial District shall act as temporary chair, call the Senate to order, appoint a temporary Clerk, and a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the report of the Committee, it shall appear that a majority of the credentials are in order, the temporary Clerk shall call the roll.

(2) The temporary Chair shall then appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court Judge or a Circuit Court judge to administer the oath of office required by the Constitution. After the oath has been duly administered, the Senate shall organize.

(3) When the Senate convenes in any succeeding Sessions of the Legislature, the President or the Vice-President in the absence of the President, shall call the Senate to order.

Rule 2. Officers and Employees

(1) The officers of the Senate shall consist of a President, Vice-President, Clerk, Assistant Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate, by a majority vote, may authorize positions from time to time as may be deemed necessary.

Rule 3. The President

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling for the invocation.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, call for votes upon the same and announce the results.

(6) To receive all communications, including but not limited to, Governor's messages, budget messages, and Judiciary communications, present them to the Senate and, unless otherwise provided in these Rules, refer these and other matters to the appropriate standing committees.

(7) To appoint all members of committees unless otherwise determined by the Senate.

(8) To authenticate by signature, all acts and doings of the Senate which require authentication.

(9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.

(10) To issue warrants and when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.

(11) To decide and announce the result of any vote taken.

(12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.

(13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.

(14) To control and have direction of the rooms, desks, passages, stairways, corridors, and balconies, in and about the building set apart for the use of the Senate, and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.

(15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills, the dates for the mandatory recess pursuant to Article III, Section 10, of the Constitution, the final date for third reading of Senate Bills, the final date for third reading of House Bills, the final date for approving Conference Committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.

(16) To promulgate an administrative and financial manual of guides, the purpose of which is to establish uniformity in administrative practices and to ensure compliance with Senate policies.

(17) To mediate and resolve differences between two or more standing committees on the same bill.

Rule 4. The Vice-President

(1) The Vice-President and the President shall prepare and administer a budget for the Senate.

(2) In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

Rule 5. President Pro Tempore

(1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the member of the majority party having the longest tenure in the Senate shall preside until a President pro tempore is chosen. If two or more members are equally qualified to preside, the eldest qualified member shall preside.

(2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

Rule 6. The Clerk

It shall be the duty of the Clerk:

(1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.

(2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be made available for inspection to any member upon request as soon as practicable. The

Journal of each day shall be read the following day, immediately after the invocation. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of . " (Giving the Year).

- (3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.
- (4) To forward at once all letters, messages, communications and other matters to the proper parties.
- (5) To immediately deliver to the Chair of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.
- (6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.
- (7) To draw on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the President.
- (8) To pay all bills and accounts as shall be approved by the President or the President's designees, or ordered by the Senate, and no others.
- (9) To be responsible for the acquisition and distribution of all of the property of the Senate.
- (10) To note all questions of order with the decision thereon, collect the same, and append them to the Senate Journal at the close of the session.
- (11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate from time to time shall direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

Rule 7. Assistant Clerk

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the President. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

Rule 8. Invocation

Each day's sitting of the Senate shall open with an invocation.

Rule 9. Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders or process as directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

Rule 10. Assistant Sergeant-at-Arms

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in the performance of all duties and attend to such duties as may be required when so directed by the President. In the absence of the Sergeant-at-Arms, the Assistant Sergeant-at-Arms shall perform all duties of the Sergeant-at-Arms.

Rule 11. Responsibilities of Officers and Employees

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall perform all the President's orders and directions, subject to revision by the Senate and subject to confidentiality guided by standards of professional conduct. Employees under the supervision of a Senate member shall be directly answerable to the Senate member.

An oath of office shall be administered to each officer.

Rule 12. Majority and Minority Party Organization and Staff

(1) Members of the majority and minority parties may adopt rules of procedure and administration for their respective caucuses. The rules shall not be inconsistent with the Rules of the Senate, and any such rule of procedure for the caucus shall not be enforceable on the floor of the Senate.

(2) The establishment and staffing of the majority and minority staff offices shall be subject to budgetary constraints in the budget for the Senate that is prepared and administered under Rule 4.

Rule 13. Pay of Members, Officers and Employees

(1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation such salary as prescribed pursuant to Article III, Section 9, of the State Constitution.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix.

