

NINETEENTH DAY

Thursday, February 19, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:48 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 Sakamoto who was excused.

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

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 153 to 344) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 153, submitting for consideration and confirmation to the Board of Trustees of the Employees' Retirement System (ERS), the nomination of HENRY F. BEERMAN, term to expire January 1, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 154, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of ANDREW DON MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 155, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of RUSSELL T. STODD MD, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 156, submitting for consideration and confirmation to the Land Use Commission, the nomination of KYONG-SU IM, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 157, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of DANE K. ODA, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 158, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of EDWARD M. SLAVISH, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 159, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of ALBERT TUFONO, term to expire June 30, 2004, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 160, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of ALBERT TUFONO, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 161, submitting for consideration and confirmation to the Stadium Authority, the nomination of KEVIN H.M. CHONG KEE, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 162, submitting for consideration and confirmation to the Stadium Authority, the nomination of KEVIN H.M. CHONG KEE, term to expire June 30, 2008, was referred to the Committee on Economic Development.

Gov. Msg. No. 163, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of VERNON F.L. CHAR, term to expire June 30, 2006, was referred to the Committee on Tourism.

Gov. Msg. No. 164, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of JOHN J. TONER, term to expire June 30, 2006, was referred to the Committee on Tourism.

Gov. Msg. No. 165, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of JAMES J.C. HAYNES II, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 166, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of JANE B. TATIBOUET, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 167, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of JAMES A. FRAZIER, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 168, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of MARK D. HUNSAKER, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 169, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of RIKE WEISS, term to expire June 30, 2005, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 170, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of TEENA M. RASMUSSEN, term to expire June 30, 2005, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 171, 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. 172, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of FRANCIS G. BREWER DC, CICE, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 173, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of FLORENTINA J. JOHNSON, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 174, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of CORAL WONG PIETSCH, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 175, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of ROGER DANIEL RIZZO, term to expire June 30, 2005, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 176, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of LISA ANN S.L. WONG, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 177, submitting for consideration and confirmation to the Contractors License Board, the nomination of F.M. SCOTTY ANDERSON, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 178, submitting for consideration and confirmation to the Contractors License Board, the nomination of ERIC CARSON, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 179, submitting for consideration and confirmation to the Contractors License Board, the nomination of RONALD K. OSHIRO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 180, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of TIMMY L. ALBAO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 181, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of SHARLENE E. SUGANUMA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 182, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of LISA A. DUNN, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of REBECCA S. WARD, term to expire June 30, 2005, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Defender Council, the nomination of ALFRED B. CASTILLO JR, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of SANDRA YAHIRO,

term to expire June 30, 2006, was referred to the Committee on Labor.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of STANWOOD H. KANNA DDS, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 187, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of MARGARET M. BAXTER, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 188, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of DAVID F. FRAY, term to expire June 30, 2004, was referred to the Committee on Health.

Gov. Msg. No. 189, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of DAVID F. FRAY, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 190, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of PAUL K. HIGA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 191, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JOHN L. NOLAND, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 192, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of DEBORAH J. RIVERS, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 193, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of HELEN SMALLEY-BOWER, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 194, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of CHARLENE N. TARR, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 195, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of PAUL S. VARGAS JR., term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 196, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of JONNA ZANE PHD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 197, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of WILLIAM K. KOKI II, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 198, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nomination of GARY L. BLAICH MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 199, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of RONALD T. TANIGUCHI, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 200, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of ARCHIE HAPAI III, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 201, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of JAMES Y.T. KAM, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of LAURA E. MILLMAN, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of CHARLENE SUMIDA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 204, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of MARGARET TREVOR, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 205, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of DANIEL VARGAS, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 206, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of NORMAN N. AHU, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 207, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of TYRUS KAGAWA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 208, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of ORLANDO L. MATIAS, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 209, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of JAMES P. CHUNG, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 210, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of CLIFFORD R. SMITH, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of JUNE J. TAKANO, term to expire June 30, 2004, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 212, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of JUNE J. TAKANO, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 213, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of JENNIE A. PANG, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 214, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of JAMES PAPAYOANOU, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of ANDY SCHWARTZ MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of CRAIG THOMAS MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Environmental Council, the nomination of MICHAEL A. FAYE, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 218, submitting for consideration and confirmation to the Environmental Council, the nomination of D'ARCY KERRIGAN, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 219, submitting for consideration and confirmation to the Environmental Council, the nomination of VICTOR T. KIMURA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Environmental Council, the nomination of CHESTER SAITO, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Environmental Council, the nomination of BRANT T. TANAKA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of WILLIAM GERALD CHUNG, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of PATTY FOLEY, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of DAVID W. HEYWOOD, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the