PART II. COMMITTEES**Rule 14. Committees: Types and Composition**

(1) Standing Committees: The membership of each Standing Committee shall be appointed by the President subject to action by the Senate. The respective Chairs and Vice Chairs of each Standing Committee shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall to the extent practicable be represented on all Standing Committees on a proportional basis or on such basis as may be prescribed by the Senate.

(2) Leadership Committees shall include majority and minority members drawn from the ranks of the Senate leadership.

(3) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, include a member or members of the minority party, and upon consultation with the Majority and Minority Leaders, shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred. The Senate may establish investigative committees pursuant to Chapter 21, Hawaii Revised Statutes; such committees shall have such powers and be bound by such conditions as may be provided by law or by these Rules.

(4) Conference Committees shall consist of not less than three members each and be managed by the Chair of the Standing Committee having primary responsibility of the subject matter to be resolved, unless otherwise ordered by the Senate. The members of the Conference Committee shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred. The President may discharge a Conference Committee only upon concurrence with the Majority Leader.

(5) The Committee of the Whole Senate.

Rule 15. Committee Chairs

The first person named on the committee shall be the Chair, and the second member named shall be Vice-Chair. The Chair of committees shall call meetings and preside.

Rule 16. Committees: Control and Excuse from Membership

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if already a member of four other committees.

Rule 17. Standing Committees

Standing Committees shall be appointed for major subject matter areas at the opening of the session, or as soon thereafter as possible. The Standing Committees and their areas of jurisdiction shall be as follows:

(1) Committee on Commerce, Consumer Protection and Housing. The purview of this committee includes those programs relating to business regulation, occupational licensing, consumer protection, financial institutions, insurance regulation; public utility regulation; and telecommunications regulation; housing development, the landlord tenant code, condominium property regimes, and leaseholds.

(2) Committee on Economic Development. The purview of this committee includes those programs relating to economic development, and other new industry development; financial and technical assistance to business; and recreation, sports and athletics, state parks and beaches, ocean recreation, and Aloha Stadium.

(3) Committee on Education. The purview of this committee includes those programs relating to early education, public schools, continuing education, and the public libraries; the University of Hawaii and community college system.

(4) Committee on Energy and Environment. The purview of this committee includes those programs relating to energy resources; population; and environmental quality control and protection, including litter control, recycling, wastewater treatment, endangered species, and hazardous waste.

(5) Committee on Health. The purview of this committee includes those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation, and hospitals.

(6) Committee on Human Services. The purview of this committee includes those programs relating to public assistance, Medquest, youth services, early childhood education and care programs under the Department of Human Services, and vocational rehabilitation; and programs relating to the promotion of the general well-being of Hawaii's youth, families, and elderly population.

(7) Committee on Judiciary and Hawaiian Affairs. The purview of this committee includes those programs relating to the courts; crime prevention and control, including juvenile justice matters; criminal code revision; statutory revision; campaign spending and elections; constitutional matters; the Attorney General, Public Defender and Judiciary; government records and information practices; individual rights and civil liberties; public safety and corrections; and Hawaiian affairs, including the Office of Hawaiian affairs, sovereignty, and Hawaiian homestead lands.

(8) Committee on Labor. The purview of this committee includes programs relating to public officers and employees, labor, employment opportunities and training, labor-management relations, collective bargaining; the public employees retirement system and the Hawaii public employees health fund.

(9) Committee on Science, Arts, and Technology. The purview of this committee includes programs relating to astronomy, biochemistry, biomedicine, biotechnology; and other scientific research and development activities; culture, historic preservation, and the arts; and use of information storage, transmissions, processing, and telecommunications technologies by public agencies and institutions.

(10) Committee on Tourism. The purview of this committee includes those programs relating to tourism, including the Hawaii Convention Center, Hawaii Visitors and Convention Bureau, and the Hawaii Tourism Authority.

(11) Committee on Transportation, Military Affairs, and Government Operations. The purview of this committee includes those programs relating to air, water, and surface transportation; civil defense; military and veteran's affairs; state government operations policy, including procurement and government efficiency; ethics; county, federal, and foreign relations; and matters of concern to the counties.

(12) Committee on Water, Land, and Agriculture. The purview of this committee includes those programs relating to state planning, urban renewal, community development, land and water use, coastal zone management, land reclamation, fisheries and ocean resources; small boat harbors; agriculture and aquaculture, including mariculture.

(13) Committee on Ways and Means. The purview of this committee includes those programs relating to overall state financing policies, including taxation and other revenues, cash and debt management, and statewide implementation of planning, programming, budgeting, and evaluation; government structure and finance.

Rule 18. Standing Committees: General Responsibility

(1) General Responsibility. On the bills referred to it, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Committee on Ways and Means, which shall make the final recommendation to the Senate.

(2) Subsequent referral committees. On bills that have been referred to more than one committee, unless otherwise ordered by the Senate, the subsequent referral committee shall make no substantive change, except changes which affect the subject matter over which the subsequent referral committee has primary jurisdiction, without prior written approval of the preceding referral committee chair having primary jurisdiction over the subject matter affected by the change.

Rule 19. Committee on Ways and Means: Special Responsibility

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas.

To the extent practicable, the Committee on Ways and Means shall make available to members of the Senate the contents of the General Appropriations Bill or the Supplemental Appropriations Bill during the 48-hour period prior to the passage of such bills on third and final reading.

Concerning all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the Standing Committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the Standing Committee to determine that the recommendation is consistent with the resources available.

In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the Standing Committee, the Committee on Ways and Means shall invite the recommendation of the chair of the Standing Committee responsible for the program area to which the appropriation relates.

Rule 20. Leadership Committees

Leadership Committees, upon consultation and agreement with the Majority and Minority Leaders, may be appointed by the President at the opening of the session, or as soon thereafter as necessary. A leadership Committee on Legislative Management, upon consultation and agreement with the Majority and Minority Leaders, may be appointed by the President to perform the duties and responsibilities of the Committee as may be provided by law, or to make recommendations to the President on issues of Senate policy. Because Leadership Committees have jurisdiction over issues of organizational and institutional interest to the Senate, their membership shall include members drawn from the ranks of the Senate Leadership, thus assuring high-level consideration of these issues.

Rule 21. Meetings of Committees

Meetings, including decision-making sessions, of leadership committees appointed by the President, and Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill.

Notice of meetings and decision-making sessions shall include the number and title of the bills or resolutions, and brief descriptions and committee referrals of each of the subject matters to be covered, and shall be publicly posted by first referral committees at least 72 hours before their meetings and by subsequent referral committees at least 48 hours before their meetings, no later than 4:00 pm on the last work day of the week, provided that these notice requirements may be waived with the approval of the President upon good cause shown. The 72 hour notice requirement is waived for the initial decision-making meeting for short form bills.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees that may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and in coordination with other committees of the House or Senate, shall endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of a Conference Committee shall be conducted as agreed upon by the members of the Conference Committee. Conference Committee meetings and decision-making sessions shall be public. Public notice of Conference Committee meetings shall be given to the extent practicable.

Rule 22. Decision-Making by Committee

(1) The chair of a standing committee may commence a decision-making meeting and open discussion on matters referred to the committee without a quorum; provided that the decision-making by the committee on matters that are referred to it shall be conducted with a quorum of the committee present. A quorum shall be a majority of the membership of the committee.

(2) A favorable vote of a majority of the members present at a decision-making meeting duly constituted with a quorum is required to report a matter out of committee. A member voting "with reservations" shall be counted as a favorable vote.

(3) The presence of a quorum and the final vote of each member who is present at the decision-making meeting of a standing committee shall be recorded by the chair or by a member of the committee designated by the chair. This record shall be attached to and shall be a part of the report of the standing committee.

Rule 23. Public Hearings on Bills

(1) Subject to this rule, the selection and scheduling of a bill for public hearing shall be at the discretion of the chair of the committee having jurisdiction over the bill.

(2) The chair's determination that a bill will have a public hearing shall be final notwithstanding the opposition of a majority of the members of the committee.

(3) At the written request of a majority of the members of the committee, the chair shall schedule a bill for public hearing.

Rule 24. Committee Reports

(1) The leadership committees as may be appointed by the President and Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the Special Committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members of each house appointed by their respective presiding officer have concurred in the report.

Rule 25. Committees: Factfinding and Content of Reports

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate in accordance with the provisions of Chapter 21 of the Hawaii Revised Statutes. The President may exercise such powers authorized under Chapter 21, relating to the issuance of subpoenas, and the President, committee chair and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill for one or more referred to the committee shall be reported, such substitute bill shall agree with the subject of the bill or bills referred to the committee.