nomination of CLYDE SMITH MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of LOIS E. WEISS, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Health Planning Council, Kaua'i County Subarea, the nomination of STANLEY G. YATES, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, the nomination of THOMAS O. BROWN, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, the nomination of ROBERTA CARTWRIGHT, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, the nomination of SUSAN B. HUNT, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Health Planning Council, Hawai'i County Subarea, the nomination of IRENE A. NAGAO, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of KATHLEEN E. DELAHANTY, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of PAMELA HINSDALE, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of EMMET WHITE, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Health Planning Council, Maui County Subarea, the nomination of GLENN S. IZAWA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 236, submitting for consideration and confirmation to the Health Planning Council, Maui County Subarea, the nomination of JOHN ORNELLAS, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 237, submitting for consideration and confirmation to the Health Planning Council, Maui County Subarea, the nomination of ELAINE J. SLAVINSKY, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Health Planning Council, West Oahu Subarea, the nomination of JOYCE M. O'BRIEN, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 239, submitting for consideration and confirmation to the Health Planning Council, West Oahu Subarea, the nomination of INAM UR RAHMAN MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 240, submitting for consideration and confirmation to the Health Planning Council, Windward Oahu Subarea, the nomination of GREGG Y. OISHI, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Health Planning Council, Windward Oahu Subarea, the nomination of BONNIE LEE S.L. PANG, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Health Planning Council, Windward Oahu Subarea, the nomination of BARBARA J. PENNIAL, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Health Planning Council, Windward Oahu Subarea, the nomination of SUSAN A. WADA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 244, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of SIDNEY M. ROSEN, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 245, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of MARIE H. WEITE, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 246, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of JOYCE NAOMI CHINEN PHD, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 247, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nomination of GERALD H. TAKEUCHI, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 248, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nomination of KAY T. YAMADA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 249, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of KIMBERLY M. SHIRAISHI, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 250, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of JOHN W. STONE, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of KEOKI A. LEONG, term to expire June 30, 2005, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 252, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of EIRAYNA K. ADAMS, term to expire June 30, 2005, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 253, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of CAROLEE K. ARICAYOS, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 254, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of ELAINE NICKIE HINES, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 255, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of WHITNEY G.K. SMITH, term to expire June 30, 2005, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 256, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of JENNIFER L. VIERNES, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 257, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of BENJAMIN J. YIM, term to expire June 30, 2007, was referred to the Committee on Science, Arts, and Technology.

Gov. Msg. No. 258, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of DAVID M. SAITO MD, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 259, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of SHERREL L. HAMMAR MD, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 260, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of CHRISTI L. KELIPIO, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 261, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of LESLIE J. KRENK RPH, CDE, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of SUSAN REHBERG MERRILL, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of LAWRENCE O'BRIEN, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the

nomination of ARTHUR USHIJIMA, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 265, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of JOSEPH G. WEBB JR., term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 266, submitting for consideration and confirmation to the Hawai'i Medical Education Council, the nomination of MARY EVELYN WORRALL, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 267, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of BARBARA ARASHIRO, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 268, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of GARY L. BLAICH MD, term to expire June 30, 2004, was referred to the Committee on Health.