(4) The committee shall report whenever a majority of the members present at the decision-making meeting duly constituted with a quorum is in favor of reporting the bill or resolution out of the committee. The report, after being made available, for review by the members of the committee, and after subsequent revisions thereto, if any, shall be the final report of the committee. The final report of the committee shall be attested to by the signature of the chair on behalf of the members of the committee. The action of the committee on the bill or resolution or any amendments thereto, if any, and the final vote of each member of the committee recorded by the chair or the chair's designee at a decision-making meeting shall not be changed in the review of the report, unless the change is made at an open decision-making meeting conducted with a quorum of the committee present. The minority of the members present at any decision-making meeting duly constituted with a quorum may report.

Rule 26. Committee of the Whole

(1) The Senate from time to time may resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chair), which being done, the Senate then shall be in committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The committee, on motion, may rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last. All amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

PART III. SESSIONS; ATTENDANCE; NOMINATIONS

Rule 27. Meetings

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays and such other days as the Senate shall designate by motion or resolution duly adopted and entered in the Journal.

(2) The regular hour of meetings of the Senate is established at eleven-thirty o'clock a.m. but the hour of meeting, recess and adjournment for any day may be such as the Senate, by motion, shall decide from time to time.

Rule 28. Attendance

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

Rule 29. Extension of Session

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

“To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the _____ Legislature of the State of Hawaii, respectfully request an extension of _____ days of the _____ session of _____ of the _____ Legislature of the State of Hawaii.”

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

Rule 30. Recessed Session

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at some period between the twentieth and fortieth days of the regular session.

Rule 31. Special Sessions

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

“To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the _____ Legislature of the State of Hawaii be convened at _____.”

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate’s responsibilities under Article VI, Section 3, of the Constitution. The petition shall read:

“To the President of the Senate

Your petitioners, members of the Senate of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the Senate of the State of Hawaii be convened at _____.”
The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

Rule 32. Adjournments

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

Rule 33. Motion to Adjourn

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

Rule 34. Quorum

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present, by resolution, may direct the Sergeant-at-Arms to place the members who are absent under arrest and return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

Rule 35. Executive Session

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

Rule 36. Clearing of the Senate

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

Rule 37. Nominations; Appointments

(1) Nominations made by the Governor and removal of the chief legal officer of the State which require the advice and consent of the Senate, and appointments which require the confirmation or consent of the Senate shall be referred to the standing committee having jurisdiction within five legislative days of receipt of the nomination or appointment. The standing committee to which a nomination, removal of the chief legal officer or appointment is referred, shall report to the Senate with a recommendation to advise and consent, confirm, or reject on or before the fifty-ninth day of the session.

(2) Except for the appointment of a justice or judge, a nomination or appointment made by the Governor which is received by the Senate after the fifty-first day of the session of the Legislature shall be returned to the Governor without action, unless a confirmation or consent is required to further a public purpose which cannot be satisfied by an interim appointment. Notice of this rule shall be given to the Governor not later than the twentieth day of the session of the Legislature.

(3) The final question on nominations made by the Governor shall be: "Will the Senate advise and consent to this nomination?"

(4) The final question on the removal of the chief legal officer of the State shall be: "Will the Senate advise and consent to the removal of the chief legal officer of the State?"

(5) The final question on appointments made by the Governor which require the confirmation or consent of the Senate shall be: "Will the Senate confirm (or consent) to this appointment?"

(6) The final question on nominations, removal of the chief legal officer or on appointments shall not be put sooner than twenty-four hours from the time when the nomination or appointment is received, nor on the day in which it may be reported by a committee, unless by unanimous consent.

(7) Public hearings shall be held for all nominees, for the removal of the chief legal officer of the State, and for all appointees prior to confirmation or consent by the Senate.

(8) Consent to the appointment of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

Rule 38. Meeting at Place Other than Capitol

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

PART IV. ORDER OF BUSINESS**Rule 39. Order of Business: General**

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and senate resolutions and introduction of bills.
- (5) Reports of Conference and Joint Committees.
- (6) Reports of the Leadership Committee on Legislative Management.
- (7) Reports of Standing Committees.
- (8) Reports of other Leadership Committees.
- (9) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (10) The Order of the Day.
- (11) Miscellaneous communications.
- (12) Any miscellaneous business on the President's table.

Rule 40. Order of Business: Special

The Senate, by previous motion, may direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

Rule 41. Order of Business: Committee Reports and Gubernatorial Messages

Reports from Conference or Joint Committees, and from Leadership Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent, however, such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as unfinished business.

Rule 42. Order of Business: Order of the Day

After the first seven orders of business set forth in Rule 38, it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

Rule 43. Order of Business: Unfinished Business

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

Rule 44. Order of Business: Questions on Priority

All questions relating to the priority of business to be acted upon shall be decided without debate.

PART V. BILLS; RESOLUTIONS**Rule 45. Bills: Introduction**

Any bill may be introduced on the report of the committee or by any member, except appropriation bills subject to the next paragraph and except short form bills which may only be introduced by the majority leaders or the minority leader after appropriate consultation with committee chairs and other members of the Senate.

The Executive Budget, Judiciary Budget, Legislative Budget, General Appropriations Bill, Supplemental Appropriations Bill, Office of Hawaiian Affairs Budget, and bills for criminal injuries compensation, for claims against the State and for funding of collective bargaining agreements may be introduced only by the President. Each member may introduce only one bill appropriating money for capital improvements projects in the member's district. The majority leaders and the minority leader shall develop a policy governing introduction by individual members of bills intended to appropriate money or to authorize the issuance of state bonds.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and stricken and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule, nor an amending bill where the intent and effect of the amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

Co-sponsors may be added to bills up until the bill introduction deadline and with the consent of the primary sponsor.

Rule 46. Bills: Referral to Committee

(1) Upon introduction, all bills shall be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, and shall pass first reading.

(2) The majority staff office shall make recommendations to the majority leadership on the referral of each such bill to appropriate Leadership or Standing Committees.

(3) Each such bill shall be referred by members of the majority leadership appointed by the President, to one or more appropriate Leadership or Standing Committees for consideration.

(4) Any referral may be reconsidered by the President upon written request of any chair who is aggrieved by the referral made within forty-eight hours of the referral. The President shall decide the request for reconsideration within a reasonable time, which decision shall be final. No request for reconsideration shall be considered if the timing of the request would have the effect of killing a bill or resolution.

(5) Each Leadership and Standing Committee shall consider the bills and other matters referred to it as expeditiously as may be possible.

Rule 47. Bills: Required Readings

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second or third reading.

Rule 48. Bills: First Reading

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

Rule 49. Bills: Second Reading

A bill upon its second reading may be read by its title only. It then shall be subject to a motion to commit. If it is not referred to a Leadership Committee, Standing Committee, or Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the chair of such committee. When the bill is reported from committee it shall take its place in the order of business for future consideration.

Rule 50. Bills: Third Reading

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.

(2) A bill on its third or final reading may be read by its title only, and the President then shall ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

(3) All bills, except on first reading, shall be printed by title on the Order of the Day before consideration by the members unless waived by the President.

Rule 51. Bills: Property of Senate

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, subject however to the right of the House of Representatives to amend or to refuse to agree with the bills.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

Rule 52. Bills: Recall from Committee

Twenty days after a bill has been referred to a committee, the same may be recalled from such committee by the affirmative vote of one-third of the members of the Senate.

Rule 53. Matters Tabled

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken from the table and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

Rule 54. Bills: Amendments

(1) All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

(2) No floor amendment to a bill shall be voted upon unless a copy of the amendment, together with a copy of the complete bill in a form that incorporates the floor amendment, shall have been presented to the Clerk no later than 2 hours prior to the scheduled convening time of the session on the day of the session at which the amendment is to be offered. The Clerk shall prepare and distribute copies of the floor amendment to each member of the Senate present.

(3) A floor amendment shall be deemed pending only after its proponent has been recognized by the President and its adoption has been properly moved and seconded.

(4) A floor amendment that relates to a different subject, is intended to accomplish a different purpose, incorporates any other bill pending before the Senate, or would alter the nature of the bill as reported, is not germane and shall not be considered by the Senate.

(5) An amendment to a floor amendment that is not germane to both the floor amendment and the bill as reported shall not be considered by the Senate.

Rule 55. Bills: Certification

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage in the journal along with a record of the ayes and noes.

Rule 56. Bills: Received from House of Representatives

Whenever a House bill which has passed Third Reading in the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

Rule 57. Bills: Transmittal to House of Representatives

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

Rule 58. Bills: Correction of Errors

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the bill may be returned by Concurrent Resolution to the house last considering the bill for proper correction.