Gov. Msg. No. 269, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of WILLIAM S. BUD BOWLES, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 270, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of SHELLY H. OGATA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 271, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of HALIMAH SHABAZZ, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 272, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of POE POE SUAAVA III, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 273, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of WAYNE SUNAHARA, term to expire June 30, 2004, was referred to the Committee on Health.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of JERRY W. JORDAN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of CATHERINE A. ADAMS RN, MSN, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 276, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of PATTY P. CABANA, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 277, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of JULIE TILSON PT, DPT, NCS, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of WARREN J. FERREIRA MA CPP, term to expire June 30, 2005, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 279, submitting for consideration and confirmation to the Board of Psychology, the nomination of ELAINE MARIE HEIBY, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of LORI H.O. KAMIKAWA, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of MICHAEL MEAGHER MD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 282, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of STEIN ERIK RAFTO MD, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 283, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of DANIEL W. RICKENBACHER, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 284, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of WINNIFRED AOKI, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 285, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of SIGNE A. GODFREY, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 286, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of MALCOLM T. KOGA, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 287, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of LORNA L.U. OTA, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 288, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of JEANETTE OTSUKA CHANG, term to expire June 30, 2005, was referred to the Committee on Economic Development.

Gov. Msg. No. 289, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of JOYCE M. EDWARDS, term to expire June 30, 2005, was referred to the Committee on Economic Development.

Gov. Msg. No. 290, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of DORVIN D. LEIS, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 291, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of EDWARD MACDOWELL, term to expire June 30, 2005, was referred to the Committee on Economic Development.

Gov. Msg. No. 292, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of BRIAN K. ZINN, term to expire June 30, 2006, was referred to the Committee on Economic Development.

Gov. Msg. No. 293, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, the nomination of BOB DEWITZ, term to expire June 30, 2006, was referred to the Committee on Economic Development.

Gov. Msg. No. 294, submitting for consideration and confirmation to the Board of Taxation Review, 1st Taxation District (Oahu), the nomination of DICK ISOO OSHIMA, term to expire June 30, 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), the nomination of CAROL ANN BURDICK, term to expire June 30, 2006, was referred to the Committee on Ways and Means.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Board of Taxation Review, 2nd Taxation District (Maui), the nomination of WILLIAM FRANCIS DAILEY, term to expire June 30, 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Hawai'i Television and Film Development Board, the nomination of BRENDA K.H. CHING, term to expire June 30, 2007, was referred to the Committee on Economic Development.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Commission of Transportation, the nomination of DAVID SPROAT, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 299, submitting for consideration and confirmation to the Advisory Board on Veterans Services, the nomination of CYNTHIA LYNN STINE, term to expire June 30, 2007, was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of JAMIE W. FURUTANI DVM, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of MANSFIELD DACAY, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of SHEILA LEAS, 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 Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of MARSHALL LUM, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 304, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of EASSIE M. MILLER, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of VICTOR D. MORELAND, term to expire June 30, 2004, was referred to the Committee on Health.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of VICTOR D. MORELAND, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 307, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of P.Y. YANG, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 308, submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, the nomination of DANIEL K. MASUNO, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 309, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), the nomination of ROBERTA M. RICHARDS, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 310, submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of SUSAN M. PIRSCH, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 311, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of TODD K. APO, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 312, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of MARCIA A. ARMSTRONG, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 313, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of MICHAEL FITZGERALD, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 314, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of SIGNE A. GODFREY, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 315, submitting for consideration and confirmation to the Hawai'i Workforce Development Council,

the nomination of ERWIN HUDELIST, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 316, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of WAYNE K. KANEMOTO, term to expire June 30, 2005, was referred to the Committee on Labor.

Gov. Msg. No. 317, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of STEVE B. METTER, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 318, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of DARNNEY L. PROUDFOOT, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 319, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of GREGG T. YAMANAKA, term to expire June 30, 2007, was referred to the Committee on Labor.

Gov. Msg. No. 320, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of AGNES P. CADIZ, term to expire June 30, 2004, was referred to the Committee on Education.

Gov. Msg. No. 321, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of AGNES P. CADIZ, term to expire June 30, 2008, was referred to the Committee on Education.

Gov. Msg. No. 322, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of CLEMENTIA D. CERIA PHD, MS, RN, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 323, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of SALLY T. ISHIKAWA, term to expire June 30, 2006, was referred to the Committee on Education.