Rule 59. Bills: Order of Consideration

(1) The Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the Senate, the Majority Leadership shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Clerk, and the Clerk shall place them in the Second Reading File. The Senate shall consider them in the order in which they appear in the Second Reading File.

(2) The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their reference to committee or the date of the committee report on them. The Clerk shall place them on the Third Reading File in the order in which they passed second reading and the Senate shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the Third Reading File.

Rule 60. Bills: Special Order of Consideration

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

PART VI. RESOLUTIONS; MOTIONS**Rule 61. Resolutions and Motions: Form**

All resolutions shall be typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory, commemorative or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so ordered.

Rule 62. Motions: Second Required

No motion shall be received and considered by the Senate until the motion is seconded.

Rule 63. Motions: Disposition

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the mover at any time before an amendment has been adopted or before the decision on the motion if not amended.

Rule 64. Motions Applicable to Pending Matters

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and

(5) To amend, which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

Rule 65. Matters Postponed Indefinitely

When a question is postponed indefinitely, the question shall not be acted upon again during the session in which it was introduced.

Rule 66. Motion for Previous Question

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a three-fifths vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 64, shall be put. The author or introducer may delegate to another such right to close.

Rule 67. Motion for Reconsideration

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, or, with the consent of the Senate, on any subsequent day and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

PART VII. PETITIONS AND COMMUNICATIONS

Rule 68. Petitions, Memorials, and Miscellaneous Communications

(1) Any person may petition the Senate. Petitions and other memorials, except as provided in Rule 61, shall be in writing, signed by the petitioners.

(2) All petitions, memorials and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.

(3) A brief statement of the contents of such petitions, memorials or other papers shall be made orally by the Clerk.

(4) Every such petition, memorial or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial or other paper is presented.

(5) No such petition, memorial or other paper shall be debated on the day it is presented, except with the consent of the Senate.

PART VIII. ORDER; DEBATE; VOTING

Rule 69. Questions of Order

(1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

(2) Any question of order may be submitted to the Senate for its decision.

Rule 70. Debate: General Limitation

No member shall speak more than twice, unless such member be the mover of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

Rule 71. Voting: Methods

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.

(2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President then shall call upon all voting in the negative of the question to vote "No." The President then shall announce the result to the Senate.

(3) If any member shall doubt the result, as announced, the President again shall state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result again shall be announced.

(4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk. On motion, the Senate may vote upon any question by ballot.

(5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No," if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.

(6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

Rule 72. Voting: Rights of Members

(1) No member, on any account, shall refrain from voting unless excused by the President. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall Rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

PART IX. DECORUM; DISCLOSURES; PEER REVIEW; PUNISHMENT**Rule 73. Misconduct; Procedure; Peer Review**

No member of the Senate shall be subject to a charge for misconduct, disorderly behavior, or neglect of duty unless the person making the charge shall have first given notice of the charge to the President and to the member being charged.

Upon receipt of the charge, the President shall attempt to resolve the matter in an administrative proceeding. If the matter cannot be resolved administratively, the President may appoint a Special Committee to be chaired by the Vice-President or such other member as the President may designate to investigate, hear and report upon the conduct of the member charged for misconduct, disorderly behavior or neglect of duty. Any member so charged shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense before the Special Committee. Following its investigation and hearing, the Special Committee shall file its report with the President setting forth its findings and recommendations.

If the committee recommends dismissal of the charge or charges, the President may dismiss the charges without further hearing, or the President may present the report of the committee to the Senate for its consideration. The Senate, by a majority vote, may dismiss the charge or charges against the member without a hearing.

If there is no dismissal of the charge or charges, or if the committee recommends censure, suspension or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The member who is charged, shall

be informed in writing of the presentation of the charge or charges of the committee report to the Senate and be given an opportunity to be heard in the member's own defense. The Senate, by a majority vote, may dismiss the charge or charges without a hearing, or with notice and an opportunity to be heard in the member's own defense, censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

At any stage of the charge against a member, the member shall have a right to be represented by a person or persons of the member's own choosing.

Rule 74. Decorum: Transgression of Rules

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, the member immediately shall sit down. The President then shall decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

Rule 75. Decorum: Address

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the _____ District"; "The Chair of the Committee on _____"; "The Majority Leader,") and not by name and shall avoid personalities.