Gov. Msg. No. 324, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of JANE K. KADOHIRO DRPH, APRN, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 325, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of BARBARA P. MATHEWS RN, MSN, CNA, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 326, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of PENNYLYNN A. ONTAI, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 327, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of ROSE ANN POYZER RN, BSN, term to expire June 30, 2004, was referred to the Committee on Education.

Gov. Msg. No. 328, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of ROSE ANN POYZER RN, BSN, term to expire June 30, 2008, was referred to the Committee on Education.

Gov. Msg. No. 329, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of ANA MARIA SILVA RN, CAN, BC, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 330, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of CHEN-YEN WANG PHD, term to expire June 30, 2007, was referred to the Committee on Education.

Gov. Msg. No. 331, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of JOAN PRINDIVILLE WHITE, term to expire June 30, 2005, was referred to the Committee on Education.

Gov. Msg. No. 332, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of AMY E. YASUNAGA RN, MSN, PHDC, 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 Examiners in Optometry, the nomination of FRANKLIN Y.P. LAU OD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 334, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of JERE HU ENG LOO OD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 335, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of ERNEST K. OSHIRO OD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 336, submitting for consideration and confirmation to the Pest Control Board, the nomination of CARLTON L. AGENA RME, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 337, submitting for consideration and confirmation to the Pest Control Board, the nomination of MICHAEL MCINERNY, term to expire June 30, 2004, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 338, submitting for consideration and confirmation to the Pest Control Board, the nomination of ERIC M. HIGASHIHARA, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 339, submitting for consideration and confirmation to the Pest Control Board, the nomination of MICHAEL MCINERNY, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 340, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of JO-ANNA NAKATA, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 341, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of CYNTHIA K.L. REZENTES, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 342, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of GWEN T. CHINN, 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 Board of Physical Therapy, the nomination of GILBERT PERRY HAGER MD, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 344, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of JAMES K. HEWSON, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 8 to 11) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 8, transmitting H.B. No. 2863, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 2863, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 9, transmitting H.B. No. 2683, which passed Third Reading in the House of Representatives on February 18, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 2683, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA AND DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEA," passed First Reading by title and was deferred.

Hse. Com. No. 10, transmitting H.B. No. 2685, which passed Third Reading in the House of Representatives on February 18, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 2685, entitled: "A BILL FOR AN ACT RELATING TO BAIL JUMPING," passed First Reading by title and was deferred.

Hse. Com. No. 11, transmitting H.B. No. 2689, which passed Third Reading in the House of Representatives on February 18, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 2689, entitled: "A BILL FOR AN ACT RELATING TO STALKING," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 31 to 36) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 31 "SENATE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO ADHERE TO PRIORITIZATION AND TECHNIQUES RELATING TO SOLID AND HAZARDOUS WASTE DISPOSAL AS REQUIRED BY THE HAWAII REVISED STATUTES."

Offered by: Senator Chun Oakland.

No. 32 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ALLOW CERTAIN REMNANT LAND TO BE USED BY THE HOMELESS FOR AGRICULTURAL PURPOSES."

Offered by: Senator Chun Oakland.

No. 33 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO INITIATE STATE RELATIONS WITH THE STATE OF RABAT-SALÉ-ZEMMOUR-ZAËR, KINGDOM OF MOROCCO."

Offered by: Senator Chun Oakland.

No. 34 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HEALTH TO SET UP WORKSHOPS FOR HAIR STYLISTS TO EDUCATE THEIR CUSTOMERS ON HEALTH ISSUES."

Offered by: Senator Chun Oakland.

No. 35 "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ESTABLISH A PROGRAM TO SET UP A STATE SPONSORED POST OFFICE BOX FOR VICTIMS OF SEXUAL ASSAULT, DOMESTIC ABUSE, AND STALKING."

Offered by: Senator Chun Oakland.

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF HYPNOTHERAPISTS."

Offered by: Senator Inouye.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 2115) recommending that S.B. No. 2536, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL TREES," 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. 2116) recommending that S.B. No. 2537, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2537, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE ALA WAI WATERSHED ASSOCIATION," 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. 2117) recommending that S.B. No. 2617, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2617, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CLEAN-UP OF KAPALAMA CANAL IN THE CITY AND COUNTY OF HONOLULU," 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. 2118) recommending that S.B. No. 2622, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2622, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR KEEHI 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. 2119) recommending that S.B. No. 2645, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL PARKS," passed Second Reading and was referred to the Committee on Economic Development.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 2120) recommending that S.B. No. 2693 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2693, entitled: "A BILL FOR AN ACT RELATING TO FLOODS," 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. 2121) recommending that S.B. No. 2820 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 2820, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," 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. 2122) recommending that S.B. No. 2004, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2004, 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. 2123) recommending that S.B. No. 2124, 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. 2124, S.D. 1, 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.

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. 2124) recommending that S.B. No. 2404, as amended in S.D. 1, pass 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. 2404, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES MEETING IN HONOLULU," 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. 2125) recommending that S.B. No. 2430 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. 2430, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS," 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. 2126) recommending that S.B. No. 2506, 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. 2506, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY

RIGHTS," 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. 2127) recommending that S.B. No. 2599, 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. 2599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE," 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. 2128) recommending that S.B. No. 3032, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 3032, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MUNICIPAL PARKING STRUCTURE AT WAILUKU, MAUI," 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. 2129) recommending that S.B. No. 3043 pass 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. 3043, entitled: "A BILL FOR AN ACT RELATING TO AN ALOHA AINA 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. 2130) recommending that S.B. No. 3050, 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. 3050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," 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. 2131) recommending that S.B. No. 3061 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. 3061, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

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. 2132) recommending that S.B. No. 3080, as amended in S.D. 1, pass 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. 3080, 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. 2133) recommending that S.B. No. 3214, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 3214, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A HOMELESS SHELTER IN WEST HAWAII," 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. 2134) recommending that S.B. No. 2630, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CUSTODY," 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. 2135) recommending that S.B. No. 2043 pass 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. 2043, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE AVIATION MUSEUM OF THE PACIFIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 2136) recommending that S.B. No. 2002 pass 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. 2002, 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. 2137) recommending that S.B. No. 2033, 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 majority of the Committee was adopted and S.B. No. 2033, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY," 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. 2138) recommending that S.B. No. 2145, as amended in S.D. 1, pass Second Reading and 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. 2145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGES," 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. 2139) recommending that S.B. No. 2550 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2550, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 2140) recommending that S.B. No. 2553, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2553, S.D. 1, 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. 2141) recommending that S.B. No. 2554 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2554, 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. 2142) recommending that S.B. No. 2878, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2878, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL TAX LIMIT ON

COMPENSATION APPLICABLE 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. 2143) recommending that S.B. No. 2879, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF 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. 2144) recommending that S.B. No. 2921 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2921, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING INCREASES," 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. 2145) recommending that S.B. No. 2941 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2941, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE WORKERS' COMPENSATION PROGRAM," 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 (Stand. Com. Rep. No. 2146) recommending that S.B. No. 2980 pass 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. 2980, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS," 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. 2147) recommending that S.B. No. 3018, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 3018, 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. 2148) recommending

that S.B. No. 3019 pass Second Reading and 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. 3019, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS," 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. 2149) recommending that S.B. No. 53, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 53, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE IN THE KIHEI/WAILEA REGION OF MAUI," 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 of the majority of the Committees (Stand. Com. Rep. No. 2150) recommending that S.B. No. 2097 pass 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. 2097, entitled: "A BILL FOR AN ACT RELATING TO BOATING," 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. 2151) recommending that S.B. No. 2098, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2098, S.D. 1, entitled: "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," 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. 2152) recommending that S.B. No. 2152, as amended in S.D. 1, pass 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. 2152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL 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. 2153) recommending that S.B. No. 2328 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2328, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAUAI COMMUNITY 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. 2154) recommending that S.B. No. 2582 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 2582, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DONATED DENTAL SERVICES," 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. 2155) recommending that S.B. No. 2979, as amended in S.D. 1, pass 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. 2979, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY AT HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS," 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. 2156) recommending that S.B. No. 3156 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 3156, 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 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. 2157) recommending that S.B. No. 3235, as amended in S.D. 1, pass 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. 3235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRYSTAL METHAMPHETAMINE," 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. 2158) recommending that S.B. No. 2246, 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. 2246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading

and was placed on the calendar for Third Reading on Monday, February 23, 2004.