Rule 76. Decorum: Person Called to Order While Speaking

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

Rule 77. Decorum: Presence in Senate

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

Rule 78. Decorum: Conduct in Session

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

No one shall cause any annoyance or disturbance on the Senate floor by use of sound-emitting electronic devices such as cell phones or pagers.

Rule 79. Decorum: Disorderly Conduct in Session

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member then shall persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a seat during the remainder of that day's session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Article III, Section 18 of the Constitution shall govern.

Rule 80. Decorum: Recording of Debate Called to Order

If any Senator is called to order for words spoken in debate, upon the member's demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

Rule 81. Decorum: Smoking

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate.

Rule 82. Decorum: Solicitation Prohibited

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions or contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

Rule 83. Disclosures

Each member shall file with the Ethics Commission of the State of Hawaii, a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall disclose orally such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

Rule 84. Violating Confidence

If any matter covered in Rule 35 or 36 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the matter, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Article III, Section 18 of the Constitution and in the manner as therein prescribed.

PART X. QUESTIONS TO STATE OFFICERS**Rule 85. Questions to State Officers**

Any member of the Senate may ask any question of any state officer relating to the officer's respective department by reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

PART XI. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES**Rule 86. Amendments; Suspension; Violations**

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose upon a majority vote of the members of the Senate.

(3) Any violation of these Rules shall be referred to the President for appropriate action.

Rule 87. Parliamentary Procedure

Mason's Manual of Legislative Procedures, 2000 edition, where not inconsistent with the Rules and practices of the Senate, shall govern.

**22ND STATE LEGISLATURE
JOINT SENATE-HOUSE
2003 COMMITTEES ON CONFERENCE PROCEDURES**

The Senate and the House have agreed to the following special procedures for all 2003 Regular Session Committees on Conference meetings. Within these procedures:

“Chairs” refer to all of the designated co-chairs of a Conference Committee;

“Conference Committee” refers to the conference of the House Committee and the Senate Committee assigned by their respective chamber to resolve the differences between the House and the Senate over a particular bill or resolution; and

“Managers” refer to all members of the House and Senate assigned to a Conference Committee.

1. Conference Committee Scope and Amendments

The authority of the Conference Committee shall be limited to resolving differences between the Senate and House drafts of a bill or resolution. Accordingly:

- a. With the exception of the Executive Budget, the Judiciary Budget and the Budget of the Office of Hawaiian Affairs, a Conference Committee shall not amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject matter.
- b. To assure the integrity of individual bills, the merging of two or more distinct but related bills into one encompassing bill shall not be allowed.

2. Conference Committee Meeting Times

Conference Committee deliberations shall take place only between the hours of 8:00 a.m. and 12:00 midnight.

3. Initial Public Meeting Notice

The signatures of the Conference Committee chairs shall be obtained before the notice of an initial meeting is posted or distributed. Prior to offering the initial meeting notice for signatures, the chairs shall consult with one another on the information to be included in the notice.

Conference Committee chairs shall provide at least 24 hours public notice of the first meeting of the Conference Committee, and are strongly encouraged to provide more than 24 hours notice if at all possible.

4. Notice of Subsequent Meetings

- a. If agreement is not reached at a duly noticed meeting, but the majority of chairs of their respective chamber agree to meet again before midnight on the same day, the chairs should announce the time at which the Conference Committee will reconvene. Written notice of the reconvening of the Conference Committee on the same day is not required to be distributed. However, written notice containing information on the subsequent meeting must be provided to the Senate Chief Clerk and the House Sergeant-at-Arms and posted, as soon as possible, adjacent to the door of the assigned conference room.
- b. If agreement is not reached at a duly noticed meeting and the majority of chairs of their respective chamber agree to meet on another day, the chairs shall publicly announce the date(s) and time(s) of the subsequent meeting(s), post written notice, adjacent to the door of the assigned conference room, and submit copies of the written notice to the Senate Chief Clerk and the House Sergeant-at-Arms.
- c. If agreement is not reached at a duly noticed meeting and the date(s) and time(s) of future meetings are not publicly announced at that noticed meeting, then chairs must ensure that written notice, signed by the lead chairs of their respective chamber, is posted and distributed at least 24 hours in advance of the next meeting of the Conference Committee.

5. Conference Room Notice

Notices of Conference Committee meetings shall be posted adjacent to the door of the assigned conference room and updated periodically to advise the public of the items for which the Conference Committee has concluded its work and those items still remaining in conference.