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. 2159) recommending that S.B. No. 2825 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. 2825, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS APPOINTMENT AND REVIEW PANEL," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 23, 2004.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 2113 (Jud. Com. No. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 2113 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 WILLIAM A. CARDWELL 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 to speak in favor of the nominee and said:

"Mr. President, I rise to speak in favor of Jud. Com. No. 1.

"Mr. President, Chief Justice Moon has selected William A. Cardwell for the position of the District Court of the First Circuit, State of Hawaii.

"Mr. President, I'd like to say that, as a practicing attorney, I have the greatest respect for any attorney who selects himself or herself to serve in the District Court. It is, in my opinion, going beyond the call of duty.

"With Mr. Cardwell, we have someone very qualified. He's a University of Utah graduate for his undergraduate career, served in the US Army and went on to University of California, Berkeley, Boalt Hall for his law degree. There he graduated Order of the Coif or Order of the Coif, depending on which European accent you want to adopt, but, in essence, a very high, high distinction. He served in San Francisco as a practicing attorney and then came to Hawaii and was part of the law firm of Cades Schutte Fleming and Wright, of course where Rick Clifton also stems from.

"What was very interesting in the testimony that we received is he also was a law clerk for Sam King. And Sam King had that interesting saying just as Judge Nakamura, and then Mark Bennett, the Attorney General, came forward and shared a very interesting story with us. Sam King takes full credit for matchmaking Mr. Cardwell with his wife, Cora Lum, someone that is no stranger to all of us. So we have another Sam King story running through this appointment as well.

"The Hawaii State Bar Association deemed Mr. Cardwell to be highly qualified. The interesting testimonies that we received basically said that he was extremely competent and

very well qualified. But what I'd like to say is that this one regular person, not a lawyer, said that he best describes Mr. Cardwell as someone with 'equanimity.' By the way, I went to the dictionary, so for those who are vocabulary-challenged, like those of us from Waianae, it means somebody who can be fair, even under stress.

"One of the most interesting things that I believe was said during the proceeding was the fact that Mr. Cardwell truly enjoys being a District Court Judge. He's been a per diem Judge since September of 2002. He says the reason he wants to be a District Court Judge is because he has immediate impact on so many people's lives, and he enjoys and loves District Court and Small Claims Court. Mr. President, that's why I believe this is beyond the call of duty. You've got to be in District Court to understand anybody loving that process. He said he likes it because the District Court, for most, is the only exposure they have to the legal system, and he believes it was his responsibility to treat them fairly, with dignity, respect, to be calm, and to listen to them. I think those are the characteristics that we want to see in a District Court Judge.

"He, of course, has been an attorney for 30 years now, and I believe that we can have no better an appointment to the District Court of the First Circuit, State of Hawaii. So I ask that you and my colleagues join me in consenting to the nomination of Mr. Cardwell to the District Court of the First Circuit of the State of Hawaii.

"Thank you, Mr. President."

Senator Hogue rose to speak in favor of the nominee and said:

"Mr. President, I also rise in favor of Jud. Com. No. 1 in support of William Cardwell.

"Colleagues, I'm not an attorney, nor do I play one on TV, but I will tell you that I was very impressed with Mr. Cardwell, who will, I think, be a terrific Judge and do a great job on the District Court of the First Circuit.

"He is very imminently qualified – impressive qualifications – and when he and I talked in my office, he talked about how he really wants to move the docket along and have some very succinct ideas on how that can happen, and I like to hear that when we hear some of the criticism of the judiciary.

"So, he's going to take his responsibilities very, very seriously. He will do it with tremendous compassion and that other word that the Senator from Waianae mentioned as well that sportscasters rarely use in their vocabulary.