6. Conference Discussion

Except as authorized by the respective Conference Committee chairs, only the respective Conference Committee chairs may speak during conference. All other managers or other authorized persons must be recognized by their respective chairs before speaking on any issue.

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7. Decorum in Conference Committee Meetings and Courtesy to the Public and to the Managers
- a. Conference Committee managers shall respect the differing views of other managers and conduct themselves in a courteous manner.
 - b. Conference Committee chairs shall ensure that meetings convene and reconvene at scheduled times. If none of the chairs of one of the Committees are present within 15 minutes of the scheduled meeting time, the chairs of the other Committee in Conference shall have the names of the absent chairs paged through the State Capitol public address system. If none of the absent chairs are present within 30 minutes of the scheduled meeting time, the chairs present shall inform the members of the public present that the Conference Committee cannot be reconvened, and that, pursuant to 4c of these Conference Committee Procedures, 24-hour notification will be provided for a subsequent meeting of the Conference Committee.
8. Decision-making Meetings
- The decision-making meeting of a Conference Committee shall comply with the following open meeting provisions:
- a. A quorum of the Conference Committee shall be present for the decision-making meeting. A quorum shall be a majority of the House Committee managers and a majority of the Senate Committee managers and shall include a majority of the chairs of the conference committee for their respective chamber.
 - b. To report a measure out of Conference Committee in amended form (CD), a majority of the chairs for each respective chamber and a majority of the quorum of managers for each respective chamber must vote in favor of the proposed amendments, provided that no Conference Committee Report concerning a measure with fiscal implications shall be reported out of a Conference Committee without the signatures of the chairs (or their designee) of the fiscal committees of each chamber.
 - c. The lead chair (or the lead chair's designee) representing their respective chamber shall call the roll and be the recorder of the quorum and the votes on that measure for that chamber. (Draft sample attached).
 - d. If, after naming a Conference Committee on a measure, the Conference Committee managers representing the chamber from which a measure originated agrees to the amendments made by the non-initiating chamber, only a quorum of those representing the originating chamber shall vote on the agreement at a duly noticed meeting. For example, if after naming a Conference Committee on a House measure, the House managers of the Conference Committee decide to agree to the amendments in the Senate draft (SD) of the measure, then only the House managers of the Conference Committee will vote on the measure, returning it to the House in its SD form. The "Record of Votes of a Conference Committee" sheet detailing the votes of the managers of the originating chamber shall be filed with the appropriate chamber without a Conference Committee Report.
9. Conference Committee Reports
- a. A majority of the House and Senate chairs, respectively, of a Conference Committee shall attest to the action of the Conference Committee by signing the Conference Committee report on behalf of their respective managers. The "Record of Votes of a Conference Committee" sheet detailing the votes of the managers of the Conference Committee shall be attached to the report as a part thereof.
 - b. All House measures reported out of Conference Committee shall be filed with the House Clerk and likewise all Senate measures shall be filed with the Senate Clerk. A document filed in the originating chamber shall be deemed simultaneously filed in the other chamber. Only one original and one copy shall be required for filing of Conference Committee reports.
10. Decision-making Deadlines
- On the deadline nights for Final Decking of both non-fiscal and fiscal bills:
- a. Conference Committees shall conclude their negotiations by 6:00 p.m. to allow adequate time for final preparation of the bills and committee reports.
 - b. To provide all Conference Committee chairs with ample opportunity to review and sign the Committee reports before filing, all Conference Committee reports shall be available for review and signature by 9:00 p.m.
 - c. All Conference Committee reports shall be filed with the respective Clerk's office by 11:30 p.m.

11. Electronic Transfer

Should a Conference Committee for which the vehicle is a Senate bill decide to use a proposal drafted by the House, the House Chair shall have the House proposal electronically transferred to the appropriate Senate office so that the Conference Draft can be prepared. The converse shall apply to House bills with proposals drafted by the Senate that the Conference Committee agrees to.

12. Exceptions to these Procedures

Exceptions to these deadlines and other procedures may be made only with the advance written approval of both the Senate President and the House Speaker.

/s/ Robert Bunda

Senator Robert Bunda
President

3-28-03

Date

/s/ Calvin K.Y. Say

Representative Calvin K.Y. Say
Speaker

3/31/03

Date