"So once again, Mr. President, I urge strong support of Jud. Com. No. 1, William Cardwell to the District Court of the First Circuit, and I urge all my colleagues to vote favorably.

"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 (Sakamoto, Whalen).

At this time, Senator Hanabusa introduced Judge Cardwell, who was seated in the gallery with his family, to the members of the Senate.

Stand. Com. Rep. No. 2114 (Jud. Com. No. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 2114 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 CHRISTINE E. KURIYAMA 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, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in favor of the nominee and stated:

"Mr. President, I rise to speak in favor of Jud. Com. No. 2.

"Mr. President, Chief Justice Ronald Moon has selected Christine E. Kuriyama to the position of District Family Court of the First Circuit of the State of Hawaii.

"I would like to begin by first saying if there's anything more than the District Court, it's anyone who would choose to go to Family Court that I have the deepest respect for.

"Ms. Kuriyama has been a practicing attorney for 25 years. She is a University of Hawaii graduate and she went to the Hastings College of the Law. The Hawaii State Bar Association has deemed her qualified for this position.

"I would like to say that she has served in this capacity of a per diem Judge in Family Court since 1995, and she still wants to be a Family Court Judge. She has done this even after serving in all divisions of the Family Court. She served in the domestic, the special juvenile and adult criminal divisions of the Family Court and finds this to be the position that she would like.

"She's also had a very interesting career, and I'm just going to highlight it. She's been the House Majority Attorney; she's worked for the Department of Commerce and Consumer Affairs; she's been a Deputy Attorney General; she's been in a civil litigation firm, actually a partner with Greeley Walker and Cowan; and she chose to be almost a full-time per diem Judge beginning last year sometime.

"What was very impressive about what came forward in the testimony was there was someone unsolicited by her, of course, who went around and got 61 signatures of those who are employed at the Family Court. Mr. President, you have got to be at the Family Court to understand what a feat that is. You know, I've always described them as little fiefdoms all over. But to get 61 of them to agree that they would like to see Ms. Kuriyama be appointed and confirmed by this Senate as a Judge there, I believe it's a very high statement to her.

"Judith Pavey submitted testimony saying that she is a wonderful person and an amazing mom. Mr. President, I don't think there's very much more that you can say – someone so dedicated to this profession that 61 of the people that work with her and for her would support her, and yet she is able to maintain her persona as a wonderful person and amazing mom and still be in Family Court. I can't tell you how impressive that is to me.

"So, Mr. President, colleagues, I hope that you join me in consenting to the nomination of Christine Kuriyama to the District Family Court of the First Circuit of the State of Hawaii.

"Thank you very much."

Senator Hogue rose to speak in favor of the nominee and said:

“Mr. President, on behalf of your Minority, I also rise to speak in favor of Jud. Com. No. 2 in support of Christine Kuriyama who will go to the District Family Court of the First Circuit.

“Colleagues, I have had the opportunity to go before the Family Court on a couple of occasions: once, when I adopted my youngest daughter – it was a very happy occasion; and then recently with some very strong challenges that we had with our teenage son. Both times, I was glad that there was someone behind the bench that was compassionate, very qualified, understanding of the issues involved, and I know that Christine Kuriyama will follow in the footsteps of some of our other very outstanding judges in some of these very challenging issues that have to do with families and individuals and, in some cases, with our juveniles with things like mental illness and substance abuse.

“So, I urge all of my colleagues, to support Christine Kuriyama who I know will do a terrific, terrific job on the bench, and I hope that all will vote favorably.

“Thank you, Mr. President.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Sakamoto, Whalen).

At this time, Senator Hanabusa introduced Judge Kuriyama and her family to the members of the Senate.

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:29 o'clock p.m.

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 2139	Jointly to the Committee on Science, Arts, and Technology and the Committee on Tourism

Senator Slom rose to speak on a point of personal privilege and said:

“Mr. President, I rise on a personal point of privilege.

“Mr. President, I have to say that we were in a hearing this morning. There were four Senate Committees on a Senate Bill. It had to do with workers' compensation, among other things. Basically, the bill really was about fraud in all its forms, for every type of insurance in the State of Hawaii, to protect every individual.

“I must tell you, Mr. President, I've been involved in efforts to reform workers' compensation for more than 20 years as an individual, and also with various groups and organizations, and as a State Senator. And I've got to tell you further, Mr. President, that the action today leaves me appalled, disappointed and angry, because once again, the business community, which has told us year after year that workers' compensation reform is the number one priority and the number one issue, once again we are about to sell them down the river.

“We have a bill, S.B. No. 2884, it's a good bill. Everyone that was there this morning in the nearly two hours of testimony, testified in favor of the bill. We had all kinds of disparaged groups. There were a lot of people that gave very telling stories about medical problems that they had with their health provider. And that's fine. There were some problems with definition that needed to be worked out and amendments needed to be made. And that's fine. Everybody was in agreement.

“I asked the insurance commissioner, Mr. Schmidt, this bill that addresses fraud, in all its forms, whether it's against employer, employee, provider, or patient, fraud is fraud, and fraud costs us all and hurts the society. I asked the insurance commissioner, was there any type of insurance that would not be covered by this bill that would give the insurance commissioner the major responsibility and priority to go after fraud and to end it? And his answer was that it covered ALL insurance – temporary disability insurance, health care, auto insurance, and workers' compensation.

“A number of business groups were there today, and a number of others sent in testimony in strong support of this bill and all of its ramifications for everyone else – in medical and everything else. When it came time for decision-making, the Chairs decided that they would remove the portion that had to do with workers' compensation, though no one testified against workers' compensation except for two organizations who chose not to show up – the AFLCIO and the ILWU, who for more than 20 years have opposed any reform in workers' compensation and any addressing of fraud in workers' compensation even though, again, I repeat and the insurance commissioner repeated, it doesn't matter whether the infraction or the fraud is committed by an employer, any business, or anyone else, it still will be vigorously prosecuted. But, the idea was to listen to these organized labor organizations who weren't even there, who were not subject to questioning or scrutiny – the only ones that opposed that portion of the bill.

“So, the decision was made to exercise out workers' compensation, even though this bill is about workers' comp, TDI, prepaid health and auto insurance fraud – and it is so blatant and so clear. The excuse given was that there is a House Bill moving, which is a separate bill entirely. This is an omnibus bill.

“Again, the Senate is choosing to punt, to give up its responsibility to take action. Again, the Senate is sending a strong message to the business community – we really don't believe in a fair and level playing field; we don't care that this is your number one issue; we don't care that fraud is a major cost driver in workers' compensation; we don't care that Hawaii and Hawaii's employers, the only ones who pay workers' comp, not any employee, we don't care that our rates are the third highest in the nation.

“Fraud is not a partisan issue. And it's true we had bipartisan support to keep that portion in the bill. But the Chairs of the Committee have chosen not to keep it in the bill. Yes, there was a suggestion – let's put something in the committee report, but we all know the committee report doesn't have the weight and the strength of the bill.

“And, so, Mr. President, I'm very sad . . .”

Senator Tsutsui interjected:

“Recess, Mr. President.”

At 12:35 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.

Senator Slom rose and said:

"Mr. President, in the interest of caring for our colleague, I'll conclude my remarks. I think my point has been made. Thank you."

ADJOURNMENT

Senator Kawamoto, moved that the Senate adjourn until 7:00 o'clock p.m., Friday, February 20, 2004, seconded by Senator Hogue.

At 12:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:46 o'clock p.m.

At this time, Senator Kawamoto withdrew his motion to adjourn and Senator Hogue withdrew his second.

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 2073 and 2254.

Senator Kanno noted:

"Mr. President, S.B. No. 2073 deals with an optional retirement program for university professors.

"Also, on S.B. No. 2254, this was a bill that was previously heard. At the hearing, we had said the decision-making would be tomorrow at our 1:00 hearing, but the proper notice wasn't filed with the Clerk's Office. I understand that we need a waiver in order to schedule decision-making for our hearing tomorrow at 1:00."

The Chair then granted the waiver.

At 12:47 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 7:00 o'clock p.m., Friday, February 20, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate