

**JOURNAL**  
of the  
**SENATE OF THE**  
**TWENTY - THIRD LEGISLATURE**  
of the  
**STATE OF HAWAII**

---

**Regular Session of 2005**

**Convened Wednesday, January 19, 2005**  
**Adjourned Thursday, May 5, 2005**

**OFFICERS OF THE SENATE**

**President**

**HONORABLE ROBERT BUNDA ..... Honolulu, Hawaii**

**Vice President**

**HONORABLE DONNA MERCADO KIM ..... Honolulu, Hawaii**

**Clerk**

**PAUL T. KAWAGUCHI ..... Honolulu, Hawaii**

**Assistant Clerk**

**LORNA A. WOO ..... Honolulu, Hawaii**

**Sergeant at Arms**

**BIENVENIDO C. VILLAFLOR ..... Honolulu, Hawaii**

**Assistant Sergeant at Arms**

**VIOLA F. GOINGS ..... Honolulu, Hawaii**

**LIST OF MEMBERS**  
of the  
**SENATE OF THE TWENTY-THIRD LEGISLATURE**  
of the  
**STATE OF HAWAII**

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

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

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Senator Ron Menor

Senator Norman Sakamoto  
Senator Gordon Trimble

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Senator Carol Fukunaga

Senator Fred Hemmings

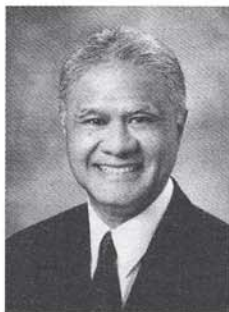
**WAYS AND MEANS**

Senator Brian T. Taniguchi, Chair  
Senator Shan S. Tsutsui, Vice Chair

Senator J. Kalani English  
Senator Will Espero  
Senator Carol Fukunaga  
Senator Gary L. Hooser  
Senator Lorraine R. Inouye  
Senator Brian Kanno  
Senator Donna Mercado Kim

Senator Russell S. Kokubun  
Senator Clarence K. Nishihara  
Senator Norman Sakamoto  
Senator Fred Hemmings  
Senator Sam Slom  
Senator Gordon Trimble

**MEMBERS OF THE SENATE  
TWENTY – THIRD LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 2005**



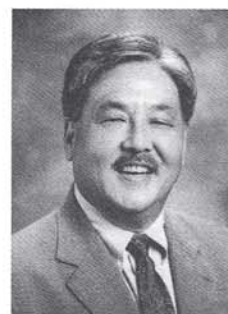
**ROBERT BUNDA**  
22nd Senatorial District  
President



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



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



**RUSSELL S. KOKUBUN**  
2nd Senatorial District  
Assistant Majority Leader  
Chair: Water, Land, and Agriculture



**CLAYTON HEE**  
23rd Senatorial District  
Majority Floor Leader  
Chair: Higher Education



**ROSALYN H. BAKER**  
5th Senatorial District  
Assistant Majority Floor Leader  
Chair: Health



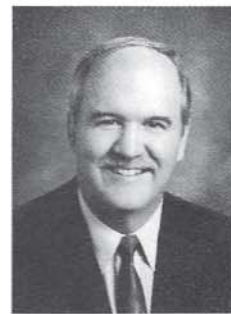
**NORMAN SAKAMOTO**  
15th Senatorial District  
Majority Policy Leader  
Chair: Education and Military Affairs



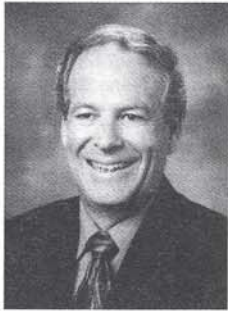
**SHAN S. TSUTSUI**  
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**FRED HEMMINGS**  
25th Senatorial District  
Minority Leader



**BOB HOGUE**  
24th Senatorial District  
Minority Floor Leader



**GORDON TRIMBLE**  
12th Senatorial District  
Minority Policy Leader



**WILL ESPERO**  
20th Senatorial District  
Chair: Business and Economic  
Development



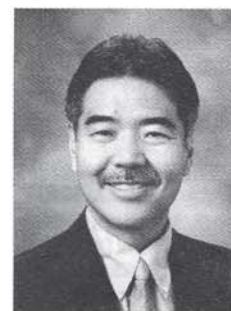
**RON MENOR**  
17th Senatorial District  
Chair: Commerce, Consumer  
Protection and Housing



**J. KALANI ENGLISH**  
6th Senatorial District  
Chair: Energy, Environment and  
International Affairs



**SUZANNE CHUN OAKLAND**  
13th Senatorial District  
Chair: Human Services



**DAVID Y. IGE**  
16th Senatorial District  
Chair: Intergovernmental Affairs



**BRIAN KANNO**  
19th Senatorial District  
Chair: Labor



**CAROL FUKUNAGA**  
11th Senatorial District  
Chair: Media, Arts, Science and  
Technology



**LORRAINE R. INOUE**  
1st Senatorial District  
Chair: Transportation and Government  
Operations





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



**GARY L. HOOSER**  
7th Senatorial District



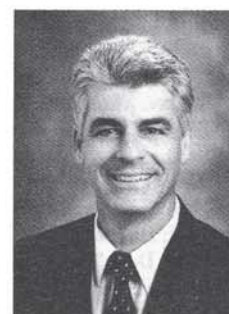
**LES IHARA, JR.**  
9th Senatorial District



**CLARENCE K. NISHIHARA**  
18th Senatorial District



**SAM SLOM**  
8th Senatorial District



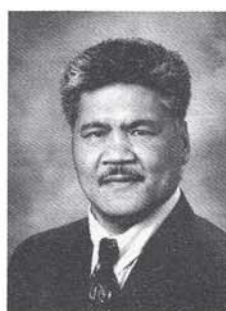
**PAUL WHALEN**  
3rd Senatorial District



**PAUL T. KAWAGUCHI**  
Clerk



**LORNA A. WOO**  
Assistant Clerk



**BIENVENIDO C. VILLAFLO**  
Sergeant at Arms



**VIOLA F. GOINGS**  
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 24, 25, 28, March 1 and 2, 2005; other recesses were held on January 25, 28, March 7, 9, 29, April 11, 13, 19, May 2 and 4, 2005.

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THE  
 TWENTY-THIRD LEGISLATURE  
 STATE OF HAWAII  
 REGULAR SESSION OF 2005  
 JOURNAL OF THE SENATE

FIRST DAY

**Wednesday, January 19, 2005**

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, 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 "Keahiwai."

The Lord's Prayer was then sung by Mr. Daniel Kalekini, Jr.

The Divine Blessing was invoked by Pastor Mike Lwin, New Hope Leeward.

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

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

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

Senator Menor 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, second by Senator Ihara and carried.

The Chair thereupon appointed Senators Kim, Tsutsui 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-third 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-third Legislature of the State of Hawaii, Regular Session of 2005, 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 4, 2008 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

Clarence K. Nishihara

Twenty-first Senatorial District

Colleen Hanabusa

Twenty-second Senatorial District

Robert Bunda

Twenty-third Senatorial District

Clayton Hee

Respectfully submitted,

/s/ Donna Mercado Kim

/s/ Shan S. Tsutsui

/s/ Fred Hemmings”

Senator Fukunaga moved that Special Committee Report No.1 be adopted, seconded by Senator Chun Oakland and carried.

The Committee on Credentials was thereupon discharged with thanks.

The Chair then called upon Chief Justice Ronald T.Y. Moon of the Hawaii State Supreme Court to approach the rostrum to administer the oath of office to the newly elected members of the Senate.

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 Baker moved that the nominations be closed, seconded by Senator English.

The motion to close the nominations was then put by the Chair and carried and the Temporary Clerk was directed to cast a unanimous ballot for Senator Robert 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-Third Legislature of the State of Hawaii, Regular Session of 2005.

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

“Lieutenant Governor and Mrs. Aiona, Chief Justice Moon, Mayor Baptiste, Mayor Kim, Congressman Abercrombie, Congressman and Mrs. Case, Former Governor and Mrs. Ariyoshi, Former Governor and Mrs. Waihee, Mrs. Cayetano, Superintendent Hamamoto, General Renuart, Rear Admiral Alford, Colonel O’Neal, Colonel Killian, esteemed colleagues, honored guests, ladies and gentlemen:

“Aloha and welcome to the 2005 Regular Session of the Hawaii State Legislature.

“My friends, it’s been a while since we’ve convened in an atmosphere of optimism about our economy. As we open our Session, the national economy is strong and our local economy is enjoying steady growth fueled by tourism, construction, defense spending and agriculture. Each new quarterly report on tax revenues seems to validate confidence in our future.

“But while we here in the Legislature may have reason to feel optimistic, what is the mood of people working to make a living beyond these Chambers? Do our immediate concerns over a balanced budget line up in any way with the concerns of parents balancing their family checkbook? Perhaps, in this period of a relatively stable economic outlook, we Legislators

should look beyond the necessary but predictable legislative agenda. We will soon examine various proposals to deal with our traffic problems, our inadequate supply of affordable housing, environmental challenges and continued educational reform, to name a few.

“Perhaps we need to adopt a guiding principle that will unify us in our work this Session. A mantra, if you will. One that will help to put our work in perspective and make it more relevant to those who elected us. Rather than suggest it outright, let me illustrate it through the story of one individual living here in the islands. For the moment, let’s just call him ‘M.’

“‘M’ is a young local boy who married his high school sweetheart. They have a six-year-old son, with another child on the way. Both he and his wife have to work full-time just to make ends meet. But skyrocketing gas prices only made things worse – and then, last month, their landlord told them, he was raising their rent for the new year. Their food bill is also rising, in spite of trips to Costco and Wal-Mart. They rent an apartment in Leeward Oahu and have been putting away a little each month to buy a house. They thought that was within reach and started to look at homes in Central Oahu early last year. Then home prices went through the roof. With a second child on the way, ‘M’ and his wife were faced with a tough choice – do they continue to chase their dream of owning their own home, or begin the long task of saving for college tuition?

“And that’s where we have to leave them. It’s an unfinished story that will not attract much attention, nor grab headlines. It never does. It’s a story that’s not dramatic enough. It is not tragic and it is not heroic. In fact, you could almost say it’s downright mundane. But you know what? It’s a story we can all empathize with and one we all share, because the story of ‘M’ is the story of ‘M’ost of us.

“We are the great majority – the, quote/unquote, middle class. Even that classification doesn’t engender much excitement. But it’s a story whose time has come. Whether we are talking about the carpenter building a home in Mililani or the office worker in Lihue.

“All of us here in the Senate come from various backgrounds, and a few of us even belong to a different party, but we have one thing very important in common – we are solidly middle-class citizens. We have to pay bills and pay taxes, most of us have to save to put our children through college, and some of us are paying to support our aging parents. We are part of the mainstream of middle class citizens that advocate family values and value community service as a civic duty. Our personal story should be reflected in our decision-making as Legislators – for that is representative government at its best.

“We are a nation of immigrants, and Hawaii is one of its most successful models. Since the middle of the last century, government in Hawaii has a history and tradition of looking out for the little guy – the guy on the bottom rung. We have a responsibility and duty to continue to do that, and we will, invoking the best of our traditions in Hawaii – the Aloha Spirit.

“But something else has transpired here over the last several generations. As a society, we have by-and-large succeeded through the politics of inclusion. The children, grandchildren and great grandchildren of our immigrant forefathers are now a part of our middle class majority. In the process, they have changed the face of Hawaii. Unfortunately, we in government have been slow to respond to the needs of this changing population. A very broad cross section of our population has

for a very long time been feeling the pinch – the pinch of being left out of the picture.

“Does this sound familiar? You don’t qualify for government assistance, whether it’s for food, housing, higher education or tax relief. But, as a taxpayer, you shoulder the bulk of the cost of society, whether it’s paying for highways, schools or sewer lines. Two recent studies show that the majority of Hawaii’s working families is falling victim to an income gap where income levels are not keeping pace with the cost of living in the islands. Your grocery bill is 52 percent more expensive than the national average. Gasoline is 32 percent more expensive than on the mainland. And Hawaii’s housing prices are more than double the national average.

“How can government help you, even while we are taking care of those who still need to be brought into our circle of inclusion? For most of us, education was our ticket to upward mobility. In today’s fast changing, technology-driven world, education continues to be the key to success for our children.

“Last session, we carefully approved major educational reform – not change for change sake – but real reform towards more efficient and effective governance of our school system, including the repair and maintenance of our school facilities. Now, we must continue our efforts to put more power into the hands of those who have the best working knowledge of the system – the superintendent, who in turn is able to delegate more authority to principals who ultimately empower our teachers in the classroom. While our schools prepare our students for college, middle-class parents are bracing themselves for the cost of higher education. With tuition increases a certainty at the University of Hawaii next year, we must ensure access to scholarships and tuition waivers to help our local families.

“Government can also help those in the middle by making it easier for them to go to and from work. And while potholes need to be filled, it is not only potholes that are slowing down and tying up traffic. A solution to our transportation problems on all islands has eluded us for many, many years. Every attempt has fallen short, despite the best efforts of many people.

“Therefore, I am proposing the formation of a statewide transit authority to oversee the development, financing, construction, and operation of a mass transit system in each county. The shape that the system would take for each island might differ. But a statewide transit authority would provide the financial muscle, coordination, and intrastate cooperation that would bridge differences in philosophy and geography, to bring tangible solutions to our communities. With the participation of each county, the transit authority would provide the forum and bear the ultimate responsibility for finding transportation solutions for each island. Whether it’s rail or otherwise, there is one thing that we all know: Our traffic woes will not remain status quo, and neither can our response.

“Perhaps our greatest challenge is to provide adequate housing for our people, particularly our middle class families. Currently, only about 55 percent of our residents own their own homes. That ranks Hawaii as the third lowest state in the country when it comes to homeownership.

“During the interim, the Senate Task Force on Affordable Housing toured the state for a first-hand look at the issue and will be proposing initiatives this Session to help our first-time homebuyers. We need to provide not just hope for them, but definitive actions that will bring homeownership within their reach.

“But in the long run, the price of a home is a function of supply and demand. Here in Hawaii, with a scarcity of land, we are essentially talking about supply. That is why we need to look closer at how we make lands for home construction available, even as we provide safeguards to protect the natural beauty of these islands.

“In 1978, the people of Hawaii approved a constitutional amendment to preserve and protect agriculture. All lands were categorized or zoned, based on its most appropriate use. The Land Use Commission was established to oversee land use issues. But that was 27 years ago. Times and this State have changed, and so have the needs of our families.

“Is the Land Use Commission functioning in the best interest of our people today? Are the zoning categories doing what they were meant to do? Do some of its functions belong more appropriately with the counties? I think it’s time for a major and comprehensive review, to look for better ways to provide housing for our people while protecting the aina.

“Finally, and perhaps most importantly, I firmly believe we need to review the tax burden of our citizens in the middle.

“Also established by a constitutional amendment, the Tax Review Commission is mandated to periodically review our overall income tax structure. In its last report to the Legislature in 2002, the Commission once again recommended increases in both the standard deduction and personal exemptions. As the Commission critically stated, our State income tax brackets are so compressed that people on public assistance pay income taxes while the highest marginal rate for married taxpayers filing jointly begins when their taxable income reaches \$80,000.

“Today, the median income of a family of four in Hawaii, with both parents working, is around \$70,000 a year. If that same middle-class family earned a mere \$900 more a month, they would be taxed in the same bracket as a family with an annual income of \$900,000!

“So let me put it to you this way: Two experienced school teachers with a combined taxable income of \$80,000 would be taxed at the same rate as one of our top CEOs here in Hawaii. This, ladies and gentlemen, is simply not fair. Maybe it’s time for a tax cut for the middle class. Maybe it’s time to review the entire system.

“By adjusting the brackets upward, we would not only bring our tax laws more in line with economic realities in Hawaii but it could also provide long-term tax relief to our middle-income families. This brings me back to my point at the beginning of this speech – the mantra, if you will, that should guide us in our decision making. We need to grow and protect our middle class.

“If we don’t address all of these needs – the needs of the majority – we in Hawaii will become increasingly a society of haves and have-nots. Even now, we are seeing signs that we are fast becoming a playground for the world’s ultra rich. The multi-million dollar homes once limited to Oahu’s Kahala Avenue have been joined by equally expensive homes on Maui, Kauai, and the Big Island.

“At the other end of the spectrum, if we do nothing, many will slip out of the economic middle class and become part of the have-nots, placing an even greater burden on government. They are the ones who have fallen between the cracks and who do not qualify for a wide range of government and private assistance programs. They are the ones lost in the invisible middle ground of our society.

“We have an opportunity to remove existing impediments so that they can earn a decent living, make a home for their families, and provide quality education for their children . . . so that their children, too, can confidently pursue the American dream, and know that it is attainable – not only by heroic measures, but by measures achievable by all of us.

“Mahalo and Aloha.”

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

“President Bunda, esteemed colleagues and distinguished guests, and most importantly the people of Hawaii – Aloha.

“We have reasons to be optimistic, Mr. President. You’re so correct. Record numbers of workers are employed, business is growing, and as a result, tax revenues are up. In these times of economic prosperity, besides counting our blessings, we must lay the foundation for enduring prosperity. The Old Testament tells us of a very wise Joseph, son of Sam Slom, I mean Jacob, (laughter) counseling the Pharaoh of Egypt during the seven years of plenty to prepare for the inevitable years of famine. So it must be. Wise leaders see beyond today. Let’s be wise. If we are to meet the challenges of continuing prosperity, we need to capitalize on everyone’s talents. The loyal opposition in this political process chooses to be proponents rather than opponents. On many significant issues, we all stand on common ground. Today and throughout this Session, let’s work to capitalize on that which we hold in common.

“Last Session, the executive branch of government emphasized conservation and fiscal responsibility. Yes, for many years we balanced the budget by juggling the books and raiding funds designated for specific uses. For the first time in many years, we can implement a state budget that lives within our means. The Governor has proposed a budget that does just that. Let’s work together to make it happen.

“It should be noted that the Council on Revenues has projected a huge increase of state revenues from the original estimate. Having heard that, many special interest groups are clamoring to spend the money. It has already been spent. In the six-year budget plan, the Office of Budget and Finance told us last year that we face well over \$200 million in new obligations, including a \$160 million in increased debt costs, \$70 million more to increase public employee fringe benefits and the list goes on. The point is any increase in tax revenues has already been spent. Let’s not lose sight of the goal of having government live within its means.

“Mr. President, I’d like to add parenthetically to my prepared remarks. What music it is to our ears here in our Caucus to hear you talk about a tax cut. We know by prior experience that tax cuts do grow an economy and result in increased revenues to governments, something Adam Smith said 200 years ago. Mr. President, if the Majority is serious about tax cuts, Republicans have bills ready to go. We want to help you. It is prudent for each of us as Legislators to recognize that we cannot fund everything. We must have the wisdom and integrity to set priorities and then have the courage to stand by them.

“Once again we stand on common ground. We agree that education reform is not a moot issue. Last year this Legislature ‘reinvented education.’ Although we may not agree with some of the methodology, we can agree on the goal and recognize that public education needed change. Last year’s reinventing education was the start, not the end, of reforming our public education system. After years of hearing that increasing spending was going to solve our education problems, it’s so important to recognize that simply increasing the budget will

not necessarily yield improvement. The education budget of nearly \$2 billion is proof that Hawaii’s taxpayers are most generous when it comes to funding education. Management, not money, is the key to improvement. The collapse of a ceiling at Kailua Elementary is grim evidence of years of neglect of repair and maintenance of our schools. Keeping our children safe, especially in schools, must be a priority. Once again, the ‘system’ of fixing schools is time consuming and expensive. Let’s make sure that repair and maintenance money ends up fixing schools, not sustaining a government program with a fancy name.

“Regardless of political labels, we can focus on solutions that work. That is why Senate Republicans will be asking this Legislature to authorize the creation of more charter schools. A recent audit and ongoing challenges of charter schools should not deter us. The evidence is overwhelming that, despite inconsistent funding and other trials and tribulations, charter schools have succeeded in: (1) improving student achievement especially with our Native Hawaiian children; (2) providing for flexibility to meet differing demands; and so importantly (3) involving parents. These schools represent the ultimate decentralization, the ultimate empowerment of principals, teachers and parents. Our quest is simple – increase the number of charter schools and streamline the system for creating them.

“Now lets talk about traffic. Traffic congestion steals our time, and tests our patience. For too long, many have been led to believe that a multi-billion dollar fixed railway on Oahu is the only solution. I will guarantee you that a solution will do absolutely nothing for the neighbor islands and more than likely would be an economic abyss. There are immediate solutions that can be ultimately very positive and impact gridlock favorably. These solutions would cost relatively little and could be implemented quickly.

“For instance, after years of debate, our state transit authority commonly called the Department of Transportation opened the Nimitz contraflow lane. Even prior critics are now lauding the change. The same was done on a trial basis for the Lunalilo H-1 ramp. The Department of Transportation cordoned off the Lunalilo onramp at rush hour eliminating crossover congestion. Ask anyone from East Honolulu and they will confirm the positive effect of these changes. Castle Junction on the Windward side is much more expeditious with the improvements there.

“Experience has shown that with bold leadership, immediate improvements can be made all over the State in each of our Senatorial districts. Traffic statewide, but especially on Oahu, can be expedited with common sense, small, inexpensive, but significant, changes. Let’s eliminate gridlock to make them happy.

“We have common ground on another important issue, Mr. President and colleagues. Last year this Legislature passed Senate Concurrent Resolution 135 that called upon the Governor to convene an affordable housing task force. We have a report and subsequently the Senate has instituted a bipartisan committee to further investigate the issue. Once again, we agree on the goal of making affordable housing a reality. More importantly, we can agree on some of the solutions reiterated by the task forces. This Legislature should reduce the long and tedious permitting process for housing projects. Mr. President, we agree the State Land Use Commission has been clearly identified as a costly regulatory barrier. We don’t need to study it. Let’s eliminate the State Land Use Commission and allow counties to control their destiny over land use.

“We can agree that public/private partnerships can work. Certainly the state has the land and those in the building and trades workforce have the talent to build low-cost housing for those who qualify. Let’s provide the incentive to create public/private partnerships necessary to get the job done. Senate Republicans recognize that there are a myriad of reasons for homelessness and we must remember them all when looking for solutions. Economic hardship, substance abuse and even mental health issues are all pieces of the problem. To help us reach the laudable goal of housing for everyone, for all our families, solutions must be equally as diverse.

“Senate Republicans will be introducing legislation to facilitate a Constitutional Convention in 2008. We recognize that judicial activism has often preempted legislative intent. Laws should come from the Legislature elected by the people, not from the benches of our judiciary. We have seen empirical evidence increasing ‘ballot initiatives’ that are needed to override judicial decisions or activism, as some would call it. Some people would say that a few of the codicils in our Constitution need to be eliminated altogether. Whatever your opinion may be, isn’t it time for a Constitutional Convention.”

At this time, Senator Hemmings paused to drink some water, then continued:

“It’s amazing that with some of the purist water in the world, we drink bottled water. (Laughter.)

“Mr. President, colleagues, all of us in this Chamber believe that Hawaii is a special place. We can find ways to work together to make sure Hawaii doesn’t lose its magic quality we call ‘aloha’. Senate Republicans represent the dreams, hopes and aspirations of many people in Hawaii. Once again, we will not abandon the principles that bind us together. Our belief is that the people should reign supreme over government. We will respect the rights of victims and society to supercede the alleged rights of criminals. We reaffirm that the chief regulator and beneficiary of a healthy economy should be all the people of Hawaii, OUR constituents.

“I close by emphasizing that there is much more that binds us together than tears us asunder. I know that the diversity of Hawaii’s people, Hawaii’s gifts of nature, and the undeniable spirit of individual freedom is indeed our strength and our future. 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 “Makaha Sons.”

The Senate reconvened at 11:16 o’clock a.m.

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

Senator Taniguchi placed in nomination the name of Senator Kim for Vice President of the Senate, seconded by Senator Kokubun.

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

The motion was then put by the Chair and carried 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 Kim was declared unanimously elected as Vice President of the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005.

## 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, Lorna A. Woo for Assistant Clerk of the Senate, Bienvenido C. Villaflo for Sergeant-at-Arms of the Senate, and Viola F. Goings for Assistant Sergeant-at-Arms of the Senate, Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, 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 Hee.

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

At 11:19 o’clock a.m., the Senate stood in recess subject to the call of the Chair. “The Krush” then entertained the members of the Senate and their guests.

The Senate reconvened at 11:48 o’clock a.m.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1 “A BILL FOR AN ACT RELATING TO MEDICAL SCHOOL FACULTY.”

Introduced by: Senator Baker, by request.

No. 2 “A BILL FOR AN ACT RELATING TO REAL PROPERTY.”

Introduced by: Senator Chun Oakland.

No. 3 “A BILL FOR AN ACT RELATING TO HUMAN SERVICES.”

Introduced by: Senator Chun Oakland.

No. 4 “A BILL FOR AN ACT RELATING TO MEDICINE.”

Introduced by: Senator Chun Oakland.



No. 5 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Chun Oakland, by request.

No. 6 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."

Introduced by: Senator Chun Oakland, by request.

No. 7 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator Chun Oakland.

No. 8 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Chun Oakland.

No. 9 "A BILL FOR AN ACT RELATING TO HOLDING PUBLIC OFFICE."

Introduced by: Senator Chun Oakland, by request.

No. 10 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senator Chun Oakland.

No. 11 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Chun Oakland.

No. 12 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, English, Ihara.

No. 13 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Chun Oakland, Hooser.

No. 14 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Tsutsui, Taniguchi, Ihara.

No. 15 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senators Chun Oakland, Slom, Hogue.

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

Introduced by: Senators Chun Oakland, Slom, Hogue.

No. 17 "A BILL FOR AN ACT RELATING TO SPORTS AND MULTI-PURPOSE USE FACILITIES."

Introduced by: Senators Chun Oakland, Trimble.

No. 18 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Chun Oakland.

No. 19 "A BILL FOR AN ACT RELATING TO DENTAL REIMBURSEMENT RATES."

Introduced by: Senators Chun Oakland, Baker.

No. 20 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senator Chun Oakland.

No. 21 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Senators Chun Oakland, Ihara.

No. 22 "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS."

Introduced by: Senators Chun Oakland, Baker.

No. 23 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT AND YOUTH DAY CARE."

Introduced by: Senator Chun Oakland.

No. 24 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Tsutsui, Baker, Ihara, Taniguchi.

No. 25 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Chun Oakland.

No. 26 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Chun Oakland.

No. 27 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM."

Introduced by: Senator Chun Oakland.

No. 28 "A BILL FOR AN ACT RELATING TO LEASEHOLD."

Introduced by: Senator Chun Oakland.

No. 29 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."

Introduced by: Senators Chun Oakland, Kanno.

No. 30 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HALE MAKUA-WAILUKU FACILITY."

Introduced by: Senators Baker, English, Tsutsui.

No. 31 "A BILL FOR AN ACT RELATING TO AIR POLLUTION."

Introduced by: Senator Hooser, by request.

No. 32 "A BILL FOR AN ACT RELATING TO MINIMUM WAGE LAW."

- Introduced by: Senators Chun Oakland, Baker, English, Kanno, Tsutsui.
- No. 33 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- Introduced by: Senators Chun Oakland, Espero, Baker, English, Kanno, Ige, Nishihara.
- No. 34 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES."
- Introduced by: Senators Chun Oakland, Kanno, Ige, Nishihara.
- No. 35 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."
- Introduced by: Senators Chun Oakland, English, Baker, Nishihara, Tsutsui, Ige.
- No. 36 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL REPAIR AND MAINTENANCE."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige, Nishihara.
- No. 37 "A BILL FOR AN ACT RELATING TO SCHOOL CONSTRUCTION, REPAIR, AND MAINTENANCE."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige, Nishihara.
- No. 38 "A BILL FOR AN ACT RELATING TO AFTER SCHOOL PROGRAMS."
- Introduced by: Senators Chun Oakland, Espero, Baker, English, Kanno, Tsutsui, Nishihara, Ige.
- No. 39 "A BILL FOR AN ACT RELATING TO COUNTIES."
- Introduced by: Senators Chun Oakland, Espero, Kanno, Ige.
- No. 40 "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT."
- Introduced by: Senators Chun Oakland, Espero, Baker, English, Kanno, Tsutsui, Nishihara.
- No. 41 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige, Nishihara.
- No. 42 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING REPAIR AND RENOVATION."
- Introduced by: Senators Chun Oakland, Espero, Baker, Kanno, Tsutsui, Nishihara, Ige.
- No. 43 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING."
- Introduced by: Senators Chun Oakland, Baker, English, Kanno, Tsutsui, Nishihara, Ige.
- No. 44 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 45 "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 46 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 47 "A BILL FOR AN ACT RELATING TO TOBACCO."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 48 "A BILL FOR AN ACT RELATING TO THE USE OF SAFETY HELMETS BY MINORS."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige.
- No. 49 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- Introduced by: Senators Chun Oakland, Baker, Ige.
- No. 50 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE."
- Introduced by: Senators Chun Oakland, Kanno, Ige.
- No. 51 "A BILL FOR AN ACT RELATING TO THE EDUCATION OF FOSTER YOUTH."
- Introduced by: Senators Chun Oakland, Kanno, Ige.
- No. 52 "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN."
- Introduced by: Senator Chun Oakland.
- No. 53 "A BILL FOR AN ACT RELATING TO HOUSING PROJECTS."
- Introduced by: Senator Kanno.
- No. 54 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Kanno.
- No. 55 "A BILL FOR AN ACT RELATING TO MEAL BREAKS."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 56 "A BILL FOR AN ACT RELATING TO LABOR DISPUTES."

- Introduced by: Senators Kanno, Chun Oakland.
- No. 57 "A BILL FOR AN ACT RELATING TO WAGE OF WORKERS ON SERVICE CONTRACTS."
- Introduced by: Senators Kanno, Taniguchi.
- No. 58 "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES."
- Introduced by: Senators Kanno, Taniguchi.
- No. 59 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senators Kanno, Ihara.
- No. 60 "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."
- Introduced by: Senators Kanno, Menor.
- No. 61 "A BILL FOR AN ACT RELATING TO WAGES."
- Introduced by: Senator Kanno.
- No. 62 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- Introduced by: Senators Slom, Trimble, English, Hemmings.
- No. 63 "A BILL FOR AN ACT TAXABLE INCOME EXCLUSION; MILITARY"
- Introduced by: Senators Slom, Hogue, Hemmings, Chun Oakland, Tsutsui, Trimble, Nishihara, Taniguchi, Inouye, Espero.
- No. 64 "A BILL FOR AN ACT RELATING TO MANDATED HEALTH COVERAGE."
- Introduced by: Senator Slom.
- No. 65 "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS."
- Introduced by: Senators Slom, Chun Oakland, Hemmings, Trimble, Espero, Hogue.
- No. 66 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."
- Introduced by: Senators Slom, Hemmings, Chun Oakland, Trimble, Hogue, Tsutsui, Nishihara, Inouye.
- No. 67 "A BILL FOR AN ACT RELATING TO PAYCHECK PROTECTION."
- Introduced by: Senators Slom, Hogue, Chun Oakland, Hemmings, Tsutsui, Nishihara, Inouye, Espero.
- No. 68 "A BILL FOR AN ACT RELATING TO LABOR AND INDUSTRIAL RELATIONS."
- Introduced by: Senators Slom, Hogue, Hemmings.
- No. 69 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senators Slom, Hogue, Trimble, Hemmings.
- No. 70 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."
- Introduced by: Senators Slom, Hogue, Hemmings.
- No. 71 "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 THE PUBLIC SCHOOLS IN HAWAII."
- Introduced by: Senators Slom, Hogue, Trimble, Hemmings.
- No. 72 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX."
- Introduced by: Senator Inouye.
- No. 73 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Inouye, Kanno.
- No. 74 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Inouye, Chun Oakland, English, Kanno, Espero, Nishihara, Slom.
- No. 75 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Inouye, Espero, Trimble, Chun Oakland, Nishihara, Kanno, Slom.
- No. 76 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."
- Introduced by: Senators Inouye, Kanno, Espero, Nishihara, Slom.
- No. 77 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Inouye, Kanno, Espero, Chun Oakland, Nishihara.
- No. 78 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."
- Introduced by: Senators Inouye, Chun Oakland, Baker.
- No. 79 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senators Inouye, Chun Oakland, Trimble, Baker, Slom.
- No. 80 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Inouye, Kanno, Espero, English, Chun Oakland, Nishihara, Slom.

No. 81 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Inouye, Chun Oakland, Trimble, Baker, Slom.

No. 82 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators Inouye, Chun Oakland, Baker, Slom.

No. 83 "A BILL FOR AN ACT RELATING TO PHOTO TRAFFIC ENFORCEMENT."

Introduced by: Senator Inouye.

No. 84 "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES."

Introduced by: Senator Inouye, by request.

No. 85 "A BILL FOR AN ACT RELATING TO DERELICT VEHICLES."

Introduced by: Senator Inouye.

No. 86 "A BILL FOR AN ACT RELATING TO NUMBER PLATES."

Introduced by: Senator Inouye.

No. 87 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Kanno.

No. 88 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senator Ihara, by request.

No. 89 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Senator Ihara.

No. 90 "A BILL FOR AN ACT RELATING TO HOSPITAL INFECTIONS DISCLOSURE."

Introduced by: Senator Ihara.

No. 91 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Ihara, by request.

No. 92 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE."

Introduced by: Senator Ihara.

No. 93 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Senator Ihara, by request.

No. 94 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Menor, by request.

No. 95 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Menor, by request.

No. 96 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Menor, by request.

The following Senate leadership assignments were then announced by Senate President Bunda:

Majority Leader:  
Senator Colleen Hanabusa

Assistant Majority Leader:  
Senator Russell S. Kokubun

Majority Floor Leader:  
Senator Clayton Hee

Assistant Majority Floor Leader:  
Senator Rosalyn H. Baker

Majority Policy Leader:  
Senator Norman Sakamoto

Majority Caucus Leader:  
Senator Shan S. Tsutsui

Minority Leader:  
Senator Fred Hemmings

Minority Floor Leader:  
Senator Bob Hogue

Minority Policy Leader  
Senator Gordon Trimble

The President also announced the following standing committees of the Senate, their respective chairs and members:

#### BUSINESS AND ECONOMIC DEVELOPMENT

Senator Will Espero, Chair  
Senator Carol Fukunaga, Vice Chair  
Senator David Y. Ige  
Senator Ron Menor  
Senator Norman Sakamoto  
Senator Gordon Trimble

#### COMMERCE, CONSUMER PROTECTION AND HOUSING

Senator Ron Menor, Chair  
Senator Rosalyn H. Baker, Vice Chair  
Senator Will Espero  
Senator David Y. Ige  
Senator Norman Sakamoto  
Senator Bob Hogue

#### EDUCATION AND MILITARY AFFAIRS

Senator Norman Sakamoto, Chair  
Senator Gary L. Hooser, Vice Chair  
Senator Suzanne Chun Oakland  
Senator Clarence K. Nishihara  
Senator Shan S. Tsutsui  
Senator Bob Hogue

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ENERGY, ENVIRONMENT, AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Russell S. Kokubun, Vice Chair  
Senator Colleen Hanabusa  
Senator Gary L. Hooser  
Senator Fred Hemmings

HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Suzanne Chun Oakland, Vice Chair  
Senator Colleen Hanabusa  
Senator Shan S. Tsutsui  
Senator Paul Whalen

HIGHER EDUCATION

Senator Clayton Hee, Chair  
Senator Lorraine R. Inouye, Vice Chair  
Senator Rosalyn H. Baker  
Senator Suzanne Chun Oakland  
Senator Norman Sakamoto  
Senator Gordon Trimble

HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair  
Senator Les Ihara, Jr., Vice Chair  
Senator Carol Fukunaga  
Senator Gary L. Hooser  
Senator Russell S. Kokubun  
Senator Gordon Trimble

INTERGOVERNMENTAL AFFAIRS

Senator David Y. Ige, Chair  
Senator Donna Mercado Kim, Vice Chair  
Senator Rosalyn H. Baker  
Senator J. Kalani English  
Senator Lorraine R. Inouye  
Senator Clarence K. Nishihara  
Senator Sam Slom

JUDICIARY AND HAWAIIAN AFFAIRS

Senator Colleen Hanabusa, Chair  
Senator Clayton Hee, Vice Chair  
Senator Suzanne Chun Oakland  
Senator J. Kalani English  
Senator Les Ihara, Jr.  
Senator Paul Whalen

LABOR

Senator Brian Kanno, Chair  
Senator Les Ihara, Jr., Vice Chair  
Senator Brian T. Taniguchi  
Senator Sam Slom

MEDIA, ARTS, SCIENCE AND TECHNOLOGY

Senator Carol Fukunaga, Chair  
Senator David Y. Ige, Vice Chair  
Senator J. Kalani English  
Senator Les Ihara, Jr.  
Senator Bob Hogue

TOURISM

Senator Donna Mercado Kim, Chair  
Senator Clarence K. Nishihara, Vice Chair  
Senator Will Espero  
Senator Clayton Hee  
Senator Shan S. Tsutsui  
Senator Sam Slom

TRANSPORTATION AND GOVERNMENT OPERATIONS

Senator Lorraine R. Inouye, Chair  
Senator Will Espero, Vice Chair  
Senator Rosalyn H. Baker  
Senator Clayton Hee  
Senator Brian Kanno  
Senator Ron Menor  
Senator Paul Whalen

WATER, LAND, AND AGRICULTURE

Senator Russell S. Kokubun, Chair  
Senator Gary L. Hooser, Vice Chair  
Senator J. Kalani English  
Senator Carol Fukunaga  
Senator Fred Hemmings

WAYS AND MEANS

Senator Brian T. Taniguchi, Chair  
Senator Shan S. Tsutsui, Vice Chair  
Senator J. Kalani English  
Senator Will Espero  
Senator Carol Fukunaga  
Senator Gary L. Hooser  
Senator Lorraine R. Inouye  
Senator Brian Kanno  
Senator Donna Mercado Kim  
Senator Russell S. Kokubun  
Senator Clarence K. Nishihara  
Senator Norman Sakamoto  
Senator Fred Hemmings  
Senator Sam Slom  
Senator Gordon Trimble

**ADJOURNMENT**

At 11:49 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 20, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## SECOND DAY

## Thursday, January 20, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Estrel Lohmeier's Second Grade Class, Punahou School, after which the Roll was called showing all Senators present with the exception of Senators Ige and Menor who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 78) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 1, dated July 30, 2004, transmitting the Report on Tax Credits Claimed by Hawaii Taxpayers, 2002, prepared by the Department of Taxation, was placed on file.

Gov. Msg. No. 2, dated August 4, 2004, transmitting the 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, was placed on file.

Gov. Msg. No. 3, dated September 29, 2004, transmitting the 2003 OYS Annual Report for Fiscal Year 2002, prepared by the Office of Youth Services pursuant to Section 352D-6, HRS, and Act 151, Section 4, SLH 1991, was placed on file.

Gov. Msg. No. 4, dated October 1, 2004, transmitting a preliminary report prepared by the Department of the Attorney General in response to H.C.R. No. 267, H.D. 1, on the progress made in using Chapter 846E, HRS, to restore public access to registration information regarding dangerous persons convicted of certain offenses against children and certain sexual offenses, was placed on file.

Gov. Msg. No. 5, dated October 8, 2004, transmitting the Compact of Free Association Grant Plan, 2004, pursuant to Act 41, SLH 2004, was placed on file.

Gov. Msg. No. 6, dated October 22, 2004, transmitting the Department of Business, Economic Development and Tourism's 2004-2005 Report on Goals and Objectives, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 7, dated November 22, 2004, transmitting the 2004 Hawaii Data Disc containing the 2002-2003 State of Hawaii Data Book and the Hawaii Census and Population, prepared by the Department of Business, Economic Development and Tourism, was placed on file.

Gov. Msg. No. 8, dated November 29, 2004, transmitting the Report on Special Purpose Revenue Bonds Issued and Outstanding and Authorized But Unissued as of July 1, 2004, pursuant to Article VII, Section 12, of the Constitution of the State of Hawaii, and Section 39A-1, HRS, was placed on file.

Gov. Msg. No. 9, dated December 6, 2004, transmitting a report prepared by the Department of Hawaiian Home Lands on the reporting requirements of Act 41, Section 37.1, SLH 2004, was placed on file.

Gov. Msg. No. 10, dated December 15, 2004, 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. 11, dated December 15, 2004, transmitting the Annual Report of the Public Utilities Commission for Fiscal Year 2003-2004, pursuant to Section 269-5, HRS, was placed on file.

Gov. Msg. No. 12, dated December 17, 2004, transmitting the Public Utilities Commission's Special Fund Report for Fiscal Year 2003-2004, pursuant to Section 269-33 HRS, was placed on file.

Gov. Msg. No. 13, dated December 20, 2004, transmitting the Multi-Year Program and Financial Plan and Executive Budget for the Period 2005-2011 (Budget Period: 2005-2007); the Variance Report for Fiscal Years 2004 and 2005, pursuant to Section 37-75, HRS; and the FB 2005-2007 Executive Biennium Budget, Budget in Brief, prepared by the Department of Budget and Finance, was placed on file.

Gov. Msg. No. 14, dated December 22, 2004, transmitting the Department of Human Resources Development's Annual Report on Goals and Objectives, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 15, dated December 22, 2004, transmitting the Public Utilities Commission's 2003 Annual Report on Special Purpose Revenue Bonds Authorized Under Act 262, SLH 1998, was placed on file.

Gov. Msg. No. 16, dated December 27, 2004, transmitting the 2005 Exempt Study Report, prepared by the Department of Human Resources Development pursuant to H.C.R. No. 94 (2003) and Act 128, SLH 2004, was placed on file.

Gov. Msg. No. 17, dated December 27, 2004, transmitting the Department of Human Resources Development's Findings and Results of Collaboration with Stakeholder Groups Regarding the Social Worker Shortage, pursuant to S.C.R. No. 127 (2004), was placed on file.

Gov. Msg. No. 18, dated December 27, 2004, transmitting a Report on the Study of Parity Between Occupational Therapist, Physical Therapist and Speech Therapist Working in the Department of Education, prepared by the Department of Education and the Department of Human Resources Development pursuant to H.C.R. No. 203 (2004), was placed on file.

Gov. Msg. No. 19, dated December 28, 2004, transmitting the Hawaii State Public Library Systems' Annual Report for Fiscal Year Ending June 30, 2004, prepared by the Hawaii State Public Library System, Department of Education, pursuant to Act 129, SLH 1989 and Act 327, SLH 1993 as amended by Act 45, SLH 1999, was placed on file.

Gov. Msg. No. 20, dated December 29, 2004, transmitting the Department of Commerce and Consumer Affairs' Report of the Ad Hoc Advisory Group on 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 to Facilitate the Purchase of Electricity from Renewable Energy Producers in Hawaii, pursuant to H.C.R. No. 172 (2003), was placed on file.

Gov. Msg. No. 21, dated December 29, 2004, transmitting the Report of the Insurance Commissioner of Hawaii 2004, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 431:2-211, HRS, was placed on file.

Gov. Msg. No. 22, dated December 30, 2004, transmitting a report prepared by the Department of Human Services and the Department of Health, pursuant to S.C.R. No. 106 (2004), requesting an inquiry into the delays in payment to developmental disability providers, was placed on file.

Gov. Msg. No. 23, dated December 30, 2004, transmitting a Report Relating to Public Land Liability, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Act 82, Section 4, SLH 2003, was placed on file.

Gov. Msg. No. 24, dated December 28, 2004, transmitting the 2004 Annual Report of the Office of Information Practices, was placed on file.

Gov. Msg. No. 25, dated December 29, 2004, transmitting the Condominium Dispute Resolution Pilot Program Report, prepared by the Department of Commerce and Consumer Affairs pursuant to Act 164, SLH 2004, was placed on file.

Gov. Msg. No. 26, dated December 30, 2004, transmitting the Pesticide Use Revolving Fund Annual Report for Fiscal Year Ending June 30, 2004, prepared by the Board of Agriculture pursuant to Act 154, SLH 2000, was placed on file.

Gov. Msg. No. 27, dated December 30, 2004, transmitting the 2004 Annual Report on Home Property Liens, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-29.5, HRS, was placed on file.

Gov. Msg. No. 28, dated December 30, 2004, transmitting the Report on the Health Insurance Portability and Accountability Act, prepared by the Department of Human Services pursuant to Act 41, Section 36.1, SLH 2004, was placed on file.

Gov. Msg. No. 29, dated December 30, 2004, transmitting a report prepared by the Department of Human Services, Social Services Division, on the Chore Services Program and the Nursing Home without Walls and Residential Alternative Community Care Program, pursuant to Act 41, Sections 35 and 37, SLH 2004, was placed on file.

Gov. Msg. No. 30, dated December 30, 2004, transmitting 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 200, Section 36, SLH 2003, was placed on file.

Gov. Msg. No. 31, dated December 30, 2004, transmitting a report prepared by the Department of Human Services, Social Services Division, on Multi-Agency Case Coordinators and Case Support Coordinators for Child Welfare Services; on the Title IV-E Reimbursements and the Centralized Eligibility Determination Unit; and on Child Out-of-Home Payments, pursuant to Act 200, Sections 31, 32, and 34, SLH 2003, was placed on file.

Gov. Msg. No. 32, dated December 30, 2004, transmitting a Report on 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, Section 12, SLH 1999, was placed on file.

Gov. Msg. No. 33, dated December 30, 2004, 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, was placed on file.

Gov. Msg. No. 34, dated December 30, 2004, transmitting the Annual Report on Geothermal Royalties, prepared by the Department of Land and Natural Resources pursuant to Section 182-18, HRS, was placed on file.

Gov. Msg. No. 35, dated December 30, 2004, transmitting the Annual Report on 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, was placed on file.

Gov. Msg. No. 36, dated December 30, 2004, transmitting the Hawaii Employer-Union Health Benefits Trust Fund's Annual Report for Fiscal Year Ending June 30, 2004, was placed on file.

Gov. Msg. No. 37, dated January 3, 2005, transmitting a report prepared by the Housing and Community Development Corporation, Affordable Housing Task Force, pursuant to S.C.R. No. 135 (2004), requesting the convening of an affordable housing task force, was placed on file.

Gov. Msg. No. 38, dated December 27, 2004, transmitting a Report on Parental Preferences in Government Contracts, Programs, and Services, prepared by the Executive Branch pursuant to Act 162, SLH 2002, was placed on file.

Gov. Msg. No. 39, dated December 29, 2004, transmitting the Board of Nursing's Report with findings resulting from research on the matter relating to the Commission on Graduates of Foreign Nursing Schools examination and the English proficiency examination, pursuant to Act 88, SLH 2004, was placed on file.

Gov. Msg. No. 40, dated December 29, 2004, transmitting the Annual Report of the Joint Formulary Advisory Committee on Its Activities and Recommendations with Respect to the Prescriptive Authority Formulary for Advanced Practice Registered Nurses; and a Report from the Board of Medical Examiners that clearly justifies its denial of any recommendations made by the Committee, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, pursuant to Act 150, SLH 2004, and Act 192, SLH 2002, was placed on file.

Gov. Msg. No. 41, dated December 29, 2004, transmitting the 2004 Annual Report of the Hawaii Real Estate Commission for Fiscal Year Ending June 30, 2004, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Real Estate Branch, was placed on file.

Gov. Msg. No. 42, dated December 29, 2004, transmitting the 2005 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 672-12 and 671-20, HRS, was placed on file.

Gov. Msg. No. 43, dated December 29, 2004, transmitting a Report on How the Department of Commerce and Consumer Affairs' Expenditures will be Aligned With its Special Fund

Revenue Collections, and its Plans to Lower Fees to Appropriate Levels, prepared by the Department of Commerce and Consumer Affairs pursuant to Act 200, Section 60, SLH 2003, was placed on file.

Gov. Msg. No. 44, dated December 30, 2004, transmitting a report prepared by the Department of Human Services, Med-QUEST Division, on the payments made to the Department of Health, Adult Mental Health Division, pursuant to Act 41, Section 38.1, SLH 2004, was placed on file.

Gov. Msg. No. 45, dated December 30, 2004, transmitting a report prepared by the Department of Human Services, Social Services Division, on adoption assistance and difficulty of care payments for child welfare services, pursuant to Act 41, Section 33, SLH 2004, was placed on file.

Gov. Msg. No. 46, dated December 30, 2004, transmitting the 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, was placed on file.

Gov. Msg. No. 47, dated December 30, 2004, transmitting the Report on Receipts and Expenditures of the Antitrust Trust Fund for Fiscal Year 2003-2004, prepared by the Department of the Attorney General pursuant to Section 28-13, HRS, was placed on file.

Gov. Msg. No. 48, dated December 30, 2004, transmitting a Report Concerning Special, Trust, and Revolving Funds for Fiscal Year 2003-2004, prepared by the Department of the Attorney General pursuant to Act 200, Section 69, SLH 2003, was placed on file.

Gov. Msg. No. 49, dated December 30, 2004, transmitting a Report on the Progress Made in Using Chapter 846E, Hawaii Revised Statutes, to Restore Public Access to Registration Information Regarding Dangerous Persons Convicted of Certain Offenses Against Children and Certain Sexual Offenses, prepared by the Department of the Attorney General's Report pursuant to H.C.R. No. 267 (2004), was placed on file.

Gov. Msg. No. 50, dated December 30, 2004, transmitting the Annual Report of Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act for Fiscal Year 2003-2004, prepared by the Department of the Attorney General, was placed on file.

Gov. Msg. No. 51, dated December 30, 2004, transmitting the Department of the Attorney General's 2005 Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999, was placed on file.

Gov. Msg. No. 52, dated December 30, 2004, transmitting the 2005 Report of the Criminal History Record Check Working Group, prepared by the Department of the Attorney General pursuant to Act 95, Section 19, SLH 2003, was placed on file.

Gov. Msg. No. 53, dated December 30, 2004, transmitting the Report on Any Shortage or Condition Affecting the Supply of Petroleum Products, prepared by the Department of the Attorney General pursuant to Section 486H-17, HRS, and Act 242, SLH 2004, was placed on file.

Gov. Msg. No. 54, dated December 30, 2004, transmitting the 2004 Annual Report on the Recommendations for Denial of Claims for Legislative Relief, prepared by the Department of the Attorney General pursuant to Section 37-77, HRS, was placed on file.

Gov. Msg. No. 55, dated December 30, 2004, transmitting the Annual Report of the Tobacco Enforcement Unit for Fiscal Year 2003-2004, prepared by the Department of the Attorney General pursuant to Section 28-15, HRS, was placed on file.

Gov. Msg. No. 56, dated December 30, 2004, transmitting the Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies for Fiscal Year 2003-2004, prepared by the Department of the Attorney General, was placed on file.

Gov. Msg. No. 57, dated December 20, 2004, transmitting a report prepared by the Department of Health pursuant to H.C.R. No. 103 (2004) requesting the Department of Health and Department of Human Services to examine the federal independence plus initiative to determine if Hawaii can benefit from applying for and obtaining a waiver or waivers to provide individuals with disabilities with services in the community, was placed on file.

Gov. Msg. No. 58, dated December 20, 2004, transmitting a report prepared by the Radiologic Technology Board pursuant to Act 167, SLH 2004, requiring the Radiologic Technology Board to adopt guidelines for the imposition of fines, was placed on file.

Gov. Msg. No. 59, dated December 22, 2004, transmitting the Annual Report of Administratively Established Appropriations, prepared by the Department of Agriculture pursuant to Act 178, SLH 2002, was placed on file.

Gov. Msg. No. 60, dated December 22, 2004, transmitting the Department of Agriculture's Annual Report, pursuant to Act 100, SLH 1999, was placed on file.

Gov. Msg. No. 61, dated December 24, 2004, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree Made to the United States Ninth District Court, the Felix Special Monitor, the Felix Monitoring Project, or Any Other Agent of the United States Judiciary for the Month of April, 2004, prepared by the Department of Health pursuant to Act 200, Section 30, SLH 2003, was placed on file.

Gov. Msg. No. 62, dated December 24, 2004, transmitting a report prepared by the Department of Health, pursuant to Section 321-27.5, HRS, requiring the Department of Health to conduct an annual audit of the sanitation branch, was placed on file.

Gov. Msg. No. 63, dated December 29, 2004, transmitting the Annual External Review Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 432E-13, HRS, was placed on file.

Gov. Msg. No. 64, dated December 29, 2004, transmitting the 2004 Annual Compliance Resolution Fund Report for Fiscal Year Ending June 30, 2004, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 26-9, HRS, was placed on file.

Gov. Msg. No. 65, dated December 30, 2004, transmitting the Annual Report Relating to the Wildlife Revolving Fund, prepared by the Department of Land and Natural Resources pursuant to Section 183D-10.5, HRS, was placed on file.

Gov. Msg. No. 66, dated December 30, 2004, 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 2003-2004, pursuant to Section 41D-4, HRS, was placed on file.

Gov. Msg. No. 67, dated December 30, 2004, transmitting the Annual Report Relating to Agricultural Marketing, prepared by the Agribusiness Development Corporation pursuant to Act 194, SLH 2002, was placed on file.

Gov. Msg. No. 68, dated December 30, 2004, transmitting the Report on the Status of the Kaho`olawe Rehabilitation Trust Fund, prepared by the Kaho`olawe Island Reserve Commission pursuant to Section 6K-9.5, HRS, was placed on file.

Gov. Msg. No. 69, dated December 30, 2004, transmitting the Annual Report on the Efforts to Increase the Number of High-Skilled Jobs in Targeted Industry Clusters in 2004, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 148, SLH 2003, was placed on file.

Gov. Msg. No. 70, dated December 30, 2004, transmitting the Annual Report on Geothermal and Cable Development Activities, prepared by the Department of Land and Natural Resources pursuant to Section 196D-11, HRS, was placed on file.

Gov. Msg. No. 71, dated December 30, 2004, transmitting a report "U.S. Mainland Organizations Promoting Hawaii and its Products," prepared by the Department of Business, Economic Development and Tourism, pursuant to S.C.R. No. 68 (2004), was placed on file

Gov. Msg. No. 72, dated January 4, 2005, transmitting the Department of Taxation's Annual Report on Payments to the State by Electronic Funds Transfer, pursuant to Act 177, SLH 1997, was placed on file.

Gov. Msg. No. 73, dated January 4, 2005, transmitting the Annual Report on the Integrated Tax Information Management System, prepared by the Department of Taxation pursuant to Act 273, SLH 1996 and Act 155, SLH 1999, was placed on file.

Gov. Msg. No. 74, dated December 30, 2004, transmitting the 2004 Annual Report of the State Energy Resources Coordinator, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 196-4 (11), HRS, was placed on file.

Gov. Msg. No. 75, dated November 30, 2004, transmitting a Report on the Enrollment and Financial Status of the Hawaii Rx Plus Program, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-319, HRS, was placed on file.

Gov. Msg. No. 76, dated December 20, 2004, transmitting the Department of Human Resources Development's reports on all expenditures, including the number of claims for workers' compensation claim payments; statistics on the duration of payments made to claimants; statistics on the average compensation paid per claimant; and a breakdown of claims paid by department for fiscal year ending June 30, 2004; and the statistics and breakdown reports for Fiscal Year Ending June 30, 2003, pursuant to Act 41, Section 72, SLH 2004, was placed on file.

Gov. Msg. No. 77, submitting for consideration and consent, the nomination of RICHARD THOMAS BISSEN, JR. to the office of Judge, Circuit Court of the Second Circuit, 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.

Gov. Msg. No. 78, submitting for consideration and consent, the nomination of ELIZABETH ANN STRANCE to the office of Judge, Circuit Court of the Third Circuit, 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.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 19, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2005," was adopted.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 19, 2005, was placed on file.

On motion by Senator Hee, 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.

### INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills were introduced and placed on the calendar for further action on Friday, January 21, 2005:

#### Senate Bill

No. 97 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION AMOUNT."

Introduced by: Senator Taniguchi.

No. 98 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."

Introduced by: Senator Taniguchi.

No. 99 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senator Taniguchi.

No. 100 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Bunda, by request.

No. 101 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Taniguchi.

No. 102 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Taniguchi.

No. 103 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi.

No. 104 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ERADICATE THE COQUI FROG ON MAUI."

Introduced by: Senators Tsutsui, English, Baker.

No. 105 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Tsutsui, English, Baker.

No. 106 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CENTENNIAL CELEBRATION OF MAUI COUNTY."

Introduced by: Senators Tsutsui, English, Baker.

No. 107 "A BILL FOR AN ACT RELATING TO TIME SHARING."

Introduced by: Senator Menor, by request.

No. 108 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."

Introduced by: Senator Menor, by request.

No. 109 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

Introduced by: Senator Menor, by request.

No. 110 "A BILL FOR AN ACT RELATING TO MOTORCYCLES AND MOTOR SCOOTERS."

Introduced by: Senator Menor, by request.

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

Introduced by: Senator Menor, by request.

No. 112 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Baker, English, Fukunaga, Ihara, Hooser.

No. 113 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senators Baker, English, Hooser, Fukunaga, Ihara, Ige.

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

Introduced by: Senators Baker, English, Fukunaga, Ihara, Hooser.

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

Introduced by: Senators Baker, English, Fukunaga, Ihara, Hooser.

No. 116 "A BILL FOR AN ACT RELATING TO NURSES."

Introduced by: Senators Baker, English, Tsutsui, Slom, Ihara, Taniguchi.

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

Introduced by: Senators Baker, English, Tsutsui.

No. 118 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."

Introduced by: Senators Baker, Espero, Nishihara, English, Slom, Fukunaga, Ihara, Hooser.

No. 119 "A BILL FOR AN ACT RELATING TO THE CONTINUING EDUCATION OF DESIGN PROFESSIONALS."

Introduced by: Senator Menor, by request.

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

Introduced by: Senators Baker, English, Tsutsui.

No. 121 "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES."

Introduced by: Senators Baker, Espero, English.

No. 122 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY."

Introduced by: Senators Baker, Chun Oakland, Hee, Tsutsui, English, Hanabusa.

No. 123 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senators Baker, Inouye, English, Hanabusa, Whalen.

No. 124 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Baker, English, Tsutsui.

No. 125 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Baker, by request.

No. 126 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senator Baker, by request.

No. 127 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

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

No. 128 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

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

No. 129 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

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

No. 130 "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT."

Introduced by: Senators Baker, Kanno, Chun Oakland, Tsutsui, English, Hanabusa, Ihara, Taniguchi, Kokubun, Whalen, Fukunaga.

No. 131 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senators Baker, Chun Oakland, Tsutsui, English, Hooser, Hanabusa, Taniguchi.

No. 132 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Ige, Nishihara, Kanno, Ihara, Fukunaga, Kim.

No. 133 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE URBAN GARDEN CENTER."

Introduced by: Senators Ige, Nishihara, Baker, Fukunaga, Ihara, Kanno.

No. 134 "A BILL FOR AN ACT RELATING TO POCKET BIKES."

Introduced by: Senators Ige, Ihara, Kanno.

No. 135 "A BILL FOR AN ACT RELATING TO PUBLIC PARKS."

Introduced by: Senator Ige, by request.

No. 136 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MARCHING BAND DIRECTORS."

Introduced by: Senators Ige, Nishihara, Fukunaga, Ihara, Baker, Kanno, Kim.

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

Introduced by: Senator Ige, by request.

No. 138 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

Introduced by: Senators Ige, Nishihara, Kanno, Fukunaga, Baker, Ihara.

No. 139 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Ige, Nishihara, Ihara.

No. 140 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Baker, English, Tsutsui, Chun Oakland.

**SPECIAL COMMITTEE REPORT**

Senator Chun Oakland, for the Special Committee on the misuse of legal interventions available to the Family Court, presented a report (Spec. Com. Rep. No. 2) of the conclusions and recommendations of the Committee.

The President then ordered the Clerk to file Spec. Com. Rep. No. 2.

**ADJOURNMENT**

At 11:46 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 21, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRD DAY

Friday, January 21, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Rosalyn H. Baker, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senators Menor and Whalen who were excused.

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

## HOUSE COMMUNICATION

Hse. Com. No. 3, returning S.C.R. No. 1, which was adopted by the House of Representatives on January 20, 2005, was read by the Clerk and was placed on file.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 141 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Senator Menor, by request.

No. 142 "A BILL FOR AN ACT RELATING TO THE APPRENTICESHIP COUNCIL."

Introduced by: Senator Bunda.

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

Introduced by: Senator Bunda.

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

Introduced by: Senator Bunda.

No. 145 "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. 146 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Senator Hanabusa.

No. 147 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Senator Hanabusa.

No. 148 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."

Introduced by: Senator Hanabusa.

No. 149 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."

Introduced by: Senator Hanabusa.

No. 150 "A BILL FOR AN ACT RELATING TO COMMUNITY BASED ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 151 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 152 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 153 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 154 "A BILL FOR AN ACT RELATING TO ECONOMIC PLANNING."

Introduced by: Senator Hanabusa.

No. 155 "A BILL FOR AN ACT RELATING TO ECONOMIC PLANNING."

Introduced by: Senator Hanabusa.

No. 156 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Senator Hanabusa.

No. 157 "A BILL FOR AN ACT RELATING TO FOREIGN TRADE ZONES."

Introduced by: Senator Hanabusa.

No. 158 "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

No. 159 "A BILL FOR AN ACT RELATING TO INTERNATIONAL BUSINESS."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 161 "A BILL FOR AN ACT RELATING TO RECREATION."

- Introduced by: Senator Hanabusa.
- No. 162 "A BILL FOR AN ACT RELATING TO SPORTS."  
Introduced by: Senator Hanabusa.
- No. 163 "A BILL FOR AN ACT RELATING TO STATE PARKS."  
Introduced by: Senator Hanabusa.
- No. 164 "A BILL FOR AN ACT RELATING TO STATE PARKS."  
Introduced by: Senator Hanabusa.
- No. 165 "A BILL FOR AN ACT RELATING TO BANKING."  
Introduced by: Senator Hanabusa.
- No. 166 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."  
Introduced by: Senator Hanabusa.
- No. 167 "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION."  
Introduced by: Senator Hanabusa.
- No. 168 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."  
Introduced by: Senator Hanabusa.
- No. 169 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."  
Introduced by: Senator Hanabusa.
- No. 170 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."  
Introduced by: Senator Hanabusa.
- No. 171 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."  
Introduced by: Senator Hanabusa.
- No. 172 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."  
Introduced by: Senator Hanabusa.
- No. 173 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."  
Introduced by: Senator Hanabusa.
- No. 174 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."  
Introduced by: Senator Hanabusa.
- No. 175 "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING."  
Introduced by: Senator Hanabusa.
- No. 176 "A BILL FOR AN ACT RELATING TO CONSUMERS."  
Introduced by: Senator Hanabusa.
- No. 177 "A BILL FOR AN ACT RELATING TO CONSUMERS."  
Introduced by: Senator Hanabusa.
- No. 178 "A BILL FOR AN ACT RELATING TO CONSUMERS."  
Introduced by: Senator Hanabusa.
- No. 179 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Hanabusa.
- No. 180 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Hanabusa.
- No. 181 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Hanabusa.
- No. 182 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Hanabusa.
- No. 183 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Hanabusa.
- No. 184 "A BILL FOR AN ACT RELATING TO INSURANCE."  
Introduced by: Senator Hanabusa.
- No. 185 "A BILL FOR AN ACT RELATING TO INSURANCE."  
Introduced by: Senator Hanabusa.
- No. 186 "A BILL FOR AN ACT RELATING TO INSURANCE."  
Introduced by: Senator Hanabusa.
- No. 187 "A BILL FOR AN ACT RELATING TO INTERSTATE BANKING."  
Introduced by: Senator Hanabusa.
- No. 188 "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE."  
Introduced by: Senator Hanabusa.
- No. 189 "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE."  
Introduced by: Senator Hanabusa.

No. 190 "A BILL FOR AN ACT RELATING TO LEASEHOLDS."

Introduced by: Senator Hanabusa.

No. 191 "A BILL FOR AN ACT RELATING TO LEASEHOLDS."

Introduced by: Senator Hanabusa.

No. 192 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."

Introduced by: Senator Hanabusa.

No. 193 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Hanabusa.

No. 194 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Hanabusa.

No. 195 "A BILL FOR AN ACT RELATING TO REGULATION."

Introduced by: Senator Hanabusa.

No. 196 "A BILL FOR AN ACT RELATING TO REGULATION."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 199 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 200 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 201 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hanabusa.

No. 202 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senator Hanabusa.

No. 203 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senator Hanabusa.

No. 204 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Senator Hanabusa.

No. 205 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 208 "A BILL FOR AN ACT RELATING TO ECOLOGY."

Introduced by: Senator Hanabusa.

No. 209 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Hanabusa.

No. 210 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Hanabusa.

No. 211 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 213 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Hanabusa.

No. 214 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Hanabusa.

No. 215 "A BILL FOR AN ACT RELATING TO FOSSIL FUELS."

Introduced by: Senator Hanabusa.

No. 216 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Senator Hanabusa.

No. 217 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Hanabusa.

No. 218 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 219 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

No. 220 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 223 "A BILL FOR AN ACT RELATING TO LONG TERM CARE."

Introduced by: Senator Hanabusa.

No. 224 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 225 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 226 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 227 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator Hanabusa.

No. 228 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII COMMUNITY COLLEGES."

Introduced by: Senator Hanabusa.

No. 229 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII COMMUNITY COLLEGES."

Introduced by: Senator Hanabusa.

No. 230 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Hanabusa.

No. 231 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Hanabusa.

No. 232 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII WEST OAHU."

Introduced by: Senator Hanabusa.

No. 233 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII WEST OAHU."

Introduced by: Senator Hanabusa.

No. 234 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

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Introduced by: Senator Hanabusa.

No. 237 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Hanabusa.

No. 238 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Senator Hanabusa.

No. 239 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Senator Hanabusa.

No. 240 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 241 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 242 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 243 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 244 "A BILL FOR AN ACT RELATING TO LONG TERM CARE."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 246 "A BILL FOR AN ACT RELATING TO MED-QUEST."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 248 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Hanabusa.

No. 249 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 250 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 251 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 252 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

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No. 253 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 254 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 255 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."

Introduced by: Senator Hanabusa.

No. 256 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator Hanabusa.

No. 257 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Senator Hanabusa.

No. 258 "A BILL FOR AN ACT RELATING TO CEDED LANDS INVENTORY."

Introduced by: Senator Hanabusa.

No. 259 "A BILL FOR AN ACT RELATING TO CIVIL PROCEEDINGS."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 261 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Hanabusa.

No. 262 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Hanabusa.

No. 263 "A BILL FOR AN ACT RELATING TO CRIME PREVENTION."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 265 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senator Hanabusa.

No. 266 "A BILL FOR AN ACT RELATING TO THE DRUG DEALER LIABILITY ACT."

Introduced by: Senator Hanabusa.

No. 267 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Hanabusa.

No. 268 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Hanabusa.

No. 269 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 270 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 271 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

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Introduced by: Senator Hanabusa.

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Introduced by: Senator Hanabusa.



No. 274 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa.

No. 275 "A BILL FOR AN ACT RELATING TO HAWAIIAN CLAIMS."

Introduced by: Senator Hanabusa.

No. 276 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senator Hanabusa.

No. 277 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senator Hanabusa.

No. 278 "A BILL FOR AN ACT RELATING TO INDIVIDUAL RIGHTS."

Introduced by: Senator Hanabusa.

No. 279 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Senator Hanabusa.

No. 280 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Hanabusa.

No. 281 "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE."

Introduced by: Senator Hanabusa.

No. 282 "A BILL FOR AN ACT RELATING TO PERMITS, LICENSES, AND APPROVALS."

Introduced by: Senator Hanabusa.

No. 283 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Senator Hanabusa.

No. 284 "A BILL FOR AN ACT RELATING TO PROBATE."

Introduced by: Senator Hanabusa.

No. 285 "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES."

Introduced by: Senator Hanabusa.

No. 286 "A BILL FOR AN ACT RELATING TO PUBLIC NOTICES."

Introduced by: Senator Hanabusa.

No. 287 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senator Hanabusa.

No. 288 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senator Hanabusa.

No. 289 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Hanabusa.

No. 290 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Hanabusa.

No. 291 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hanabusa.

No. 292 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hanabusa.

No. 293 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hanabusa.

No. 294 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 295 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 297 "A BILL FOR AN ACT RELATING TO THE HEALTH FUND."

Introduced by: Senator Hanabusa.

No. 298 "A BILL FOR AN ACT RELATING TO THE HEALTH FUND."

Introduced by: Senator Hanabusa.

No. 299 "A BILL FOR AN ACT RELATING TO NURSE STAFFING."

Introduced by: Senator Hanabusa.

No. 300 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Hanabusa.

No. 301 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Hanabusa.

No. 302 "A BILL FOR AN ACT RELATING TO TRAINING."

Introduced by: Senator Hanabusa.

No. 303 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Hanabusa.

No. 304 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 306 "A BILL FOR AN ACT RELATING TO THE ARTS."

Introduced by: Senator Hanabusa.

No. 307 "A BILL FOR AN ACT RELATING TO THE ARTS."

Introduced by: Senator Hanabusa.

No. 308 "A BILL FOR AN ACT RELATING TO ARTS AND ENTERTAINMENT."

Introduced by: Senator Hanabusa.

No. 309 "A BILL FOR AN ACT RELATING TO BIOTECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 310 "A BILL FOR AN ACT RELATING TO BIOTECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 311 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senator Hanabusa.

No. 312 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senator Hanabusa.

No. 313 "A BILL FOR AN ACT RELATING TO CULTURAL AND HISTORIC PRESERVATION."

Introduced by: Senator Hanabusa.

No. 314 "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA."

Introduced by: Senator Hanabusa.

No. 315 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."

Introduced by: Senator Hanabusa.

No. 316 "A BILL FOR AN ACT RELATING TO ELECTRONIC DATA AND INFORMATION."

Introduced by: Senator Hanabusa.

No. 317 "A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA."

Introduced by: Senator Hanabusa.

No. 318 "A BILL FOR AN ACT RELATING TO THE FILM INDUSTRY."

Introduced by: Senator Hanabusa.

No. 319 "A BILL FOR AN ACT RELATING TO THE FILM INDUSTRY."

Introduced by: Senator Hanabusa.

No. 320 "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

No. 321 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 322 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

No. 323 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senator Hanabusa.

No. 324 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 325 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 326 "A BILL FOR AN ACT RELATING TO INTELLECTUAL PROPERTY."

Introduced by: Senator Hanabusa.

No. 327 "A BILL FOR AN ACT RELATING TO INTERNET SERVICE."

Introduced by: Senator Hanabusa.

No. 328 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Senator Hanabusa.

No. 329 "A BILL FOR AN ACT RELATING TO PERFORMING AND VISUAL ARTS."

Introduced by: Senator Hanabusa.

No. 330 "A BILL FOR AN ACT RELATING TO RESEARCH AND DEVELOPMENT."

Introduced by: Senator Hanabusa.

No. 331 "A BILL FOR AN ACT RELATING TO SCIENCE."

Introduced by: Senator Hanabusa.

No. 332 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 333 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senator Hanabusa.

No. 334 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS TECHNOLOGIES."

Introduced by: Senator Hanabusa.

No. 335 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senator Hanabusa.

No. 336 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Hanabusa.

No. 337 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 340 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Hanabusa.

No. 341 "A BILL FOR AN ACT RELATING TO AIRCRAFT NOISE ABATEMENT."

Introduced by: Senator Hanabusa.

No. 342 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Senator Hanabusa.

No. 343 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senator Hanabusa.

No. 344 "A BILL FOR AN ACT RELATING TO CONTRACTS."

Introduced by: Senator Hanabusa.

No. 345 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Hanabusa.

No. 346 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Hanabusa.

No. 347 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senator Hanabusa.

No. 348 "A BILL FOR AN ACT RELATING TO THE FEDERAL GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 349 "A BILL FOR AN ACT RELATING TO THE FEDERAL GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 350 "A BILL FOR AN ACT RELATING TO THE GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 351 "A BILL FOR AN ACT RELATING TO THE GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 352 "A BILL FOR AN ACT RELATING TO GOVERNMENT EFFICIENCY."

Introduced by: Senator Hanabusa.

No. 353 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Hanabusa.

No. 354 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Hanabusa.

No. 355 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Hanabusa.

No. 356 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Hanabusa.

No. 357 "A BILL FOR AN ACT RELATING TO THE STATE GOVERNMENT."

Introduced by: Senator Hanabusa.

No. 358 "A BILL FOR AN ACT RELATING TO TRAFFIC AND PARKING FINES."

Introduced by: Senator Hanabusa.

No. 359 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Hanabusa.

No. 360 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Hanabusa.

No. 361 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 363 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Hanabusa.

No. 364 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

No. 365 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

No. 366 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Hanabusa.

No. 367 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Hanabusa.

No. 368 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Hanabusa.

No. 369 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Hanabusa.

No. 370 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Hanabusa.

No. 371 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Hanabusa.

No. 372 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senator Hanabusa.

No. 373 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Hanabusa.

No. 374 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Hanabusa.

No. 375 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Hanabusa.

No. 376 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Senator Hanabusa.

No. 377 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Senator Hanabusa.

No. 378 "A BILL FOR AN ACT RELATING TO MARICULTURE."

Introduced by: Senator Hanabusa.

No. 379 "A BILL FOR AN ACT RELATING TO MARICULTURE."

Introduced by: Senator Hanabusa.

No. 380 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Senator Hanabusa.

No. 381 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Senator Hanabusa.

No. 382 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senator Hanabusa.

No. 383 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senator Hanabusa.

No. 384 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senator Hanabusa.

No. 385 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Hanabusa.

No. 386 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senator Hanabusa.

No. 387 "A BILL FOR AN ACT RELATING TO THE WATERSHED."

Introduced by: Senator Hanabusa.

No. 388 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senator Hanabusa.

No. 389 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senator Hanabusa.

No. 390 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senator Hanabusa.

No. 391 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Senator Hanabusa.

No. 392 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 394 "A BILL FOR AN ACT RELATING TO FINANCES."

Introduced by: Senator Hanabusa.

No. 395 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Hanabusa.

No. 396 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Hanabusa.

No. 397 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Hanabusa.

No. 398 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS."

Introduced by: Senator Hanabusa.

No. 399 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE."

Introduced by: Senator Hanabusa.

No. 400 "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND CONTRACTS."

Introduced by: Senator Hanabusa.

No. 401 "A BILL FOR AN ACT RELATING TO REVENUES."

Introduced by: Senator Hanabusa.

No. 402 "A BILL FOR AN ACT RELATING TO REVENUES."

Introduced by: Senator Hanabusa.

No. 403 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senator Hanabusa.

No. 404 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Hanabusa.

No. 405 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Hanabusa.

No. 406 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Hanabusa.

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

Introduced by: Senator Hanabusa.

No. 408 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Hanabusa.

No. 409 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Hanabusa.

No. 410 "A BILL FOR AN ACT RELATING TO TAXING AUTHORITY."

Introduced by: Senator Hanabusa.

No. 411 "A BILL FOR AN ACT RELATING TO THE COUNTIES' EMINENT DOMAIN POWERS."

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

No. 412 "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT."

Introduced by: Senators Slom, Hogue.

No. 413 "A BILL FOR AN ACT RELATING TO ELECTED OFFICIALS."

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

No. 414 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."

Introduced by: Senator Slom.

No. 415 "A BILL FOR AN ACT RELATING TO FIREARMS."

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

No. 416 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

Introduced by: Senators Slom, Trimble, Hogue.

No. 417 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Slom, Hogue, Trimble, Chun Oakland.

No. 418 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Slom, Hogue.

No. 419 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

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

No. 420 "A BILL FOR AN ACT RELATING TO COURT APPEARANCE."

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

No. 421 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS."

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

No. 422 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT."

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

No. 423 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE HAWAII CONSTITUTION, TO PROVIDE FOR ELECTED SUPREME COURT JUSTICES."

Introduced by: Senator Slom.

#### ORDER OF THE DAY

##### FIRST READING

On motion by Senator Hee, seconded by Senator Hogue and carried unanimously, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 97 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION AMOUNT."

No. 98 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."

No. 99 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

No. 100 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

No. 101 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

No. 102 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

No. 103 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 104 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ERADICATE THE COQUI FROG ON MAUI."

No. 105 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

No. 106 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CENTENNIAL CELEBRATION OF MAUI COUNTY."

No. 107 "A BILL FOR AN ACT RELATING TO TIME SHARING."

No. 108 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."

No. 109 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

No. 110 "A BILL FOR AN ACT RELATING TO MOTORCYCLES AND MOTOR SCOOTERS."

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

No. 112 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

No. 113 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

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

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

No. 116 "A BILL FOR AN ACT RELATING TO NURSES."

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

No. 118 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."

No. 119 "A BILL FOR AN ACT RELATING TO THE CONTINUING EDUCATION OF DESIGN PROFESSIONALS."

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

Respectfully submitted,

No. 121 "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES."

No. 122 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY."

Clerk of the Senate

No. 123 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Approved:

No. 124 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

President of the Senate

No. 125 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 126 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

No. 127 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

No. 128 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

No. 129 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

No. 130 "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT."

No. 131 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

No. 132 "A BILL FOR AN ACT RELATING TO HEALTH."

No. 133 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE URBAN GARDEN CENTER."

No. 134 "A BILL FOR AN ACT RELATING TO POCKET BIKES."

No. 135 "A BILL FOR AN ACT RELATING TO PUBLIC PARKS."

No. 136 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MARCHING BAND DIRECTORS."

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

No. 138 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

No. 139 "A BILL FOR AN ACT RELATING TO INCOME TAX."

No. 140 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

**ADJOURNMENT**

At 11:54 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 9:30 o'clock a.m., Monday, January 24, 2005.

## FOURTH DAY

**Monday, January 24, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 9:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable J. Kalani English, Hawaii State Senate, 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 Third Day.

At 9:46 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.

**INTRODUCTION OF SENATE BILLS**

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills passed First Reading by title and were referred to committee or deferred:

Senate Bill

No. 424 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."

Introduced by: Senators Kanno, Hanabusa.

No. 425 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland, Inouye, Hanabusa, English, Taniguchi, Hee, Menor, Espero, Nishihara.

No. 426 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INSTALL A SECOND ACCESS ROAD TO LEEWARD COMMUNITY COLLEGE."

Introduced by: Senator Inouye.

No. 427 "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY."

Introduced by: Senator Inouye.

No. 428 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Senator Inouye.

No. 429 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senator Inouye.

No. 430 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Senator Inouye.

No. 431 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Nishihara, Chun Oakland, Ige, Sakamoto, Espero, Inouye.

No. 432 "A BILL FOR AN ACT RELATING TO SAME-DAY VOTER REGISTRATION."

Introduced by: Senators Nishihara, Inouye, Kokubun, Espero, Chun Oakland.

No. 433 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Senators Nishihara, Inouye, Kokubun, Espero, Chun Oakland.

No. 434 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Nishihara, Inouye, Espero.

No. 435 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS ADVOCACY."

Introduced by: Senators Nishihara, Espero, Inouye, Ige, Sakamoto, Chun Oakland.

No. 436 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Bunda, by request.

No. 437 "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS."

Introduced by: Senator Bunda, by request.

No. 438 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Bunda, by request.

No. 439 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS CODE."

Introduced by: Senator Bunda, by request.

No. 440 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator Bunda, by request.

No. 441 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI."

Introduced by: Senator Bunda, by request.

No. 442 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR AN EMERGENCY HOMELESS SHELTER, WAIMEA HIGH SCHOOL DISTRICT SWIMMING POOL, KAUAI AFFORDABLE HOUSING FEASIBILITY STUDY, ANTONE VIDINHA STADIUM COMPLEX IMPROVEMENTS, AND KALEPA VILLAGE RENTAL APARTMENTS."



- Introduced by: Senator Bunda, by request.
- No. 443 "A BILL FOR AN ACT RELATING TO SHORELINE."  
Introduced by: Senator Bunda, by request.
- No. 444 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL COMPLIANCE."  
Introduced by: Senator Bunda, by request.
- No. 445 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."  
Introduced by: Senator Bunda, by request.
- No. 446 "A BILL FOR AN ACT RELATING TO THE AUDITOR."  
Introduced by: Senator Bunda, by request.
- No. 447 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."  
Introduced by: Senator Bunda, by request.
- No. 448 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."  
Introduced by: Senator Bunda, by request.
- No. 449 "A BILL FOR AN ACT RELATING TO COUNTIES."  
Introduced by: Senator Bunda, by request.
- No. 450 "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES."  
Introduced by: Senators Menor, Sakamoto, Baker, Chun Oakland, Nishihara.
- No. 451 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Senators Menor, Sakamoto, Espero, Chun Oakland, Ihara, Baker, Nishihara, English.
- No. 452 "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT."  
Introduced by: Senators Menor, Espero, Hee, Sakamoto, Baker, English, Chun Oakland, Nishihara.
- No. 453 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN."  
Introduced by: Senator Bunda, by request.
- No. 454 "A BILL FOR AN ACT RELATING TO THE OMBUDSMAN."  
Introduced by: Senator Bunda, by request.
- No. 455 "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE."  
Introduced by: Senators Ige, Sakamoto, Nishihara, Kim.
- No. 456 "A BILL FOR AN ACT RELATING TO STATE FUNDS."  
Introduced by: Senator Taniguchi.
- No. 457 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."  
Introduced by: Senator Taniguchi.
- No. 458 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS."  
Introduced by: Senator Taniguchi.
- No. 459 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."  
Introduced by: Senator Taniguchi.
- No. 460 "A BILL FOR AN ACT RELATING TO TAX REFUNDS."  
Introduced by: Senator Taniguchi.
- No. 461 "A BILL FOR AN ACT RELATING TO THE WAIKIKI WAR MEMORIAL NATATORIUM."  
Introduced by: Senator Taniguchi, by request.
- No. 462 "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH."  
Introduced by: Senator Taniguchi, by request.
- No. 463 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."  
Introduced by: Senator Taniguchi, by request.
- No. 464 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."  
Introduced by: Senator Taniguchi, by request.
- No. 465 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF HOSPITAL INFECTION RATES."  
Introduced by: Senator Taniguchi, by request.
- No. 466 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."  
Introduced by: Senators Chun Oakland, Baker, Inouye, Kim, Fukunaga.
- No. 467 "A BILL FOR AN ACT RELATING TO CORRECTIONS."  
Introduced by: Senators Chun Oakland, Fukunaga, Kim.
- No. 468 "A BILL FOR AN ACT RELATING TO TORTS."  
Introduced by: Senators Chun Oakland, Kim, Fukunaga.
- No. 469 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR MEDICAL STUDENT LOANS."  
Introduced by: Senators Chun Oakland, Baker, Inouye, Kim, Fukunaga.

No. 470 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEOXYRIBONUCLEIC ACID FOR THE DNA REGISTRY."

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

No. 471 "A BILL FOR AN ACT RELATING TO POLYBROMINATED DIPHENYL ETHERS."

Introduced by: Senators Baker, Inouye, Kim, Chun Oakland, Fukunaga.

No. 472 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senators Baker, Inouye, Fukunaga.

No. 473 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JOB TRAINING."

Introduced by: Senators Chun Oakland, Baker, Inouye, Kim, Fukunaga.

No. 474 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

Introduced by: Senators Inouye, Baker, Chun Oakland, Kim, Fukunaga.

No. 475 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senators Chun Oakland, Baker, Inouye, Kim, Fukunaga.

No. 476 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Baker, Inouye, Chun Oakland, Fukunaga, Kim.

No. 477 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Senators Baker, Inouye, Chun Oakland, Kim, Fukunaga.

No. 478 "A BILL FOR AN ACT RELATING TO EMPLOYER SUPPORTED CHILD CARE."

Introduced by: Senators Chun Oakland, Inouye, Fukunaga, Baker.

No. 479 "A BILL FOR AN ACT RELATING TO STATE EMPLOYEE CHILD CARE FACILITIES AND SERVICES."

Introduced by: Senators Chun Oakland, Baker, Inouye, Fukunaga.

No. 480 "A BILL FOR AN ACT RELATING TO THE CERVICAL CANCER ELIMINATION TASK FORCE."

Introduced by: Senators Chun Oakland, Fukunaga.

No. 481 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Baker, Chun Oakland, Inouye, Fukunaga.

No. 482 "A BILL FOR AN ACT RELATING TO EQUAL PAY."

Introduced by: Senators Chun Oakland, Baker, Inouye, Kim, Fukunaga.

No. 483 "A BILL FOR AN ACT RELATING TO MEDICALLY ACCURATE SEX EDUCATION."

Introduced by: Senators Chun Oakland, Fukunaga, Baker, Inouye.

No. 484 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."

Introduced by: Senators Chun Oakland, Baker, Inouye, Fukunaga.

No. 485 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Chun Oakland, Baker, Inouye, Fukunaga.

No. 486 "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH."

Introduced by: Senators Chun Oakland, Kanno, Nishihara, Inouye.

No. 487 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Senators Chun Oakland, Kanno, Inouye.

No. 488 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Kanno, Inouye.

No. 489 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland, Kanno, Inouye.

No. 490 "A BILL FOR AN ACT RELATING TO CHILDHOOD SURVEILLANCE SYSTEMS."

Introduced by: Senators Chun Oakland, Inouye.

No. 491 "A BILL FOR AN ACT RELATING TO THE PHYSICAL ACTIVITY AND NUTRITION COALITION TASK FORCE."

Introduced by: Senators Chun Oakland, Kanno, Inouye.

No. 492 "A BILL FOR AN ACT RELATING TO STUDENT PHYSICAL ACTIVITIES."

Introduced by: Senators Chun Oakland, Kanno, Inouye.

No. 493 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL NUTRITION."

Introduced by: Senators Chun Oakland, Kanno, Inouye.

No. 494 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senators Chun Oakland, Inouye.

No. 495 "A BILL FOR AN ACT RELATING TO STUDENTS WITH DISABILITIES."

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

No. 496 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR GRANTS TO ENABLE CHILDREN WITH DISABILITIES."

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

No. 497 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Senators Hogue, Hemmings, Slom.

No. 498 "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER RECRUITMENT AND RETENTION PROGRAM."

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

No. 499 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."

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

No. 500 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

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

No. 501 "A BILL FOR AN ACT RELATING TO UTILITIES."

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

No. 502 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

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

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

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

No. 504 "A BILL FOR AN ACT RELATING TO LAND USE."

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

No. 505 "A BILL FOR AN ACT RELATING TO JURISDICTION OF PIER 1 AND PIER 2."

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

No. 506 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

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

No. 507 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

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

No. 508 "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION."

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

No. 509 "A BILL FOR AN ACT RELATING TO FOOD AND MEDICAL SERVICES."

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

No. 510 "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND."

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

No. 511 "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND."

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

No. 512 "A BILL FOR AN ACT RELATING TO THE HURRICANE RESERVE TRUST FUND."

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

No. 513 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

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

No. 514 "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

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

No. 515 "A BILL FOR AN ACT RELATING TO CONFORMANCE OF STATE PERSONAL EXEMPTION TO FEDERAL PERSONAL EXEMPTION."

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

No. 516 "A BILL FOR AN ACT RELATING TO FUEL TAX."

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

No. 517 "A BILL FOR AN ACT RELATING TO TORTS."

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

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

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

No. 519 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

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

No. 520 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

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

No. 521 "A BILL FOR AN ACT RELATING TO PROVISION OF HEALTH CARE COVERAGE BY SMALL BUSINESSES."

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

No. 522 "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES."

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

No. 523 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

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

No. 524 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Senator Inouye, by request.

No. 525 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Inouye, Ihara, Hogue, Espero, Hee, Taniguchi, Hanabusa.

No. 526 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators Inouye, Hogue, Hanabusa, Taniguchi.

No. 527 "A BILL FOR AN ACT RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES."

Introduced by: Senators Inouye, English, Baker, Tsutsui, Espero, Ihara, Hee.

No. 528 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Inouye, Baker, Ihara, Tsutsui, Taniguchi, Hee, Hanabusa.

No. 529 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INSTALL A TRAFFIC SIGNAL LIGHT AT THE INTERSECTION OF KUALA STREET AND KAMEHAMEHA HIGHWAY IN PEARL CITY."

Introduced by: Senator Inouye.

No. 530 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Inouye, Baker, Slom, Ihara, Hogue, Tsutsui, Taniguchi, Espero, Hanabusa.

No. 531 "A BILL FOR AN ACT RELATING TO THE COUNTIES."

Introduced by: Senators Fukunaga, Inouye, Ige, Espero, Hanabusa.

No. 532 "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATION."

Introduced by: Senators Fukunaga, Ige, Ihara, Hanabusa, Hooser, Kanno.

No. 533 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Senator Kanno.

No. 534 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senator Kanno.

No. 535 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senator Kanno.

No. 536 "A BILL FOR AN ACT RELATING TO LABOR DISPUTES."

Introduced by: Senators Kanno, Ihara.

No. 537 "A BILL FOR AN ACT RELATING TO DEFENSE TO TRESPASS."

Introduced by: Senator Kanno.

No. 538 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Kanno.

No. 539 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Kanno.

No. 540 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senators Fukunaga, Ihara, English, Ige, Espero, Hanabusa, Hooser, Kanno, Inouye.

No. 541 "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA."

Introduced by: Senators Fukunaga, English, Ige, Espero, Ihara, Hanabusa, Hooser, Kanno, Inouye.

No. 542 "A BILL FOR AN ACT RELATING TO STIMULATING TECHNOLOGICAL GROWTH IN HAWAII."

Introduced by: Senators Fukunaga, Ige, Kim, Ihara, Hanabusa.

No. 543 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Senators Bunda, Hemmings.

Referred to: Committee on Ways and Means.

**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-THIRD LEGISLATURE."

Offered by: Senators Hanabusa, Hemmings.

By unanimous consent, action on S.R. No. 2 was deferred until Wednesday, January 26, 2005.

Senator Taniguchi, Chair of the Committee on Ways and Means, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 543.

Senator Taniguchi noted:

"Mr. President, this bill provides for the expenses of the Legislature, the Legislative Auditor, the Legislative Reference Bureau and the Ombudsman."

The Chair granted the waiver.

At 9:48 o'clock a.m., on motion by Senator Hee, 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-Third Legislature of the State of Hawaii, Regular Session of 2005, 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-Third Legislature:

The Honorable James R. Aiona, Jr., Lieutenant Governor of Hawaii, and Mrs. Vivian Aiona. They were presented leis by Representative Ken Ito and Senator Lorraine R. Inouye;

The Honorable Ronald T.Y. Moon, Chief Justice, Hawaii Supreme Court. He was presented a lei by Senator Colleen Hanabusa;

Ms. Haunani Apoliona, Chair, Office of Hawaiian Affairs. She was presented a lei by Representative Pono Chong;

The Honorable James E. Duffy, Jr., Associate Justice, Hawaii State Supreme Court;

The Honorable Paula A. Nakayama, Associate Justice, Hawaii State Supreme Court;

The Honorable Steven H. Levinson, Associate Justice, Hawaii State Supreme Court;

The Honorable George Ariyoshi, former Governor of the State of Hawaii;

The Honorable John Waihee, former Governor of the State of Hawaii, and Mrs. Lynne Waihee;

The Honorable Mufi Hannemann, Mayor of the City and County of Honolulu, and Mrs. Gail Hannemann;

The Honorable Harry Kim, Mayor of the County of Hawaii;

The Honorable Bryan J. Baptiste, Mayor of the County of Kauai;

The Honorable Donovan M. Dela Cruz, Chair, Honolulu City Council;

The Honorable Heung Sik Choi, Consul General of Korea and Dean of the Hawaii Consular Corps;

The Honorable Laurence Yogel, Consul General of Denmark;

The Honorable John Quinn, Consul General of Australia;

Lieutenant General Wallace C. Gregson, Jr., Commander, U.S. Marine Forces Pacific; Commanding General, Fleet Marine Force, Pacific; and Commander, U.S. Marine Corps Bases, Pacific;

Rear Admiral Charles D. Wurster, Commander, U.S. Coast Guard, 14<sup>th</sup> Coast Guard District;

Lieutenant General Victor E. Renuart, Jr., Vice Commander, Pacific Air Forces, Hickam Air Force Base; and

Dr. Janice Nielson, U.S. Army, Pacific.

The Speaker then appointed Senators Donna Mercado Kim, Colleen Hanabusa, and Fred Hemmings, on behalf of the Senate, and Representatives K. Mark Takai, Marcus R. Oshiro and Blake K. Oshiro, on behalf of the House of Representatives, to escort the Honorable Linda Lingle, Governor of the State of Hawaii, to the rostrum.

Senator Bob Hogue and Representative Chris Halford presented Governor Lingle with leis.

The Speaker then presented to the members of the Twenty-Third 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, Lt. Governor and Mrs. Aiona, members of the Legislature, cabinet members, Chief Justice Moon and the other Justices of the Supreme Court, Chair Apoliona, Governor and Mrs. Waihee, Governor Ariyoshi, distinguished guests, members of the consular corps, military leaders, and to the people of Hawai'i . . . good morning and aloha.

"It is so good to be home after a few very cold days in Washington, D.C. where I attended the inauguration of President George W. Bush.

"My trip to our nation's Capitol meant I had to miss the Legislature's opening day ceremonies but I read with great interest the speeches presented by both parties' leaders on that important day. I was encouraged by the new ideas, the willingness to discuss previously proposed solutions, and the call for collaboration.

"Similarly, I was encouraged earlier this month by the gracious invitation from the Senate President and House Speaker to meet with Democrat leaders to discuss the 2005 Legislative Session. Their willingness to sit and talk about procedural matters as well as some of the important issues facing our state added to my already hopeful and optimistic feeling about the future.

"Most people across the state are feeling optimistic as well. Consumer and business confidence levels are at all-time highs. People see good things ahead, and believe the future is bright.

"But before looking to the future, let's glance back at the road we've traveled these past two years because that is the source of much of the optimism we are all feeling about the future.

"Over the past two years we overcame state budget deficits in the hundreds of millions of dollars without laying off state workers or cutting important services. Fiscal prudence and the willingness to make tough budget decisions were fundamental to this achievement.

"At the same time, our economy has entered a period of growth and prosperity.

"There are many new opportunities available to us, including those created last year when Hawai'i became only the second American state granted a tourism and trade office in China.

"Our leadership role in the Asia-Pacific region is growing stronger as evidenced by the 1,000 people from more than 40 countries who participated in our 2nd Annual Homeland Security Summit.

"And some of the world's most respected companies – Sanyo, Intel and Ebay – have established captive insurance companies in our state.

"You can feel the energy and enthusiasm on the street, from the opening of the new medical school in Kaka'ako to the companies being created and flourishing at the Natural Energy Lab in Kona.

"We are feeling good about ourselves again. But it's more than just a feeling. You can see it in the numbers.

"Nearly 29,000 new jobs have been created in the last two years. That means more opportunities for our sons and daughters, and a chance for those who left to come home. We had the lowest unemployment rate in the nation for much of last year . . . including being lowest for five months in a row.

"Visitor expenditures reached an all-time high of \$10.3 billion. Congratulations to the visitor industry, which ended 2004 by attracting almost seven million guests to our shores, an increase of 8.3 percent over 2003.

"Investor confidence is also high, and the construction industry is booming. Private building permits authorized during 2004 are estimated to exceed \$2.7 billion, 15 percent higher than 2003, which was previously Hawai'i's best year ever.

"This long-awaited and welcome prosperity understandably bolsters our confidence. It creates optimism and it offers us many new and exciting opportunities. But it also brings challenges.

"We cannot let the sparkle of economic vitality blind us to the needs of thousands of our fellow citizens across the state. The growing prosperity I just described has not been fully enjoyed by all. And as the economy has heated up, so has the cost of living.

"There are too many families in our state struggling to survive and too many families just a paycheck away from moving in with relatives or living on the beach. It's hard to be optimistic when the price of rent, food and medical care is going up faster than your wages. And it is hard to be hopeful when you are focused on just getting by.

"Finding ways to ease the impact of the increased cost of living should be one of the first orders of business during this Legislative Session. Ignoring this problem is ignoring the obvious. And the obvious will not just go away. And neither will the families that need our help.

"I want to use some of the revenues generated by our recent prosperity to pay for a modest yet important \$63 million tax cut over the next two years for individuals and families with low to moderate incomes.

"These tax cuts include increasing take-home pay for lower income workers by raising the income tax standard deduction over the next three years to one-half of the federal standard deduction. Passage of this bill means 27,000 people will no longer have to file state tax returns, and 78,000 more will see their taxes reduced.

"This is the single most important thing the Legislature can do if they want to help those individuals and families who are living paycheck to paycheck.

"In addition, I am proposing a new food and medical tax credit that will benefit 515,000 people or 40 percent of the state's population. The credit can be claimed by individuals and families earning less than \$40,000 a year.

"I will also be increasing cash payments to low income families who are currently receiving public assistance.

"To reward work and encourage self-sufficiency, I will eliminate the current practice of reducing welfare benefits for parents who go to work to help support their families. This policy change will transfer as much as \$58 million during the next two years from our Temporary Assistance to Needy Families reserves directly to an estimated 10,000 working parents, increasing their cash income by an additional \$200 to \$240 per month.

"These three proposals to increase take-home pay for lower income workers should also be viewed as a way to prevent

further homelessness and to help some that are currently homeless regain their dignity.

“One of the most basic needs for any human being is a decent, safe, affordable place to live.

“Our robust real estate market and lack of adequate support services for the chronically homeless mean this basic need is not being met for too many of our fellow citizens. This is a very big problem that I really believe we can solve if we’re willing to be focused, collaborative and smart about the solutions. We certainly all agree it is one of the very biggest problems we face and one that we cannot ignore any longer.

“This is a problem that requires collaboration between the state and counties and between the government and the private sector. When I challenged the business community last summer to join us in our efforts to deal with the lack of affordable housing, they answered that call.

“We met throughout the fall with developers, financial experts, homeless providers and others to come up with a spectrum of solutions.

“I am proposing a comprehensive plan that will help us create more affordable housing, preserve existing affordable rentals, and provide additional services for the homeless while living within our means. The plan includes financial incentives for private developers, faster government approvals, an increased funding source for new affordable rentals, as well as new funding to repair existing public housing.

“This new law, which so many others have helped to develop, is called the Affordable Homes Act of 2005. The Act includes tax credits of up to \$4,000 for each of the 2,500 affordable units completed by December 31, 2007. We want to reward builders who complete affordable units that are ready for families to occupy.

“In addition, the Act streamlines the cumbersome government review process that has slowed the development of affordable housing and increased the costs of both for-sale and rental projects.

“The Act doubles the amount of the existing conveyance tax transferred to the Rental Housing Trust Fund without raising the tax. And it prohibits the future transfer of any money from any of the state’s housing funds.

“Since 1995, more than \$200 million has been transferred from eight state housing funds to the General Fund. Those transfers have contributed to the housing shortfall we face today.

“As you may have read, we have set an ambitious goal of adding 17,000 affordable units to our housing stock over the next six years. To meet that goal we will need to first admit that government cannot achieve this on its own. Then we will need to work together – Administration and Legislature; public and private sectors; federal, state and county governments.

“We cannot afford to fall short of meeting such a basic need as housing. And we can never, ever accept that this is a problem that will simply always be with us.

“I am glad to report to you that we are already making modest progress.

“The Department of Hawaiian Home Lands last month broke ground for the largest affordable housing project in its 80-year history at the Villages of Kapolei. Already we have identified

state lands that can be used for public-private partnerships to create affordable housing, and we are moving to develop those lands.

“There will be many affordable housing groundbreaking, both public and private, in the years to come, and I invite you to be there with me at all of them.

“Affordable housing will be remembered as the issue that brought us together and served as the catalyst for a renewed sense of community responsibility. I look forward to working with you on this important issue. It will be our chance to show government at its very best.

“I believe that government’s role in helping its citizens achieve a good quality of life is more expansive than just affordable housing and tax relief.

“To be able to live a good life, people must have the training and education for the kinds of jobs that pay enough to do more than just get by. People need to earn enough to be able to take a family vacation, save for their children’s education, and retire with dignity.

“When I stood before you last year, I called for dramatic reform of our public education system. The debate that followed was good for our schools and ultimately good for our entire state. But the debate didn’t place much focus on preparing children for success before they enter the formal education system.

“Study after study has shown that early childhood education is a key to success later in life. State, federal and private funding for childcare and pre-school programs in Hawai’i totals nearly \$100 million a year, and yet many working families forego quality childcare because they simply can’t afford it.

“In addition, the existing pre-school programs cannot keep up with the demand. This means that too many children are entering the school system without the basic skills they need to survive.

“To provide more support for these children, their families, and our existing pre-schools, I am launching the Early Childhood Education Initiative.

“This initiative will enable 3,000 more children, ages 3 and 4, to attend high-quality, fully accredited pre-schools. It is a multi-pronged approach that provides financial assistance for ‘gap group’ families, monetary incentives to pre-schools that adopt quality content standards, incentives for providers who attend training beyond existing licensing standards, and support for more adults to enter the early childhood education profession.

“Last year’s education debate also didn’t focus much on charter schools, an extremely important and exciting option for students and parents who feel the traditional public school system is not meeting their needs.

“I have visited charter schools all across the state. Each and every time I visit one of these schools, I come away feeling excited both by what I see and by what I envision they could be if they had sufficient resources. These schools present opportunities for their students, and they fill me with optimism about what public education can be.

“Charter schools deserve a lot more focus and attention this Session.

“A recent state audit urged the Legislature and the Board of Education to create a panel to improve the charter school law.

“After many hours of meetings and conversations between my staff, charter school officials, teachers and parents, we have crafted the Charter School Opportunity Act.

“This comprehensive improvement in the treatment of charter schools will first and foremost assure them a fair share of the state’s education funding. In addition, it lifts the cap on the number of charter schools, adds additional chartering authorities and sets strict oversight standards.

“It also creates a non-contiguous school district which charter schools on all islands can be part of. A recently released study mandated by the Legislature concluded that such a charter school district is a ‘potentially meaningful education reform strategy.’ Becoming their own district will enable charter schools to compete directly and receive federal funds that currently must pass through the Department of Education.

“Last August I had the opportunity to visit a model charter school in Manoa at the former Paradise Park. The students from that school, Halau Ku Mana, and their teacher, Keola Nakanishi, are with us today. Please welcome them. (Keola Nakanishi and the students rose to be recognized.)

“Charter schools have become an important option for many parents, and their children who were struggling in the traditional public school system, and they have been instrumental in meeting the needs of Native Hawaiian children as well as students with special needs.

“Let us work together to nourish these schools and to allow as many to flourish as there are parents, teachers and students with a vision to make them work.

“We are all well aware that the higher paying jobs of today and tomorrow more often than not will require training and education beyond the high school level. It is imperative that we begin providing adequate resources to the University of Hawai‘i – both the four-year campuses and the 10-campus community college system. This investment is our best hope for meeting the higher education needs of our residents and contributing more than lip service to the University’s role in diversifying the state’s economy.

“The University is poised to make steady and significant progress as a center of excellence in the coming years under the leadership of the Board of Regents and its new President, Dr. David McClain. President McClain has stepped forward to lead the University at one of the most challenging and exciting times in its history. I ask him to rise and be recognized for his commitment to the University and to the people of Hawai‘i. (President McClain rose to be recognized.)

“My proposed biennium budget earmarks \$20 million in new scholarship funds for the University to ensure that all who can meet the standards and want a higher education can get one. I have also budgeted an additional \$25 million for ongoing operations in order to meet what the University believes are its highest priorities. This \$45 million infusion of additional funding is the largest in University history.

“Also, I have set aside \$80 million to rebuild and replace deteriorated buildings to ensure that our campuses are safe and well maintained. I’ve included \$20 million to build the long-promised Hawaiian Language Building at UH-Hilo.

“Beyond this, I am proposing tax credits that promote partnerships between the University and business in order to

foster world-class research that creates commercial spin-offs and the opportunity for higher paying jobs.

“Besides this new state funding, there are existing resources we can tap to make certain our workers are able to meet the demands of the 21st Century, and reap maximum benefit from our expanding economy.

“In the wake of 9/11, the state received millions of dollars in federal funds to support employment-related programs. I am requesting that the Legislature authorize us to spend \$20 million of that money on The Workforce Development Act, which will improve access to job training for workers across the state so businesses have the workforce needed to take full advantage of the growing economy.

“In addition to providing training and educational opportunities for our residents, we must continue building a business environment in which they can succeed. We have done much to improve the business climate over the last two years, but we can do more.

“Our Department of Commerce and Consumer Affairs has cut fees and assessments that will total \$10 million by the end of this fiscal year, and I want to give them the flexibility to make more cuts in the years ahead. Also, our new Hawai‘i Business Express on-line business registration program is a big success and is being well used by businesses on all islands.

“But there are more fundamental business issues we need to address this year.

“First, I want to stem the outflow of successful start-up companies by increasing investment capital. I am asking you this year to implement the State Private Investment Fund that you passed in outline form last year. This novel investment approach will provide financing to take promising companies beyond the start-up stage.

“And, in response to the business community’s plea for reform of the Workers’ Compensation system, I am again introducing a balanced, common sense package of changes that will bring costs under control while ensuring that workers receive the benefits they need.

“The current system is costly and ineffective. In fact, Hawai‘i’s Workers’ Compensation System was highlighted as one of only eight to receive a failing grade in a recent national survey – a ranking that will surely stifle future economic growth and prosperity unless we take meaningful action this year.

“Additionally, I will propose \$196 million in tax savings for businesses, by lowering the unemployment insurance tax wage base. This action will provide more money for Hawai‘i’s businesses to increase employee wages, expand benefits and create additional jobs in the private sector.

“An issue you identified on Opening Day, traffic, has become a significant drain on the economy as well as on the quality of our personal and family lives. There is no single, easy answer to this daily frustration.

“Our Department of Transportation has taken steps to reduce and manage traffic through various projects, but it is not enough and we know it. The Department knows this is a problem that affects a majority of people in the state each day.

“It will carry out a combination of new programs, such as the Freeway Patrol Service that will begin by late summer, as well as major highway improvement and expansion projects on all islands.



"I am honored that we are joined today by the state's mayors, including Honolulu's new mayor, Mufi Hannemann. Our transportation director, Rod Haraga, has already met with the mayor and I look forward to working closely with him as we address traffic issues in Honolulu. Both Mayor Hannemann and I have been supporters of mass transit on O'ahu and his election offers us an opportunity to look at that issue again.

"The final point I will make on traffic is to inform you of my decision not to use money from the State Highway Fund in order to balance the general fund budget even though you authorized that transfer last year. In my travels around the state, the voices of our residents have been loud and clear. They want the existing roads fixed and they want solutions to our traffic problems.

"The Department of Transportation is working hard to keep Hawai'i on the move, but we need to use this highway money for repair, maintenance and construction of our roads and highways, and for no other purpose.

"In an island state such as ours, an integrated statewide transportation system is more than just highways. We are committed to investing \$40 million to be repaid over time by the proposed Superferry that will provide a new inter-island passenger, cargo and vehicle transportation alternative. I believe this project can reinvigorate economic activity between the islands that has been stifled by rising inter-island airfares. And it can bring families closer together because of its lower price to travel from one island to another.

"Being responsive to the public's needs means thinking ahead and preparing for challenges we know are coming.

"We face a growing problem as more of us reach the age when we may require long-term care. This is a problem we have talked about for a long time. Today, 127,000 of our residents are 70 years or older. By 2025, that number will be 209,000, a 64 percent increase. We ignore this fact at our peril. Time will not stop while we search for the perfect solution.

"I am proposing that we give incentives to individuals who take personal responsibility for their later years by purchasing insurance. I am suggesting a tax credit of up to \$1,000 per year for persons who purchase long-term care insurance, and I want to provide tax incentives for employers who purchase such insurance for their employees.

"Along with these incentives, we will encourage the purchase of insurance plans that pay for In-Home Care so our senior citizens can remain in their own homes instead of nursing home care being their only option.

"Another important step we need to take in order to protect our kupuna, as well as the community, is to get tougher on crime.

"The Law Enforcement Coalition of Hawai'i, under the able leadership of Attorney General Mark Bennett, has proposed measures to protect our kupuna, keiki and communities from sex offenders, drug dealers and career criminals. I pray the Legislature will take action this year to support our law enforcement personnel in their efforts to keep Hawai'i safe.

"I've talked this morning about a variety of subjects ranging from tax cuts and affordable housing to early childhood, charter school and university education to economic development, traffic, long term care and crime. But I don't want to end without mentioning our fellow citizens who are serving in the

regular military, reserve and National Guard, especially those serving in combat zones.

"Both the Administration and the Legislature will offer specific bills this Session to help the military and their families.

"Some of our military families are with us today. It is with a great deal of pride that I ask you to join me in expressing our gratitude for their daily sacrifices. Please stand and be recognized. (The military families rose to be recognized.)

"These tax relief and other measures to help military families are important gestures for us to make. They express our gratitude to those who risk their lives on our behalf. But I believe there is something far more significant we can do to honor the sacrifice they are making for us, our state and our nation.

"We can honor their service by minimizing the politics this Session and by keeping our focus on their families and families across our state.

"Not many expected that the first year or two with a new governor would go very smoothly, and the public has been patient with us. The people have given us a couple years to get to know each other and now they want results. They want creative thinking and bold actions. They want what they have paid for – elected officials who put the public first. They want leaders who compromise to achieve common goals.

"This is such an exciting time in our state's history. I don't know how you can look ahead and be anything but optimistic and hopeful. No one who's paying attention can fail to see the golden opportunities that lie before us. This is our time – yours and mine. Let's not squander these opportunities.

"We have the compassion to help those most in need, the will to meet the challenges of our times, and the intelligence to craft effective solutions to our problems. And after two years of conservative fiscal management and a strengthening economy, we now have the resources we need to fund a variety of solutions.

"When future generations look back at this time, I believe they will see it as a period in our history when we regained confidence in ourselves and our ability to meet any challenge.

"It will be seen as a time of renewal of all that is best about Hawai'i. It will be remembered as a time of renewed respect for our host culture and the fulfillment of obligations to Native Hawaiians.

"It will be seen as a time when environmental protection was approached with seriousness of purpose and sufficient resources.

"It will be recalled as the point in our history when we stopped trying to control business and instead unshackled businesses so they could compete and flourish in the global economy.

"It will be recollected as a time when the University of Hawai'i reached its full potential as an esteemed institution of higher learning with access for all who dreamed of education as the path to a better life.

"And it will be recognized as a time when leaders were wise enough to understand that we needed both to invest in the future while caring for those who needed our help in the present.

“So throughout the Session, let’s keep our soldiers, airmen, sailors, marines and coast guardsmen in the forefront of our minds. They are putting their lives on the line so that we can practice our democratic form of government. Let’s honor their sacrifice by giving this Session our maximum effort, and by always putting the needs of our residents ahead of any special interest.

“It has been said that ‘Destiny is not a matter of chance; it is a matter of choice.’

“Let’s make the right choices this Session – for our aina, for our people, for our future.

“God Bless the people of Hawai`i, and God bless the United States of America.”

Senate President Robert Bunda then rose and stated:

“Thank you, Governor Lingle, your proposals will certainly generate much discussion in the weeks ahead. All of us in this Chamber stand ready to work with you for the good of the people of Hawaii. Our job, like yours, is to serve the people. Let us begin the work of the 2005 Session and let’s keep in mind that communication is a two-way street and let’s avoid any kind of head-on collisions.

“I declare that this Joint Session is now adjourned.”

At 10:45 o’clock a.m., President Bunda declared the Joint Session adjourned.

**INTRODUCTION OF SENATE BILLS**

On motion by Senator Hee, 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 were introduced and placed on the calendar for further action on Wednesday, January 26, 2005:

Senate Bill

No. 544 “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS.”

Introduced by: Senator Bunda, by request.

No. 545 “A BILL FOR AN ACT RELATING TO CIVIL UNIONS.”

Introduced by: Senator Bunda, by request.

No. 546 “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS.”

Introduced by: Senator Bunda, by request.

No. 547 “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS.”

Introduced by: Senator Bunda, by request.

No. 548 “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 3, OF THE HAWAII STATE CONSTITUTION, TO PROVIDE FOR THE PRESERVATION AND PROTECTION OF AGRICULTURAL LANDS IN HAWAII.”

Introduced by: Senator Bunda.

No. 549 “A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE DEPARTMENT OF EDUCATION TO SUBMIT ITS BUDGET REQUESTS DIRECTLY TO THE LEGISLATURE.”

Introduced by: Senator Bunda.

No. 550 “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO ADD AN ARTICLE TO CREATE A STATEWIDE TRANSIT AUTHORITY.”

Introduced by: Senator Bunda.

No. 551 “A BILL FOR AN ACT RELATING TO FAMILY COURT.”

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa.

No. 552 “A BILL FOR AN ACT RELATING TO FAMILY COURT.”

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

No. 553 “A BILL FOR AN ACT RELATING TO EDUCATION.”

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Kokubun.

No. 554 “A BILL FOR AN ACT RELATING TO MARRIAGE.”

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Kokubun.

No. 555 “A BILL FOR AN ACT RELATING TO THE JUDICIARY.”

Introduced by: Senators Chun Oakland, Fukunaga, Ihara, Hanabusa, Kokubun.

No. 556 “A BILL FOR AN ACT RELATING TO FAMILY COURT.”

Introduced by: Senators Chun Oakland, Fukunaga, Ihara, Hanabusa, Kokubun.

No. 557 “A BILL FOR AN ACT RELATING TO FAMILY COURT.”

Introduced by: Senators Chun Oakland, Fukunaga, Ihara, Hanabusa, Kokubun.

No. 558 “A BILL FOR AN ACT RELATING TO FAMILY COURT.”

Introduced by: Senators Chun Oakland, Fukunaga, Ihara, Kokubun, Hanabusa.

No. 559 “A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF FOR SENIOR SERVICES.”

Introduced by: Senators Chun Oakland, Fukunaga.

No. 560 “A BILL FOR AN ACT RELATING TO THE ELDERLY.”

- Introduced by: Senators Chun Oakland, Baker, Fukunaga, Sakamoto.
- No. 561 "A BILL FOR AN ACT RELATING TO CAREGIVER COORDINATOR POSITION."
- Introduced by: Senator Chun Oakland.
- No. 562 "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT SERVICES."
- Introduced by: Senators Chun Oakland, Baker, Sakamoto.
- No. 563 "A BILL FOR AN ACT RELATING TO FAMILY COURT."
- Introduced by: Senators Chun Oakland, Hanabusa, Fukunaga, Ihara, Kokubun.
- No. 564 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."
- Introduced by: Senator Chun Oakland, by request.
- No. 565 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW PERSONS CONVICTED OF FELONIES TO VOTE."
- Introduced by: Senator Chun Oakland, by request.
- No. 566 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."
- Introduced by: Senator Chun Oakland.
- No. 567 "A BILL FOR AN ACT RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES."
- Introduced by: Senator Chun Oakland.
- No. 568 "A BILL FOR AN ACT RELATING TO DENTISTS."
- Introduced by: Senators Chun Oakland, Baker, Menor.
- No. 569 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."
- Introduced by: Senators Chun Oakland, Ihara, Hanabusa.
- No. 570 "A BILL FOR AN ACT RELATING TO ENERGY."
- Introduced by: Senator Chun Oakland.
- No. 571 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4 OF THE HAWAII STATE CONSTITUTION, TO CLARIFY THE COMPOSITION OF THE JUDICIAL SELECTION COMMISSION."
- Introduced by: Senator Chun Oakland.
- No. 572 "A BILL FOR AN ACT RELATING TO FAMILY COURT."
- Introduced by: Senators Chun Oakland, Hee, Hanabusa.
- No. 573 "A BILL FOR AN ACT RELATES TO ATTORNEYS' FEES."
- Introduced by: Senator Chun Oakland.
- No. 574 "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES."
- Introduced by: Senator Chun Oakland.
- No. 575 "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND."
- Introduced by: Senator Chun Oakland.
- No. 576 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM."
- Introduced by: Senator Chun Oakland.
- No. 577 "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES."
- Introduced by: Senators Chun Oakland, Baker, Taniguchi.
- No. 578 "A BILL FOR AN ACT RELATING TO A SURCHARGE TAX ON THE VALUE OF IMPROVEMENTS OBTAINED BY COMMERCIAL AND INDUSTRIAL LESSORS THROUGH THE EXERCISE OF REVERSION CLAUSES IN GROUND LEASE CONTRACTS."
- Introduced by: Senator Chun Oakland.
- No. 579 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."
- Introduced by: Senators Kanno, Baker, Ihara, Fukunaga, Chun Oakland, Inouye, Menor, Tsutsui, Espero, Nishihara, Hooser, English, Ige, Bunda, Kim, Sakamoto.
- No. 580 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."
- Introduced by: Senators Kanno, Chun Oakland, Hanabusa, Hee, Inouye, Menor, Espero, Nishihara, Ihara, English.
- No. 581 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Kanno, Sakamoto.
- No. 582 "A BILL FOR AN ACT RELATING TO TELEPHONE SOLICITATIONS."
- Introduced by: Senator Hooser, by request.
- No. 583 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."
- Introduced by: Senator Bunda, by request.
- No. 584 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU."
- Introduced by: Senator Bunda, by request.

No. 585 "A BILL FOR AN ACT RELATING TO REIMBURSEMENT FOR LEGAL REPRESENTATION OF MINORS."

Introduced by: Senator Bunda, by request.

No. 586 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."

Introduced by: Senator Bunda, by request.

No. 587 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS."

Introduced by: Senator Bunda, by request.

No. 588 "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION."

Introduced by: Senator Bunda, by request.

No. 589 "A BILL FOR AN ACT RELATING TO DURESS."

Introduced by: Senator Bunda, by request.

No. 590 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT."

Introduced by: Senator Bunda, by request.

No. 591 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."

Introduced by: Senator Bunda, by request.

No. 592 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

Introduced by: Senator Bunda, by request.

No. 593 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."

Introduced by: Senator Bunda, by request.

No. 594 "A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS."

Introduced by: Senator Bunda, by request.

No. 595 "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS."

Introduced by: Senator Bunda, by request.

No. 596 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE."

Introduced by: Senator Bunda, by request.

No. 597 "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS."

Introduced by: Senator Bunda, by request.

No. 598 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senator Bunda, by request.

No. 599 "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION."

Introduced by: Senator Bunda, by request.

No. 600 "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS."

Introduced by: Senator Bunda, by request.

No. 601 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED ENTRY INTO MOTOR VEHICLES."

Introduced by: Senator Bunda, by request.

No. 602 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."

Introduced by: Senator Bunda, by request.

No. 603 "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE."

Introduced by: Senator Bunda, by request.

No. 604 "A BILL FOR AN ACT RELATING TO SUBPOENAS."

Introduced by: Senator Bunda, by request.

No. 605 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."

Introduced by: Senator Bunda, by request.

No. 606 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."

Introduced by: Senator Bunda, by request.

No. 607 "A BILL FOR AN ACT RELATING TO THEFT."

Introduced by: Senator Bunda, by request.

No. 608 "A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS."

Introduced by: Senator Bunda, by request.

No. 609 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Bunda, by request.

No. 610 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senator Bunda, by request.

No. 611 "A BILL FOR AN ACT RELATING TO IMPOUNDMENT OF VEHICLES."

Introduced by: Senator Bunda, by request.

No. 612 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Senator Bunda, by request.

No. 613 "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS."

Introduced by: Senator Bunda, by request.

No. 614 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES."

Introduced by: Senator Bunda, by request.

No. 615 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT."

Introduced by: Senator Bunda, by request.

No. 616 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."

Introduced by: Senator Bunda, by request.

No. 617 "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES."

Introduced by: Senator Bunda, by request.

No. 618 "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS."

Introduced by: Senator Bunda, by request.

No. 619 "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS."

Introduced by: Senator Bunda, by request.

No. 620 "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS."

Introduced by: Senator Bunda, by request.

No. 621 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Senator Bunda, by request.

No. 622 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Bunda, by request.

No. 623 "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS."

Introduced by: Senator Ihara.

No. 624 "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION."

Introduced by: Senator Ihara.

No. 625 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS."

Introduced by: Senators Ihara, Ige, Trimble.

No. 626 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Senator Ihara.

No. 627 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Ihara, Hooser, Hanabusa, Hee, Nishihara, Trimble.

No. 628 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION."

Introduced by: Senators Ihara, Hemmings, Hanabusa, Kanno, Hooser.

No. 629 "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET."

Introduced by: Senators Ihara, Hooser, Espero, English, Slom, Baker, Chun Oakland, Inouye, Nishihara.

No. 630 "A BILL FOR AN ACT RELATING TO STATEWIDE PUBLIC ACCESS."

Introduced by: Senators Ihara, Baker, Inouye, Hooser, English, Hanabusa.

No. 631 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senator Taniguchi.

No. 632 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Taniguchi.

No. 633 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senator Taniguchi.

No. 634 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senator Taniguchi.

No. 635 "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER."

Introduced by: Senator Taniguchi.

No. 636 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senator Taniguchi.

No. 637 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1."

Introduced by: Senator Taniguchi.

No. 638 "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 Hee, Hooser, Nishihara, Sakamoto, Hanabusa.

No. 639 “A BILL FOR AN ACT RELATING TO EDUCATION.”

Introduced by: Senators Hee, English, Nishihara, Sakamoto, Hooser, Hanabusa.

No. 640 “A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION.”

Introduced by: Senators Hee, Hooser, Nishihara, Sakamoto, Hanabusa.

No. 641 “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 Hee, English, Nishihara, Hanabusa.

No. 642 “A BILL FOR AN ACT RELATING TO VOTING.”

Introduced by: Senators Hee, English, Sakamoto, Hanabusa.

No. 643 “A BILL FOR AN ACT RELATING TO ETHICS.”

Introduced by: Senators Hee, Nishihara, Hooser, Sakamoto, Hanabusa.

No. 644 “A BILL FOR AN ACT RELATING TO PHARMACEUTICAL CROPS.”

Introduced by: Senator English, by request.

No. 645 “A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING.”

Introduced by: Senator English, by request.

No. 646 “A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING.”

Introduced by: Senator English, by request.

No. 647 “A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING.”

Introduced by: Senator English, by request.

No. 648 “A BILL FOR AN ACT RELATING TO FIREWORKS.”

Introduced by: Senator English, by request.

No. 649 “A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING.”

Introduced by: Senator English, by request.

No. 650 “A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY.”

Introduced by: Senators Fukunaga, Chun Oakland, Hanabusa, Espero, Kanno, Kokubun.

No. 651 “A BILL FOR AN ACT RELATING TO MOTION PICTURE AND FILM PRODUCTION.”

Introduced by: Senators Fukunaga, Kanno.

No. 652 “A BILL FOR AN ACT RELATING TO ELECTIONS.”

Introduced by: Senator Bunda, by request.

No. 653 “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING.”

Introduced by: Senator Bunda, by request.

No. 654 “A BILL FOR AN ACT RELATING TO FORFEITURE OF BENEFITS FOR CONVICTED FELONS.”

Introduced by: Senator Bunda, by request.

No. 655 “A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS.”

Introduced by: Senator Bunda, by request.

No. 656 “A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION.”

Introduced by: Senator Bunda, by request.

No. 657 “A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING FOR PUBLIC EMPLOYMENT.”

Introduced by: Senator Bunda, by request.

No. 658 “A BILL FOR AN ACT RELATING TO PUBLIC SECTOR COLLECTIVE BARGAINING REFORM.”

Introduced by: Senator Bunda, by request.

No. 659 “A BILL FOR AN ACT RELATING TO BINDING ARBITRATION.”

Introduced by: Senator Bunda, by request.

No. 660 “A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS.”

Introduced by: Senator Bunda, by request.

No. 661 “A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES.”

Introduced by: Senator Bunda, by request.

No. 662 “A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED).”

Introduced by: Senator Bunda, by request.

No. 663 “A BILL FOR AN ACT RELATING TO OPEN MEETINGS.”

Introduced by: Senator Bunda, by request.

No. 664 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE."

Introduced by: Senator Bunda, by request.

No. 665 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911."

Introduced by: Senator Bunda, by request.

No. 666 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."

Introduced by: Senator Bunda, by request.

No. 667 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES."

Introduced by: Senator Bunda, by request.

No. 668 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Senator Bunda, by request.

No. 669 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES."

Introduced by: Senator Bunda, by request.

No. 670 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Bunda, by request.

No. 671 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES."

Introduced by: Senator Bunda, by request.

No. 672 "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT."

Introduced by: Senator Bunda, by request.

No. 673 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Introduced by: Senator Bunda, by request.

No. 674 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Senator Bunda, by request.

No. 675 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Senator Bunda, by request.

No. 676 "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE."

Introduced by: Senator Bunda, by request.

No. 677 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."

Introduced by: Senator Bunda, by request.

No. 678 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Bunda, by request.

No. 679 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TESTIMONY OF DEFENDANTS IN CRIMINAL CASES."

Introduced by: Senator Bunda, by request.

No. 680 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Senator Bunda, by request.

No. 681 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF SEXUAL CONDUCT."

Introduced by: Senator Bunda, by request.

No. 682 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senator Bunda, by request.

No. 683 "A BILL FOR AN ACT RELATING TO TESTIMONY."

Introduced by: Senator Bunda, by request.

No. 684 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senator Bunda, by request.

No. 685 "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION."

Introduced by: Senator Bunda, by request.

No. 686 "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENTS."

Introduced by: Senator Bunda, by request.

No. 687 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senator Bunda, by request.

No. 688 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senator Bunda, by request.

No. 689 "A BILL FOR AN ACT RELATING TO HIGHWAY HAZARD EVALUATION DATA."

Introduced by: Senator Bunda, by request.

No. 690 "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."

Introduced by: Senator Bunda, by request.

No. 691 "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII."

- Introduced by: Senator Bunda, by request.
- No. 692 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII."
- Introduced by: Senator Bunda, by request.
- No. 693 "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES."
- Introduced by: Senator Bunda, by request.
- No. 694 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF VEHICLES, VESSELS, AND AIRCRAFT."
- Introduced by: Senator Bunda, by request.
- No. 695 "A BILL FOR AN ACT RELATING TO THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT."
- Introduced by: Senator Bunda, by request.
- No. 696 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION."
- Introduced by: Senator Bunda, by request.
- No. 697 "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS."
- Introduced by: Senator Bunda, by request.
- No. 698 "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER."
- Introduced by: Senator Bunda, by request.
- No. 699 "A BILL FOR AN ACT RELATING TO IDENTIFICATION."
- Introduced by: Senator Bunda, by request.
- No. 700 "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT."
- Introduced by: Senator Bunda, by request.
- No. 701 "A BILL FOR AN ACT RELATING TO DRUGS."
- Introduced by: Senator Bunda, by request.
- No. 702 "A BILL FOR AN ACT RELATING TO ANTITRUST."
- Introduced by: Senator Bunda, by request.
- No. 703 "A BILL FOR AN ACT RELATING TO FIREARMS."
- Introduced by: Senator Bunda, by request.
- No. 704 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE."
- Introduced by: Senator Bunda, by request.
- No. 705 "A BILL FOR AN ACT RELATING TO PROMOTING INTOXICATING LIQUOR TO A MINOR."
- Introduced by: Senator Bunda, by request.
- No. 706 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS."
- Introduced by: Senator Bunda, by request.
- No. 707 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."
- Introduced by: Senator Bunda, by request.
- No. 708 "A BILL FOR AN ACT RELATING TO CHAPTER 846E."
- Introduced by: Senator Bunda, by request.
- No. 709 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."
- Introduced by: Senator Bunda, by request.
- No. 710 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS."
- Introduced by: Senator Bunda, by request.
- No. 711 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT."
- Introduced by: Senator Bunda, by request.
- No. 712 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."
- Introduced by: Senator Bunda, by request.
- No. 713 "A BILL FOR AN ACT RELATING TO A BUSINESS-RESEARCH INSTITUTE TAX CREDIT."
- Introduced by: Senator Bunda, by request.
- No. 714 "A BILL FOR AN ACT RELATING TO OVERSIGHT OF THE PETROLEUM MARKET."
- Introduced by: Senator Bunda, by request.
- No. 715 "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS."
- Introduced by: Senator Bunda, by request.
- No. 716 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR THE FILM AND TELEVISION INDUSTRY."
- Introduced by: Senator Bunda, by request.
- No. 717 "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER."
- Introduced by: Senator Bunda, by request.
- No. 718 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
- Introduced by: Senator Bunda, by request.



No. 719 "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM."

Introduced by: Senator Bunda, by request.

No. 720 "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS."

Introduced by: Senator Bunda, by request.

No. 721 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION."

Introduced by: Senator Bunda, by request.

No. 722 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 723 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 724 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 725 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 726 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 727 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

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No. 732 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Bunda, by request.

No. 733 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES."

Introduced by: Senator Bunda, by request.

No. 734 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Senator Bunda, by request.

No. 735 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Senator Bunda, by request.

No. 736 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Bunda, by request.

No. 737 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senator Bunda, by request.

No. 738 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 739 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, RELATING TO BALANCED BUDGET REQUIREMENTS."

Introduced by: Senator Bunda, by request.

No. 740 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 741 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 742 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senator Bunda, by request.

No. 743 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT."

Introduced by: Senator Bunda, by request.

No. 744 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Senator Bunda, by request.

No. 745 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Senator Bunda, by request.

No. 746 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Senator Bunda, by request.

No. 747 "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS."

Introduced by: Senator Bunda, by request.

No. 748 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

Introduced by: Senator Bunda, by request.

No. 749 "A BILL FOR AN ACT RELATING TO THE ASIA-PACIFIC RISK MANAGEMENT AND INSURANCE PROGRAM."

Introduced by: Senator Bunda, by request.

No. 750 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 751 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 752 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."

Introduced by: Senator Bunda, by request.

No. 753 "A BILL FOR AN ACT RELATING TO POOLED INSURANCE."

Introduced by: Senator Bunda, by request.

No. 754 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 755 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda, by request.

No. 756 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 757 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator Bunda, by request.

No. 758 "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS."

Introduced by: Senator Bunda, by request.

No. 759 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda, by request.

No. 760 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senator Bunda, by request.

No. 761 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Bunda, by request.

No. 762 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."

Introduced by: Senator Bunda, by request.

No. 763 "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW PANELS."

Introduced by: Senator Bunda, by request.

No. 764 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES."

Introduced by: Senator Bunda, by request.

No. 765 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."

Introduced by: Senator Bunda, by request.

No. 766 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS LICENSURE RESTORATION."

Introduced by: Senator Bunda, by request.

No. 767 "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION FUNDS."

Introduced by: Senator Bunda, by request.

No. 768 "A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS."

Introduced by: Senator Bunda, by request.

No. 769 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Senator Bunda, by request.

No. 770 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS."

Introduced by: Senator Bunda, by request.

No. 771 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator Bunda, by request.

No. 772 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."

Introduced by: Senator Bunda, by request.

No. 773 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senator Bunda, by request.

No. 774 "A BILL FOR AN ACT RELATING TO THE MILITIA."

Introduced by: Senator Bunda, by request.

No. 775 "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES."

Introduced by: Senator Bunda, by request.

No. 776 "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION."

Introduced by: Senator Bunda, by request.

No. 777 "A BILL FOR AN ACT RELATING TO EXEMPTION OF VEHICLE TAX AND REGISTRATION FEE FOR NATIONAL GUARD AND RESERVE."

Introduced by: Senator Bunda, by request.

No. 778 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES"

Introduced by: Senator Bunda, by request.

No. 779 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Bunda, by request.

No. 780 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Bunda, by request.

No. 781 "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE."

Introduced by: Senator Bunda, by request.

No. 782 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES."

Introduced by: Senator Bunda, by request.

No. 783 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Bunda, by request.

No. 784 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Bunda, by request.

No. 785 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Senator Bunda, by request.

No. 786 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Bunda, by request.

No. 787 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Bunda, by request.

No. 788 "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM."

Introduced by: Senator Bunda, by request.

No. 789 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES."

Introduced by: Senator Bunda, by request.

No. 790 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS."

Introduced by: Senator Bunda, by request.

No. 791 "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS."

Introduced by: Senator Bunda, by request.

No. 792 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."

Introduced by: Senator Bunda, by request.

No. 793 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS."

Introduced by: Senator Bunda, by request.

No. 794 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE."

Introduced by: Senator Bunda, by request.

No. 795 "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES."

Introduced by: Senator Bunda, by request.

No. 796 "A BILL FOR AN ACT RELATING TO INTERAGENCY COORDINATION."

Introduced by: Senator Bunda, by request.

No. 797 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Senator Bunda, by request.

No. 798 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Senator Bunda, by request.

No. 799 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."

Introduced by: Senator Bunda, by request.

No. 800 "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."

Introduced by: Senator Bunda, by request.

No. 801 "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS."

Introduced by: Senator Bunda, by request.

No. 802 "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM."

Introduced by: Senator Bunda, by request.

No. 803 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE OFFICE OF YOUTH SERVICES."

Introduced by: Senator Bunda, by request.

No. 804 "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION."

Introduced by: Senator Bunda, by request.

No. 805 "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES."

Introduced by: Senator Bunda, by request.

No. 806 "A BILL FOR AN ACT RELATING TO THE REHIRING OF RETIREES."

Introduced by: Senator Bunda, by request.

No. 807 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Senator Bunda, by request.

No. 808 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Bunda, by request.

No. 809 "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS."

Introduced by: Senator Bunda, by request.

No. 810 "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."

Introduced by: Senator Bunda, by request.

No. 811 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Bunda, by request.

No. 812 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."

Introduced by: Senator Bunda, by request.

No. 813 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Bunda, by request.

No. 814 "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS."

Introduced by: Senator Bunda, by request.

No. 815 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Bunda, by request.

No. 816 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Bunda, by request.

No. 817 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."

Introduced by: Senator Bunda, by request.

No. 818 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Senator Bunda, by request.

No. 819 "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND."

Introduced by: Senator Bunda, by request.

No. 820 "A BILL FOR AN ACT RELATING TO WATER USE PERMIT APPLICATIONS."

Introduced by: Senator Bunda, by request.

No. 821 "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E."

Introduced by: Senator Bunda, by request.

No. 822 "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS."

Introduced by: Senator Bunda, by request.

No. 823 "A BILL FOR AN ACT RELATING TO HEALTH CARE FOR PRISONERS."

Introduced by: Senator Bunda, by request.

No. 824 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."

Introduced by: Senator Bunda, by request.

No. 825 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda, by request.

No. 826 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senator Bunda, by request.

No. 827 "A BILL FOR AN ACT RELATING TO SECURITY AT HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS."

Introduced by: Senator Bunda, by request.

No. 828 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."

Introduced by: Senator Bunda, by request.

No. 829 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senator Bunda, by request.

No. 830 "A BILL FOR AN ACT RELATING TO EXEMPTING CORRECTIONS ADMINISTRATIVE POSITIONS FROM CIVIL SERVICE."

Introduced by: Senator Bunda, by request.

No. 831 "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA."

Introduced by: Senator Bunda, by request.

No. 832 "A BILL FOR AN ACT RELATING TO THE CRIMINAL OFFENDER TREATMENT."

Introduced by: Senator Bunda, by request.

No. 833 "A BILL FOR AN ACT RELATING TO CIVIL PROCESS SERVICE."

Introduced by: Senator Bunda, by request.

No. 834 "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. 835 "A BILL FOR AN ACT RELATING TO THE STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAX."

Introduced by: Senator Bunda, by request.

No. 836 "A BILL FOR AN ACT RELATING TO A NET INCOME TAX CREDIT FOR FOOD, MEDICAL SERVICES, AND NON-PRESCRIPTION DRUGS."

Introduced by: Senator Bunda, by request.

No. 837 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."

Introduced by: Senator Bunda, by request.

No. 838 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."

Introduced by: Senator Bunda, by request.

No. 839 "A BILL FOR AN ACT RELATING TO THE INCOME TAX EXCLUSION FOR RESERVISTS AND HAWAII NATIONAL GUARD MEMBERS."

Introduced by: Senator Bunda, by request.

No. 840 "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING."

Introduced by: Senator Bunda, by request.

No. 841 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT FOR EMPLOYERS."

Introduced by: Senator Bunda, by request.

No. 842 "A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS."

Introduced by: Senator Bunda, by request.

No. 843 "A BILL FOR AN ACT RELATING TO INTERFERENCE WITH TRAFFIC-CONTROL DEVICES."

Introduced by: Senator Bunda, by request.

No. 844 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Bunda, by request.

No. 845 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."

Introduced by: Senator Bunda, by request.

No. 846 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Senator Bunda, by request.

No. 847 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S ENGINEERING SCHOLARSHIP PROGRAM."

Introduced by: Senator Bunda, by request.

No. 848 "A BILL FOR AN ACT RELATING TO SECURITY FOR CONCESSION CONTRACTS."

Introduced by: Senator Bunda, by request.

No. 849 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Senator Bunda, by request.

No. 850 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."

Introduced by: Senator Bunda, by request.

No. 851 "A BILL FOR AN ACT RELATING TO THE HIGHWAY DEVELOPMENT SPECIAL FUND."

Introduced by: Senator Bunda, by request.

No. 852 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator Bunda, by request.

No. 853 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Bunda, by request.

No. 854 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUES BONDS FOR UNIVERSITY PROJECTS."

Introduced by: Senator Bunda, by request.

No. 855 "A BILL FOR AN ACT RELATING TO THE FUNDS OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator Bunda, by request.

No. 856 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Bunda, by request.

No. 857 "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS."

Introduced by: Senator Bunda, by request.

No. 858 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Bunda, by request.

**ADJOURNMENT**

At 6:00 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Wednesday, January 26, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTH DAY

**Wednesday, January 26, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 9:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Will 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 Fourth Day.

At 9:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:50 o'clock a.m.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 2 to 27) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE PROFESSION OF ARCHAEOLOGY."

Offered by: Senator Bunda, by request.

No. 3 "SENATE CONCURRENT RESOLUTION URGING CULTURAL PERPETUATION IN RURAL HAWAIIAN COMMUNITIES."

Offered by: Senator Bunda, by request.

No. 4 "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO FULLY FUND ALL OF ITS NURSING PROGRAMS."

Offered by: Senators Baker, Chun Oakland, Tsutsui, Sakamoto, Kanno, Hanabusa, Ihara, Inouye, English, Taniguchi, Trimble.

No. 5 "SENATE CONCURRENT RESOLUTION URGING EMPLOYERS TO IMPLEMENT FLEXIBLE BENEFIT PLANS AND OTHER FAMILY-FRIENDLY POLICIES FOR PUBLIC AND PRIVATE SECTOR EMPLOYEES."

Offered by: Senators Chun Oakland, Baker, Kanno, Ige.

No. 6 "SENATE CONCURRENT RESOLUTION URGING ALL HAWAII SCHOOLS TO IMPLEMENT STANDARD OF CONDUCT POLICIES TO DISCOURAGE INTIMIDATION AND PROMOTE SAFE AND PEACEFUL SCHOOLS THAT ENCOURAGE EFFECTIVE LEARNING ENVIRONMENTS."

Offered by: Senators Chun Oakland, Kanno, Ige.

No. 7 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE STRATEGIC PLAN TO PROMOTE OBESITY PREVENTION AND HEALTHY LIFESTYLES."

Offered by: Senators Chun Oakland, Espero, Baker, English, Kanno, Tsutsui, Nishihara, Ige.

No. 8 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE SUPPORT OF NEW PHYSICAL EDUCATION PROGRAMS IN PUBLIC ELEMENTARY SCHOOLS TO PROMOTE LIFELONG EDUCATION IN PHYSICAL FITNESS AND HEALTHY LIFESTYLES."

Offered by: Senators Chun Oakland, Espero, Baker, Kanno, Ige, English, Tsutsui, Nishihara.

No. 9 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEVELOPMENT OF COORDINATED SCHOOL HEALTH BY THE DEPARTMENT OF EDUCATION, DEPARTMENT OF HEALTH, AND UNIVERSITY OF HAWAII."

Offered by: Senators Chun Oakland, Ige.

No. 10 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, BOARD OF EDUCATION, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO CONSIDER POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULUMS."

Offered by: Senators Chun Oakland, Kanno, Tsutsui, Ige.

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A COORDINATING COMMITTEE TO EVALUATE GOVERNMENT AFFORDABLE HOUSING FINANCING PROGRAMS."

Offered by: Senators Chun Oakland, Baker, English, Kanno, Nishihara, Ige.

No. 12 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH CHILD WELFARE SERVICES TO YOUNG CHILDREN AND THEIR FAMILIES."

Offered by: Senators Chun Oakland, Baker, English, Kanno, Ige, Nishihara.

No. 13 "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE OFFICE OF YOUTH SERVICES, INCLUDING PURCHASE OF SERVICES AND ANY CONTRACT OR AGREEMENT ENTERED INTO BY THE OFFICE OF YOUTH SERVICES AND THE HAWAII YOUTH CORRECTIONAL FACILITY."

Offered by: Senators Chun Oakland, Baker, Kanno, Ige.

No. 14 "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE ASSUMPTION OF CONTROL OVER OF LAND ON OAHU AND HAWAII COUNTY BY THE FEDERAL GOVERNMENT FOR MILITARY TRAINING FOR THE STRYKER BRIGADE."

Offered by: Senator Chun Oakland, by request.

No. 15 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ESTABLISH REVERSE VENDING MACHINES IN STATE FACILITIES TO PROMOTE RECYCLING AND REDUCE LITTER."

Offered by: Senator Chun Oakland.

No. 16 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO STUDY THE ROLE OF GESTATIONAL ENVIRONMENTS, GENTLE BIRTHING PRACTICES, DOMESTIC HARMONY AWARENESS, AND APPROPRIATE AND SUFFICIENT TOUCH AND THEIR CONNECTION TO PUBLIC POLICY CONCERNS THAT INCLUDE SUBSTANCE ABUSE, ALCOHOLISM, AND DOMESTIC VIOLENCE."

Offered by: Senator Chun Oakland.

No. 17 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF A UNIFORM STATEWIDE BUILDING CODE."

Offered by: Senators Menor, Espero, Ihara, Sakamoto, Baker, Chun Oakland, Nishihara.

No. 18 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS PROPERTY/CASUALTY INSURANCE MODERNIZATION ACT."

Offered by: Senators Menor, Espero, Ihara, Hee, Sakamoto, Baker, English, Chun Oakland, Nishihara.

No. 19 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF ATHLETE AGENTS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY."

Offered by: Senators Menor, Espero, Ihara, Hee, Sakamoto, Baker, English, Chun Oakland, Nishihara.

No. 20 "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH."

Offered by: Senators Chun Oakland, Inouye, Kim, Fukunaga.

No. 21 "SENATE CONCURRENT RESOLUTION URGING FEDERAL HOUSING ASSISTANCE FOR GRANDPARENT-HEADED AND RELATIVE-HEADED HOUSEHOLDS."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Sakamoto.

No. 22 "SENATE CONCURRENT RESOLUTION AUTHORIZING DESIGNATION OF AN INDUSTRIAL PARK."

Offered by: Senator Bunda, by request.

No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES, THE FAMILY COURTS IN ALL CIRCUITS, AND THE OFFICE OF YOUTH SERVICES TO COLLABORATE ON THE DEVELOPMENT OF AN ACTION PLAN THAT ASSESSES THE NEEDS OF THEIR

AT-RISK YOUTH, IDENTIFIES PROGRAMS, SERVICES, AND STRATEGIES TO ADDRESS THEIR NEEDS, AND PROVIDES SAFE ALTERNATIVES TO INCARCERATION FOR YOUTH ON EACH ISLAND."

Offered by: Senator Bunda, by request.

No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING."

Offered by: Senators Baker, Chun Oakland, Tsutsui, English, Hooser, Hanabusa, Ihara, Kokubun, Trimble.

No. 25 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENSURE THAT ALL NEW STATE PUBLIC BUILDINGS ERRECTED IN AREAS NOT SERVED BY A PUBLIC SHELTER INCLUDE A PORTION OF THE BUILDING DESIGNATED TO SERVE AS A PUBLIC SHELTER."

Offered by: Senators Inouye, Baker, Sakamoto, Chun Oakland, Kanno, Kim.

No. 26 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES ENSURE TIMELY UPDATES OF THE CHILD PROTECTIVE SERVICES' DATABASE AND PROPERLY INFORM PARENTS AND OTHER CAREGIVERS OF THEIR RIGHTS AND RESPONSIBILITIES."

Offered by: Senator Chun Oakland.

No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE EXISTING TRAFFIC CONDITIONS IN THE SOUTH KONA AREA OF HAWAII AND PREPARE A TRAFFIC SOLUTION PLAN TO MINIMIZE EXISTING AND FUTURE TRAFFIC PROBLEMS."

Offered by: Senator Whalen.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 3 to 15) were read by the Clerk and were deferred:

Senate Resolution

No. 3 "SENATE RESOLUTION URGING EMPLOYERS TO IMPLEMENT FLEXIBLE BENEFIT PLANS AND OTHER FAMILY-FRIENDLY POLICIES FOR PUBLIC AND PRIVATE SECTOR EMPLOYEES."

Offered by: Senators Chun Oakland, Baker, Kanno, Ige.

No. 4 "SENATE RESOLUTION URGING ALL HAWAII SCHOOLS TO IMPLEMENT STANDARD OF CONDUCT POLICIES TO DISCOURAGE INTIMIDATION AND PROMOTE SAFE AND PEACEFUL SCHOOLS THAT ENCOURAGE EFFECTIVE LEARNING ENVIRONMENTS."

Offered by: Senators Chun Oakland, Kanno, Ige.



No. 5 "SENATE RESOLUTION ENCOURAGING THE SUPPORT OF NEW PHYSICAL EDUCATION PROGRAMS IN PUBLIC ELEMENTARY SCHOOLS TO PROMOTE LIFELONG EDUCATION IN PHYSICAL FITNESS AND HEALTHY LIFESTYLES."

Offered by: Senators Chun Oakland, Espero, Baker, Kanno, Tsutsui, English, Nishihara, Ige.

No. 6 "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE DEVELOPMENT OF COORDINATED SCHOOL HEALTH BY THE DEPARTMENT OF EDUCATION, DEPARTMENT OF HEALTH, AND UNIVERSITY OF HAWAII."

Offered by: Senators Chun Oakland, Kanno, Tsutsui, Ige.

No. 7 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, BOARD OF EDUCATION, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO CONSIDER POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULUMS."

Offered by: Senators Chun Oakland, Kanno, Ige.

No. 8 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH CHILD WELFARE SERVICES TO YOUNG CHILDREN AND THEIR FAMILIES."

Offered by: Senators Chun Oakland, Baker, English, Kanno, Ige, Nishihara.

No. 9 "SENATE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE OFFICE OF YOUTH SERVICES, INCLUDING PURCHASE OF SERVICES AND ANY CONTRACT OR AGREEMENT ENTERED INTO BY THE OFFICE OF YOUTH SERVICES AND THE HAWAII YOUTH CORRECTIONAL FACILITY."

Offered by: Senators Chun Oakland, Baker, Kanno, Ige.

No. 10 "SENATE RESOLUTION URGING HAWAII STATE MEDICAL SOCIETIES AND ASSOCIATIONS TO ENCOURAGE THEIR MEMBERS TO HONOR THE ADVANCE DIRECTIVES OF THEIR PATIENTS."

Offered by: Senator Chun Oakland.

No. 11 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REQUIRE THAT A PUBLIC SCHOOL CURRICULUM MAINTAIN THE CURRENT PHYSICAL EDUCATION REQUIREMENT AND OFFER A WIDER VARIETY OF STUDENT ELECTIVE CLASSES INVOLVING PHYSICAL ACTIVITY."

Offered by: Senators Chun Oakland, Sakamoto.

No. 12 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH A PUBLIC SPEAKING AND ARGUMENTATION COURSE AS A REQUIRED LANGUAGE ARTS COURSE NECESSARY TO GRADUATE."

Offered by: Senator Chun Oakland.

No. 13 "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO RAISE THE AMOUNT OF GRADE POINTS EARNED FOR AN ACCREDITED HONORS CLASS."

Offered by: Senators Chun Oakland, Sakamoto.

No. 14 "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE EXISTING TRAFFIC CONDITIONS IN THE SOUTH KONA AREA OF HAWAII AND PREPARE A TRAFFIC SOLUTION PLAN TO MINIMIZE EXISTING AND FUTURE TRAFFIC PROBLEMS."

Offered by: Senator Whalen.

No. 15 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM, AND THE HAWAII TOURISM AUTHORITY TO CONDUCT A CARRYING CAPACITY STUDY."

Offered by: Senators Hemmings, Kim, Slom, Espero, Fukunaga, Baker, Chun Oakland, English, Ige.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills passed First Reading by title and were deferred:

#### Senate Bill

No. 859 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Baker, by request.

No. 860 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM."

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

No. 861 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES."

Introduced by: Senators Baker, Tsutsui, Chun Oakland, Inouye, Hooser, Kanno, Espero, Hanabusa, Ihara, Sakamoto.

No. 862 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Senators Baker, Fukunaga, Espero, Ihara.

No. 863 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Baker, by request.

No. 864 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

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

No. 865 "A BILL FOR AN ACT RELATING TO CAREGIVER TAX CREDIT."

- Introduced by: Senators Baker, Chun Oakland, Fukunaga, Tsutsui, Hanabusa, Hooser, English, Ihara.
- No. 866 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Baker, English, Hooser, Fukunaga, Tsutsui, Hanabusa, Ihara.
- No. 867 "A BILL FOR AN ACT RELATING TO IMPACT FEES."
- Introduced by: Senators Baker, English, Hooser, Fukunaga, Ige, Tsutsui, Chun Oakland, Sakamoto.
- No. 868 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PHARMACY SERVICES AND SUPPLIES."
- Introduced by: Senators Baker, English, Tsutsui, Hooser, Fukunaga, Hanabusa, Ihara, Ige, Chun Oakland.
- No. 869 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senators Baker, Tsutsui, English, Hanabusa, Ihara, Chun Oakland, Hooser.
- No. 870 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Baker, Chun Oakland, Hanabusa, English, Ihara.
- No. 871 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."
- Introduced by: Senators Baker, Tsutsui, Fukunaga, Hanabusa, Hooser.
- No. 872 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
- Introduced by: Senators Baker, Chun Oakland, Fukunaga, Tsutsui, Hanabusa, Hooser, English, Ihara.
- No. 873 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Sakamoto, Chun Oakland, Nishihara, Baker, Hooser, Tsutsui, Taniguchi.
- No. 874 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Sakamoto, Chun Oakland, Nishihara, Hooser, Kokubun, Taniguchi, Baker.
- No. 875 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT SUBSTANCE ABUSE TESTING."
- Introduced by: Senators Sakamoto, Hooser, Tsutsui, Nishihara, Kokubun.
- No. 876 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Sakamoto, Chun Oakland, Hooser, Tsutsui, Kokubun, Baker, Taniguchi.
- No. 877 "A BILL FOR AN ACT RELATING TO COMMUNITY RESTITUTION."
- Introduced by: Senators Sakamoto, Baker.
- No. 878 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."
- Introduced by: Senator Slom.
- No. 879 "A BILL FOR AN ACT RELATING TO A GENERAL EXCISE TAX HOLIDAY."
- Introduced by: Senators Slom, Hogue, Espero, Chun Oakland, Inouye, Hemmings, English, Whalen.
- No. 880 "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS."
- Introduced by: Senators Slom, Espero, Hogue, Trimble, Hemmings.
- No. 881 "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."
- Introduced by: Senators Slom, Trimble, Hogue.
- No. 882 "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, Hogue, Trimble, English, Hemmings, Inouye.
- No. 883 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- Introduced by: Senators Slom, Hogue, Trimble, Hemmings, Chun Oakland, English.
- No. 884 "A BILL FOR AN ACT RELATING TO BRIBES."
- Introduced by: Senators Slom, Hemmings, Hogue.
- No. 885 "A BILL FOR AN ACT RELATING TO TERM LIMITS."
- Introduced by: Senators Slom, Trimble, Hogue.
- No. 886 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR REFERENDUM."
- Introduced by: Senators Slom, Hogue, Trimble.
- No. 887 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR RECALL."
- Introduced by: Senators Slom, Hogue, Trimble, Hemmings.
- No. 888 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 1 OF THE HAWAII STATE CONSTITUTION."

- Introduced by: Senators Slom, Trimble, Hemmings, Hogue.
- No. 889 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."
- Introduced by: Senators Slom, Chun Oakland.
- No. 890 "A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS."
- Introduced by: Senator Slom.
- No. 891 "A BILL FOR AN ACT RELATING TO STATE FINANCES."
- Introduced by: Senator Slom.
- No. 892 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."
- Introduced by: Senators Slom, Trimble.
- No. 893 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR A UNICAMERAL LEGISLATURE."
- Introduced by: Senators Slom, Hemmings.
- No. 894 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."
- Introduced by: Senator Espero.
- No. 895 "A BILL FOR AN ACT RELATING TO LIMU MANAGEMENT AREA."
- Introduced by: Senator Espero.
- No. 896 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE HAWAII CONSTITUTION, TO REQUIRE THE GUBERNATORIAL NOMINEE OF EACH POLITICAL PARTY TO SELECT THE PARTY'S LIEUTENANT GOVERNOR NOMINEE WHO SHALL BE ELECTED AT A GENERAL ELECTION."
- Introduced by: Senator Espero.
- No. 897 "A BILL FOR AN ACT RELATING TO NEW DRUGS."
- Introduced by: Senator Hee.
- No. 898 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Hee.
- No. 899 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Hee.
- No. 900 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Hee.
- No. 901 "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, OR TECHNICAL SCHOOLS."
- Introduced by: Senator Hee.
- No. 902 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE PROGRAM."
- Introduced by: Senator Hee.
- No. 903 "A BILL FOR AN ACT RELATING TO KAHEKILI HIGHWAY."
- Introduced by: Senator Hee.
- No. 904 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Hee.
- No. 905 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Hee.
- No. 906 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLES X AND XVII OF THE HAWAII CONSTITUTION, TO CREATE A SEPARATE BOARD OF REGENTS FOR THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES, CREATE SELECTION COMMISSIONS FOR EACH BOARD, AND ESTABLISH TEN-YEAR TERMS FOR MEMBERS OF EACH BOARD."
- Introduced by: Senator Hee.
- No. 907 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS."
- Introduced by: Senator Hee.
- No. 908 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Hee, Sakamoto.
- No. 909 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE X OF THE HAWAII STATE CONSTITUTION TO PROVIDE THE DEPARTMENT OF EDUCATION WITH AUTONOMY IN ALL MATTERS RELATED TO PUBLIC EDUCATION."
- Introduced by: Senators Hee, Sakamoto.
- No. 910 "A BILL FOR AN ACT RELATING TO TEACHER LICENSING AND CREDENTIALING STANDARDS."
- Introduced by: Senator Bunda, by request.
- No. 911 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Bunda, by request.
- No. 912 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

- Introduced by: Senator Bunda, by request.
- No. 913 "A BILL FOR AN ACT RELATING TO CEDED LANDS."  
Introduced by: Senator Bunda, by request.
- No. 914 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXES ON KULEANA LANDS."  
Introduced by: Senator Bunda, by request.
- No. 915 "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."  
Introduced by: Senator Bunda, by request.
- No. 916 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."  
Introduced by: Senator Bunda, by request.
- No. 917 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."  
Introduced by: Senator Bunda, by request.
- No. 918 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."  
Introduced by: Senator Bunda, by request.
- No. 919 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."  
Introduced by: Senator Bunda, by request.
- No. 920 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AN OFFICE OF HAWAIIAN AFFAIRS BUILDING AND A HAWAIIAN COMMUNITY CENTER."  
Introduced by: Senator Bunda, by request.
- No. 921 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE PLAY-AND-LEARN MORNINGS AT EVERY NATIVE HAWAIIAN HOMESTEAD COMMUNITY."  
Introduced by: Senator Bunda, by request.
- No. 922 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."  
Introduced by: Senator Bunda, by request.
- No. 923 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."  
Introduced by: Senator Bunda, by request.
- No. 924 "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES."  
Introduced by: Senator Bunda, by request.
- No. 925 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."  
Introduced by: Senator Bunda, by request.
- No. 926 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE TUITION SUBSIDIES FOR NATIVE HAWAIIAN CHILDREN."  
Introduced by: Senator Bunda, by request.
- No. 927 "A BILL FOR AN ACT RELATING TO A NONCONTIGUOUS HOST CULTURE CHARTER SCHOOL DISTRICT."  
Introduced by: Senator Bunda, by request.
- No. 928 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."  
Introduced by: Senator Bunda, by request.
- No. 929 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."  
Introduced by: Senators Kanno, Chun Oakland, Hanabusa, Inouye, Taniguchi.
- No. 930 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."  
Introduced by: Senators Kanno, Chun Oakland, Nishihara, Inouye.
- No. 931 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 932 "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY."  
Introduced by: Senators Kanno, Inouye, Taniguchi.
- No. 933 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 934 "A BILL FOR AN ACT RELATING TO ELECTRICIANS."  
Introduced by: Senators Kanno, Inouye, Taniguchi.
- No. 935 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."  
Introduced by: Senators Kanno, Chun Oakland, Taniguchi.
- No. 936 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."  
Introduced by: Senators Kanno, Inouye.
- No. 937 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

- Introduced by: Senators Kanno, Inouye, Taniguchi.
- No. 938 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 939 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."  
Introduced by: Senators Kanno, Chun Oakland, Inouye.
- No. 940 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."  
Introduced by: Senators Kanno, Inouye.
- No. 941 "A BILL FOR AN ACT RELATING TO UNFAIR PRACTICES IN THE INSURANCE BUSINESS."  
Introduced by: Senators Kanno, Inouye.
- No. 942 "A BILL FOR AN ACT RELATING TO GOVERNMENT."  
Introduced by: Senators Kanno, Chun Oakland, Taniguchi.
- No. 943 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 944 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 945 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 946 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."  
Introduced by: Senators Kanno, Chun Oakland, Taniguchi.
- No. 947 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."  
Introduced by: Senators Kanno, Chun Oakland, Inouye, Taniguchi.
- No. 948 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."  
Introduced by: Senator Kanno.
- No. 949 "A BILL FOR AN ACT RELATING TO CAPITAL GOODS EXCISE TAX CREDIT."  
Introduced by: Senator Slom.
- No. 950 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."  
Introduced by: Senators Kokubun, Nishihara, English, Hooser, Chun Oakland, Hanabusa, Taniguchi.
- No. 951 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."  
Introduced by: Senators Kokubun, Kim, Nishihara, English, Espero, Hanabusa, Ige, Chun Oakland.
- No. 952 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RURAL DENTAL SERVICES."  
Introduced by: Senators Kokubun, Chun Oakland, Kim, Nishihara, Taniguchi, English, Espero, Ige, Hanabusa.
- No. 953 "A BILL FOR AN ACT RELATING TO REAL PROPERTY DISCLOSURES."  
Introduced by: Senators Kokubun, Hooser, Hee, Espero, Ige, Chun Oakland, Fukunaga, Hanabusa, Taniguchi.
- No. 954 "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM."  
Introduced by: Senators Kokubun, Hooser, English, Nishihara, Trimble, Chun Oakland, Hemmings, Hanabusa.
- No. 955 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."  
Introduced by: Senators Kokubun, English, Nishihara, Hooser, Hanabusa, Taniguchi, Trimble, Chun Oakland, Hemmings.
- No. 956 "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS."  
Introduced by: Senators Kokubun, English, Nishihara, Hooser, Chun Oakland, Hemmings, Hanabusa, Taniguchi.
- No. 957 "A BILL FOR AN ACT RELATING TO DNA COLLECTION."  
Introduced by: Senators Kokubun, by request, Trimble, Hemmings.
- No. 958 "A BILL FOR AN ACT RELATING TO NEW DRUGS."  
Introduced by: Senator Ige.
- No. 959 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."  
Introduced by: Senator Bunda.
- No. 960 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."  
Introduced by: Senator Bunda.

No. 961 "A BILL FOR AN ACT RELATING TO EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS."

Introduced by: Senator Bunda.

No. 962 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES."

Introduced by: Senator Bunda.

No. 963 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senators Kim, Tsutsui, Hooser, English, Hogue, Baker, Kokubun, Espero, Kanno, Ihara, Nishihara, Ige, Hanabusa, Sakamoto, Hemmings, Slom.

No. 964 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."

Introduced by: Senators Kim, Tsutsui, Chun Oakland, Hogue, Inouye, Kokubun, Bunda, Ihara, English, Hanabusa, Nishihara, Taniguchi, Espero, Sakamoto, Hemmings, Slom.

No. 965 "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE."

Introduced by: Senators Kim, Espero, Tsutsui, Chun Oakland, Sakamoto, Hemmings, Hogue, Slom, Kokubun, Bunda, Hanabusa, Nishihara, Kanno, Taniguchi.

No. 966 "A BILL FOR AN ACT RELATING TO PARKS."

Introduced by: Senators Kim, Espero, English, Tsutsui, Sakamoto, Hogue, Kanno, Kokubun, Hanabusa, Nishihara, Ihara, Slom, Hemmings.

No. 967 "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE."

Introduced by: Senators Kim, English, Chun Oakland, Hooser, Espero, Kanno, Kokubun, Bunda, Tsutsui, Hee, Hanabusa, Nishihara, Ihara, Trimble, Sakamoto, Hogue, Hemmings, Slom.

No. 968 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Kim, Hemmings.

No. 969 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED ENTRY INTO A MOTOR VEHICLE."

Introduced by: Senators Kim, Inouye, Slom, Sakamoto, Hemmings, Espero, Nishihara, Ige, Chun Oakland, Hooser, Kokubun, Taniguchi, Hogue.

No. 970 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senators Kim, Ige, Chun Oakland, Hanabusa, English, Espero, Trimble, Sakamoto, Nishihara, Hooser, Slom, Hemmings, Baker, Fukunaga.

No. 971 "A BILL FOR AN ACT RELATING TO TIME SHARE."

Introduced by: Senator Kim.

No. 972 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Bunda.

No. 973 "A BILL FOR AN ACT RELATING TO IMPACT FEES."

Introduced by: Senator Bunda.

No. 974 "A BILL FOR AN ACT RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS."

Introduced by: Senator Bunda, by request.

No. 975 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senators Ihara, Hooser, Trimble, Chun Oakland, Nishihara.

No. 976 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Senator Ihara.

No. 977 "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT."

Introduced by: Senators Ihara, Nishihara, Hooser, Hanabusa, Chun Oakland, English, Kanno.

No. 978 "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM."

Introduced by: Senator Ihara.

No. 979 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."

Introduced by: Senators Ihara, Hanabusa.

No. 980 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Ihara, by request.

No. 981 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 3 OF THE HAWAII CONSTITUTION, TO TRANSFER THE FUNCTIONS, POWERS, AND DUTIES OF REAL PROPERTY TAXATION FROM THE COUNTIES TO THE STATE."

Introduced by: Senator Bunda, by request.

No. 982 "A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS."

Introduced by: Senators Inouye, Baker, Chun Oakland, Kanno, Sakamoto.

No. 983 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Inouye, Ige, Kim, Baker.

No. 984 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senators Inouye, English.

No. 985 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRIVER EDUCATION."

Introduced by: Senators Inouye, Baker, Sakamoto, Chun Oakland, Espero, Kanno.

No. 986 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Inouye, Chun Oakland, Kim.

No. 987 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT."

Introduced by: Senators Inouye, Baker, Espero, Sakamoto, Chun Oakland, Kanno, Kim.

No. 988 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Inouye, Chun Oakland, Espero, Kanno, Kim, Sakamoto.

No. 989 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."

Introduced by: Senators Inouye, Baker, Sakamoto, Chun Oakland, Kanno, Kim.

No. 990 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Senator Hee.

No. 991 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Hee, Espero, Kanno, Nishihara, Inouye.

No. 992 "A BILL FOR AN ACT RELATING TO JUDGES."

Introduced by: Senators Hee, Hanabusa.

No. 993 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO CHANGE THE MANNER OF APPOINTMENT OF JUSTICES AND JUDGES."

Introduced by: Senators Hee, Hanabusa.

No. 994 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Hee, Hanabusa.

No. 995 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION TO REMOVE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES."

Introduced by: Senators Hee, Hanabusa.

No. 996 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."

Introduced by: Senators Hee, Inouye, Hanabusa.

No. 997 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE UNIVERSITY OF HAWAII'S WEST OAHU CAMPUS."

Introduced by: Senators Hee, Inouye, Hanabusa.

**FIRST READING**

On motion by Senator Hee, seconded by Senator Hogue and carried unanimously, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 544 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

No. 545 "A BILL FOR AN ACT RELATING TO CIVIL UNIONS."

No. 546 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

No. 547 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

No. 548 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI, SECTION 3, OF THE HAWAII STATE CONSTITUTION, TO PROVIDE FOR THE PRESERVATION AND PROTECTION OF AGRICULTURAL LANDS IN HAWAII."

No. 549 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE DEPARTMENT OF EDUCATION TO SUBMIT ITS BUDGET REQUESTS DIRECTLY TO THE LEGISLATURE."

No. 550 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO ADD AN ARTICLE TO CREATE A STATEWIDE TRANSIT AUTHORITY."

No. 551 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

No. 552 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

No. 553 "A BILL FOR AN ACT RELATING TO EDUCATION."

No. 554 "A BILL FOR AN ACT RELATING TO MARRIAGE."

No. 555 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

No. 556 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

No. 557 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

No. 558 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

No. 559 "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF FOR SENIOR SERVICES."

- No. 560 "A BILL FOR AN ACT RELATING TO THE ELDERLY."
- No. 561 "A BILL FOR AN ACT RELATING TO CAREGIVER COORDINATOR POSITION."
- No. 562 "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT SERVICES."
- No. 563 "A BILL FOR AN ACT RELATING TO FAMILY COURT."
- No. 564 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."
- No. 565 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW PERSONS CONVICTED OF FELONIES TO VOTE."
- No. 566 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."
- No. 567 "A BILL FOR AN ACT RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES."
- No. 568 "A BILL FOR AN ACT RELATING TO DENTISTS."
- No. 569 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."
- No. 570 "A BILL FOR AN ACT RELATING TO ENERGY."
- No. 571 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4 OF THE HAWAII STATE CONSTITUTION, TO CLARIFY THE COMPOSITION OF THE JUDICIAL SELECTION COMMISSION."
- No. 572 "A BILL FOR AN ACT RELATING TO FAMILY COURT."
- No. 573 "A BILL FOR AN ACT RELATES TO ATTORNEYS' FEES."
- No. 574 "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES."
- No. 575 "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND."
- No. 576 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM."
- No. 577 "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES."
- No. 578 "A BILL FOR AN ACT RELATING TO A SURCHARGE TAX ON THE VALUE OF IMPROVEMENTS OBTAINED BY COMMERCIAL AND INDUSTRIAL LESSORS THROUGH THE EXERCISE OF REVERSION CLAUSES IN GROUND LEASE CONTRACTS."
- No. 579 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."
- No. 580 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."
- No. 581 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 582 "A BILL FOR AN ACT RELATING TO TELEPHONE SOLICITATIONS."
- No. 583 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."
- No. 584 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU."
- No. 585 "A BILL FOR AN ACT RELATING TO REIMBURSEMENT FOR LEGAL REPRESENTATION OF MINORS."
- No. 586 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."
- No. 587 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS."
- No. 588 "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION."
- No. 589 "A BILL FOR AN ACT RELATING TO DURESS."
- No. 590 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT."
- No. 591 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."
- No. 592 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."
- No. 593 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."
- No. 594 "A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS."
- No. 595 "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS."
- No. 596 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE."
- No. 597 "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS."
- No. 598 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."
- No. 599 "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION."



- No. 600 "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS."
- No. 601 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED ENTRY INTO MOTOR VEHICLES."
- No. 602 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."
- No. 603 "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE."
- No. 604 "A BILL FOR AN ACT RELATING TO SUBPOENAS."
- No. 605 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."
- No. 606 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."
- No. 607 "A BILL FOR AN ACT RELATING TO THEFT."
- No. 608 "A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS."
- No. 609 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- No. 610 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."
- No. 611 "A BILL FOR AN ACT RELATING TO IMPOUNDMENT OF VEHICLES."
- No. 612 "A BILL FOR AN ACT RELATING TO BAIL."
- No. 613 "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS."
- No. 614 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES."
- No. 615 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT."
- No. 616 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."
- No. 617 "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES."
- No. 618 "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS."
- No. 619 "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS."
- No. 620 "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS."
- No. 621 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."
- No. 622 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
- No. 623 "A BILL FOR AN ACT RELATING TO LEGISLATIVE ETHICS."
- No. 624 "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION."
- No. 625 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS."
- No. 626 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."
- No. 627 "A BILL FOR AN ACT RELATING TO ETHICS."
- No. 628 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION."
- No. 629 "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET."
- No. 630 "A BILL FOR AN ACT RELATING TO STATEWIDE PUBLIC ACCESS."
- No. 631 "A BILL FOR AN ACT RELATING TO THE BUDGET."
- No. 632 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
- No. 633 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- No. 634 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- No. 635 "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER."
- No. 636 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."
- No. 637 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1."
- No. 638 "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."
- No. 639 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 640 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."
- No. 641 "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."
- No. 642 "A BILL FOR AN ACT RELATING TO VOTING."
- No. 643 "A BILL FOR AN ACT RELATING TO ETHICS."

- No. 644 "A BILL FOR AN ACT RELATING TO PHARMACEUTICAL CROPS."
- No. 645 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."
- No. 646 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."
- No. 647 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."
- No. 648 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- No. 649 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."
- No. 650 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY."
- No. 651 "A BILL FOR AN ACT RELATING TO MOTION PICTURE AND FILM PRODUCTION."
- No. 652 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- No. 653 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
- No. 654 "A BILL FOR AN ACT RELATING TO FORFEITURE OF BENEFITS FOR CONVICTED FELONS."
- No. 655 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- No. 656 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."
- No. 657 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING FOR PUBLIC EMPLOYMENT."
- No. 658 "A BILL FOR AN ACT RELATING TO PUBLIC SECTOR COLLECTIVE BARGAINING REFORM."
- No. 659 "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION."
- No. 660 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."
- No. 661 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."
- No. 662 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."
- No. 663 "A BILL FOR AN ACT RELATING TO OPEN MEETINGS."
- No. 664 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE."
- No. 665 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911."
- No. 666 "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS."
- No. 667 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES."
- No. 668 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."
- No. 669 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES."
- No. 670 "A BILL FOR AN ACT RELATING TO PESTICIDES."
- No. 671 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES."
- No. 672 "A BILL FOR AN ACT RELATING TO MICROORGANISM IMPORT."
- No. 673 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."
- No. 674 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."
- No. 675 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."
- No. 676 "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE."
- No. 677 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."
- No. 678 "A BILL FOR AN ACT RELATING TO SENTENCING."
- No. 679 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TESTIMONY OF DEFENDANTS IN CRIMINAL CASES."
- No. 680 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."
- No. 681 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF SEXUAL CONDUCT."
- No. 682 "A BILL FOR AN ACT RELATING TO TOBACCO."
- No. 683 "A BILL FOR AN ACT RELATING TO TESTIMONY."
- No. 684 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."
- No. 685 "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION."
- No. 686 "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENTS."
- No. 687 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."
- No. 688 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

- No. 689 "A BILL FOR AN ACT RELATING TO HIGHWAY HAZARD EVALUATION DATA."
- No. 690 "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."
- No. 691 "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII."
- No. 692 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII."
- No. 693 "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES."
- No. 694 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF VEHICLES, VESSELS, AND AIRCRAFT."
- No. 695 "A BILL FOR AN ACT RELATING TO THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT."
- No. 696 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION."
- No. 697 "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS."
- No. 698 "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER."
- No. 699 "A BILL FOR AN ACT RELATING TO IDENTIFICATION."
- No. 700 "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT."
- No. 701 "A BILL FOR AN ACT RELATING TO DRUGS."
- No. 702 "A BILL FOR AN ACT RELATING TO ANTITRUST."
- No. 703 "A BILL FOR AN ACT RELATING TO FIREARMS."
- No. 704 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE."
- No. 705 "A BILL FOR AN ACT RELATING TO PROMOTING INTOXICATING LIQUOR TO A MINOR."
- No. 706 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS."
- No. 707 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."
- No. 708 "A BILL FOR AN ACT RELATING TO CHAPTER 846E."
- No. 709 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."
- No. 710 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS."
- No. 711 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT."
- No. 712 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."
- No. 713 "A BILL FOR AN ACT RELATING TO A BUSINESS-RESEARCH INSTITUTE TAX CREDIT."
- No. 714 "A BILL FOR AN ACT RELATING TO OVERSIGHT OF THE PETROLEUM MARKET."
- No. 715 "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS."
- No. 716 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR THE FILM AND TELEVISION INDUSTRY."
- No. 717 "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER."
- No. 718 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
- No. 719 "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM."
- No. 720 "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS."
- No. 721 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION."
- No. 722 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 723 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 724 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 725 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 726 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 727 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 728 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
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- No. 731 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 732 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- No. 733 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES."
- No. 734 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII."
- No. 735 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."
- No. 736 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."
- No. 737 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- No. 738 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 739 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, RELATING TO BALANCED BUDGET REQUIREMENTS."
- No. 740 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 741 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 742 "A BILL FOR AN ACT RELATING TO FEES."
- No. 743 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT."
- No. 744 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."
- No. 745 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."
- No. 746 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."
- No. 747 "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS."
- No. 748 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."
- No. 749 "A BILL FOR AN ACT RELATING TO THE ASIA-PACIFIC RISK MANAGEMENT AND INSURANCE PROGRAM."
- No. 750 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 751 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 752 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."
- No. 753 "A BILL FOR AN ACT RELATING TO POOLED INSURANCE."
- No. 754 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 755 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- No. 756 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 757 "A BILL FOR AN ACT RELATING TO TORTS."
- No. 758 "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS."
- No. 759 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 760 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 761 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
- No. 762 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."
- No. 763 "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW PANELS."
- No. 764 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES."
- No. 765 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."
- No. 766 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS LICENSURE RESTORATION."
- No. 767 "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION FUNDS."
- No. 768 "A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS."
- No. 769 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."
- No. 770 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS."
- No. 771 "A BILL FOR AN ACT RELATING TO TORTS."
- No. 772 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."
- No. 773 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."
- No. 774 "A BILL FOR AN ACT RELATING TO THE MILITIA."

- No. 775 "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES."
- No. 776 "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION."
- No. 777 "A BILL FOR AN ACT RELATING TO EXEMPTION OF VEHICLE TAX AND REGISTRATION FEE FOR NATIONAL GUARD AND RESERVE."
- No. 778 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES"
- No. 779 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
- No. 780 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
- No. 781 "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE."
- No. 782 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES."
- No. 783 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
- No. 784 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
- No. 785 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."
- No. 786 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
- No. 787 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
- No. 788 "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM."
- No. 789 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES."
- No. 790 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS."
- No. 791 "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS."
- No. 792 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."
- No. 793 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS."
- No. 794 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE."
- No. 795 "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES."
- No. 796 "A BILL FOR AN ACT RELATING TO INTERAGENCY COORDINATION."
- No. 797 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- No. 798 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- No. 799 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."
- No. 800 "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."
- No. 801 "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS."
- No. 802 "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM."
- No. 803 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE OFFICE OF YOUTH SERVICES."
- No. 804 "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION."
- No. 805 "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES."
- No. 806 "A BILL FOR AN ACT RELATING TO THE REHIRING OF RETIREES."
- No. 807 "A BILL FOR AN ACT RELATING TO SALARIES."
- No. 808 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 809 "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS."
- No. 810 "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION."
- No. 811 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."
- No. 812 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."
- No. 813 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
- No. 814 "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS."
- No. 815 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
- No. 816 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO FIREWORKS."

- No. 817 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."
- No. 818 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO FIRE PROTECTION."
- No. 819 "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND."
- No. 820 "A BILL FOR AN ACT RELATING TO WATER USE PERMIT APPLICATIONS."
- No. 821 "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E."
- No. 822 "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS."
- No. 823 "A BILL FOR AN ACT RELATING TO HEALTH CARE FOR PRISONERS."
- No. 824 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."
- No. 825 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 826 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."
- No. 827 "A BILL FOR AN ACT RELATING TO SECURITY AT HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS."
- No. 828 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."
- No. 829 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- No. 830 "A BILL FOR AN ACT RELATING TO EXEMPTING CORRECTIONS ADMINISTRATIVE POSITIONS FROM CIVIL SERVICE."
- No. 831 "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA."
- No. 832 "A BILL FOR AN ACT RELATING TO THE CRIMINAL OFFENDER TREATMENT."
- No. 833 "A BILL FOR AN ACT RELATING TO CIVIL PROCESS SERVICE."
- No. 834 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."
- No. 835 "A BILL FOR AN ACT RELATING TO THE STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAX."
- No. 836 "A BILL FOR AN ACT RELATING TO A NET INCOME TAX CREDIT FOR FOOD, MEDICAL SERVICES, AND NON-PRESCRIPTION DRUGS."
- No. 837 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT."
- No. 838 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."
- No. 839 "A BILL FOR AN ACT RELATING TO THE INCOME TAX EXCLUSION FOR RESERVISTS AND HAWAII NATIONAL GUARD MEMBERS."
- No. 840 "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING."
- No. 841 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT FOR EMPLOYERS."
- No. 842 "A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS."
- No. 843 "A BILL FOR AN ACT RELATING TO INTERFERENCE WITH TRAFFIC-CONTROL DEVICES."
- No. 844 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- No. 845 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING."
- No. 846 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."
- No. 847 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TRANSPORTATION'S ENGINEERING SCHOLARSHIP PROGRAM."
- No. 848 "A BILL FOR AN ACT RELATING TO SECURITY FOR CONCESSION CONTRACTS."
- No. 849 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."
- No. 850 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."
- No. 851 "A BILL FOR AN ACT RELATING TO THE HIGHWAY DEVELOPMENT SPECIAL FUND."
- No. 852 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."
- No. 853 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- No. 854 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUES BONDS FOR UNIVERSITY PROJECTS."
- No. 855 "A BILL FOR AN ACT RELATING TO THE FUNDS OF THE UNIVERSITY OF HAWAII."
- No. 856 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- No. 857 "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS."
- No. 858 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

#### STANDING COMMITTEE REPORT

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1) recommending that

S.B. No. 543 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 543, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Thursday, January 27, 2005.

#### ORDER OF THE DAY

#### ADOPTION OF RESOLUTION

#### MATTER DEFERRED FROM MONDAY, JANUARY 24, 2005

S.R. No. 2:

By unanimous consent, action on S.R. No. 2, entitled: "SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE OF THE TWENTY-THIRD LEGISLATURE," was deferred until Thursday, January 27, 2005.

At 9:52 o'clock a.m., on motion by Senator Hee, 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-Third Legislature of the State of Hawaii, Regular Session of 2005, was called to order at 10:08 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-Third Legislature:

The Honorable James R. Aiona, Jr., Lieutenant Governor of the State of Hawaii. He was presented a lei by Senator Rosalyn H. Baker;

Mrs. Stella Moon, wife of Chief Justice Moon. She was presented a lei by Representative Ryan Yamane;

Mrs. Mary Han and Mr. Joseph Han, mother and stepfather of Chief Justice Moon. They were presented leis by Senator Suzanne Chun Oakland and Representative Lyla Berg; and

Ms. Julie Moon, daughter of Chief Justice Moon. She was presented a lei by Senator Brian Kanno;

Mr. Edward Kubo, Jr., U.S. Attorney;

The Honorable Mazie Hirono, Former Lieutenant Governor of Hawaii, and Mr. Leighton Oshima;

Chief Lawrence K. Mahuna, Hawaii County Police;

The Honorable Masaoshi Muto, Consul General of Japan; and

The Honorable Dong Yern Kim, Deputy Consul General.

The President then appointed Senators Colleen Hanabusa, Paul Whalen and Fred Hemmings, on behalf of the Senate, and Representatives Marcus Oshiro, Blake Oshiro 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 Carol Fukunaga and Representative Sylvia Luke presented Chief Justice Moon with maile and ilima leis.

Senate President Bunda then presented the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the members of the Twenty-Third Legislature.

The Chief Justice addressed the Joint Session as follows:

"Thank you so much. The strange woman sitting on the end is my daughter, Julie. (Laughter.)

"This seems like high school graduation all over again, except I was not the valedictorian. (Laughter.)

"President Bunda; Speaker Say; Lieutenant Governor Aiona; distinguished members of the Twenty-third Legislature; fellow judges and Judiciary employees; distinguished members of the federal bench; members of local and federal law enforcement; former Washington State Chief Justice and Mrs. Richard Guy; members of the Royal Order of King Kamehameha the Fifth and the Wahine Hui O Kamehameha I; other special guests; family; and friends, especially those from the Republic of Korea who are all convinced that kim chee tastes better in warm weather than the very freezing weather they just left (laughter):

"It is again my privilege and honor to be here today to address the Joint Session of the Hawai'i State Legislature, and I extend my sincere appreciation for your kind invitation to speak about the state of the Judiciary. To the new Legislators, I extend a special aloha and thank you for joining us in service to the people of Hawai'i. We, in the Judiciary, look forward to working with you, as well as with the returning Legislators of the Twenty-third State Legislature. There is no doubt that we – all three branches of government – share in the quest for fairness, justice, and good government as we work both collaboratively and separately to serve the people of Hawai'i.

"The concept of separate, independent, and equal branches of government does not mean that there are no limits as to what each branch can do. The built-in system of checks and balances protects our citizens from one branch becoming too powerful and guards against the potential for excesses and abuses of power. However, as each branch asserts its constitutional independence, natural tensions can arise. We must, therefore, work together to maintain the delicate balance between our respective branches as we independently carry out our constitutional duties. With regard to the judiciary, its independence – as it relates to the decision-making process – is vital to the functioning of the courts and must be zealously protected.

"Independent judicial decision-making means that judges must base their decisions solely on the legal merits of the case – not on their own personal preferences or even the majority will. The majority's will is appropriate – even necessary – for legislators and other elected officials to consider when deciding public policy issues. However, it cannot and should not be considered by judges when deciding personal disputes. Judicial decisions are the result of a structured, analytical process based on traditional principles, such as *stare decisis*, a basic principle of judicial decision-making. *Stare decisis* – or 'to stand by that which is decided' – is the principle that prior decisions, unless found to be wrong, are to be followed by the courts. The

principle is based on the premise that certainty, predictability, and stability in the law are the major objectives of the legal system. In other words, by following the courts' prior decisions – whether based on common law, statutory law, or constitutional law – our citizenry can regulate their conduct with reasonable assurance that they are conforming to the requirements of the law. Thus, when deciding disputes, justices and judges must set aside their personal feelings and the popular views of the majority if the evidence and the applicable law dictate an outcome that is contrary to the judge's personal preferences or the majority's desired result.

"Take, for example, cases heard in our family courts. I am very much aware – as some of you are – of recent public criticisms regarding judicial decision-making in the family court arena. These cases not only involve emotional parties, but emotionally-charged issues, such as child custody, visitation rights, and child abuse or neglect. In such cases, family court judges are required by law to consider the best interests of the child in making their decisions. When judges are called upon to render decisions in these highly emotional cases, many might believe that it would be easy, or even understandable, for a judge to surrender to his or her own personal feelings of sympathy and compassion. After all, many of our judges are – like many of you – parents; some are also grandparents; many have brothers and sisters; some are aunts, uncles, and cousins. But, our family court judges are ever mindful – as are all of our judges – that their duty is to set aside their own personal feelings and exercise their best independent judgment by ruling in accordance with the evidence and the law applicable in each case. Judicial decision-making is not an easy task. It requires courage, as well as a commitment and dedication to the administration of justice.

"However a judge's duties are not limited to the courtroom setting or the decision-making process. Judges are hard at work diligently managing their caseload and acting as mentors to their law clerks and young attorneys who appear before them. They are serving on boards, commissions, and committees that focus on issues regarding the administration of justice. They are also cultivating positive community relations and educating our citizenry about their justice system through their participation in seminars and conferences, speaking to various legal, civic, and student organizations, hosting student groups in their courtrooms, and the list goes on. Would all of you, therefore, kindly join me in thanking all of our justices and judges, including our per diem judges, as I ask those who could be here today to please stand and be recognized. (The justices and judges rose to be recognized.)

"I have no doubt that our judges would agree that we could not meet our constitutional duties without the help, assistance, and hard work of all of our Judiciary employees and volunteers. Therefore, on behalf of myself and all of the justices and judges, I extend our deepest gratitude to each and every one of our Judiciary employees and volunteers for their continuing commitment, dedication, and outstanding efforts in helping to promote the effective, efficient, and fair administration of justice.

"Unfortunately, despite all of our efforts, there are individuals in our community for which the failure in the administration of justice could reach constitutional proportions. The individuals I am referring to are the indigent criminal defendants, who are – by and large – competently represented by the Office of the Public Defender. As you know, the right to competent representation by counsel in a criminal prosecution is a fundamental constitutional right both under our state and federal constitutions. When the Public Defender's Office is unable to provide representation due to a conflict, the court

must appoint private counsel, who are paid at hourly rates authorized by statute.

"We are, however, finding it increasingly difficult to secure private attorneys who can afford to represent indigent defendants at the current statutory rate. It is clearly insufficient to cover even the most basic overhead expenses, let alone provide appointed-counsel fair compensation for their time. In this regard, Hawai'i is not alone. Kansas, Louisiana, Montana, New Hampshire, New York, and Oklahoma, for example, are also grappling with this issue. Most recently, the Massachusetts Supreme Court – in an opinion issued in July of last year – concluded that a shortage of defense lawyers caused by inadequate compensation violates the constitutional rights of indigent defendants. The court held that no individual can be detained for more than seven days without a lawyer and that cases must be dismissed if defendants have not had a lawyer for forty-five days. The high courts in Pennsylvania, Illinois, Indiana, Iowa, New Jersey, and Wisconsin have gone as far as construing the judiciary's inherent power to include mandating the appropriation of public funds to pay reasonable attorney's fees for court-appointed counsel.

"Last week, the Big Island's *Hawai'i Tribune Herald* reported that many lawyers are declining court-appointed cases because of the current fee schedule. In fact, it was reported that, in Hilo, only five attorneys are willing to accept indigent criminal defense cases, which is a reflection of what is occurring statewide. Although Hawai'i's criminal defense bar has been attempting to increase appointed-counsel legal fees since the 2000 Legislative Session, Hawai'i's statutory rates remain unchanged since 1987. The Judiciary has supported and continues to support strongly efforts to increase the statutory rate. I realize that criminal defense attorneys and those accused of crimes do not have much of a popular constituency, but we need to remember: first, that attorneys perform a vital and necessary role in the administration of justice; second, that persons accused of crimes face the awesome power of the State; and, third, any system of justice worthy of the name must assure that an individual's liberty is not taken away without putting the prosecution's evidence to the time-honored tests of examination, cross-examination, and proof beyond a reasonable doubt. I, therefore, implore you to examine and address this issue during this Legislative Session before it reaches the kind of constitutional crisis that has occurred and is occurring in other jurisdictions.

"Notwithstanding our increasing difficulties in securing counsel to represent indigent defendants, the state of the Judiciary remains sound. With the support of the legislative and executive branches, the Judiciary has been able to explore and implement some innovative projects and programs, some of which have been recognized, nationally, as 'visionary.' Judicial innovation projects have included the successful establishment of what are generally referred to as 'problem-solving courts,' such as our various drug court programs. And, because of your support and assistance, I am pleased to report that we have now implemented adult drug court programs statewide.

"Our newest program on Kaua'i recently celebrated the graduation of its first clients in November of last year. We know that drug courts work. For example, since it began in 1996, Oahu's Adult Drug Court Program has an overall recidivism rate of 5 percent. This is indeed significant when compared to the national drug court recidivism average of 16.4 percent. The recidivism rate for adult drug courts on Maui and the Big Island are also below the national average. Based on the success of the juvenile and family drug courts on O'ahu, these programs will soon be implemented on the neighbor islands.



“This past year, our O’ahu Family Drug Court Team received the Mediation Center of the Pacific’s ‘Natural Collaborative Leaders’ Award. The Mediation Center identified 11 criteria of a natural collaborative leader. One, in particular, epitomizes the family drug court team and the family court drug program – and, that is: a natural collaborative leader ‘conveys hope that problems can be solved.’

“Indeed, hope is the wonderful gift that the family drug court program – and all of our drug court programs – bestow upon the clients and families that come to drug court. If all of our drug graduates had not been diverted into treatment, there is a strong likelihood that their drug addiction would have kept them on a path leading to more serious crimes. Eventually, many would have ended up in our already overcrowded prison system at considerable cost to the State. Therefore, on behalf of all of our past and current drug court clients, their families, and Hawaii’s taxpayers, I thank you for making these programs possible.

“There is no doubt that your support of all of our current programs is critical to our ability to continue to serve the public. However, the continued vitality of our state requires that we address not only the concerns of the day, but that we also plan for the future. In that regard, the Hawai’i State Judiciary is at the doorstep of realizing the vision of former Chief Justice Herman Lum. In the late 1980s, he envisioned a ‘one-stop shop’ where our citizens would be able to obtain any type of service with regard to family court matters. It is our hope that Chief Justice Lum’s vision of a Family Court Center will come to fruition this Session. The Judiciary’s primary legislative initiative for this fiscal biennium is the Kapolei Court Complex, which will involve, among other things, relocating all of our O’ahu family court functions to Kapolei.

“As you may know, the Estate of James Campbell is providing 13.6 acres of free land to the Judiciary upon which we hope – with your approval – to build a new court complex. Located within the Kapolei civic center area, the complex will include two major physical structures: a multi-level court building that will house twenty courtrooms and court support functions, as well as a Juvenile Detention Facility that will accommodate and provide needed services for up to 72 juvenile detainees.

“The need for adequate space to meet the demands of our citizens for family court services cannot be overstated. Our family courtrooms are too small to adequately conduct hearings and do not provide adequate separation of parties in those often emotional settings. In addition, parties and witnesses must wait in an overcrowded area. Frequently, those who should be physically separated – for example, victims and criminal defendants, or emotionally-charged parties in divorce or custody proceedings – find themselves in very close quarters. Support service areas are crowded with far too little space for records storage. Crowded offices are also hampering efficient operations.

“Hawaii’s current juvenile detention facility – Hale Ho’omalua – located on Alder Street in Honolulu is a World War II vintage facility that has deteriorated and is operationally inadequate. The arrangement of housing units and the specific configuration of individual rooms makes supervision difficult. In sum, the spaces that are available are often insufficient and do not provide enough room for programs, offices, training, and medical services.

“In addition to relocating family court functions to Kapolei, the Judiciary plans to move the district court functions currently housed at the Wai’anae Court to the new Kapolei Court Complex. Our plan is to also to provide a full complement of circuit court functions and services, such as criminal and civil

jury trials. The new complex will undoubtedly increase the convenience for not only the residents of Kapolei, but also for those who live in the ‘Ewa, Leeward, Wai’anae, North Shore, and Central O’ahu districts. According to a November 2004 management study prepared for Campbell Estate by the OmniTrak Group, nearly half of the family court users surveyed live in Kapolei and the surrounding districts I just mentioned. Survey responses also indicated that approximately seventy percent of this group proceed to family court from their homes. We, therefore, believe that the new complex will have a positive domino effect as the relocation of family court to Kapolei should help relieve the overcrowded H-1 commute to downtown Honolulu and ease the overcrowded conditions at the First Circuit courthouse. In addition, consolidation of all of Oahu’s family court services in one location will save approximately half-a-million dollars in annual rent that is currently being paid to house family court functions at other locations. Kapolei and neighboring residents will have easier access to court services, such as obtaining traffic abstracts, paying traffic fines, resolving divorce matters, including custody and child support issues, filing for restraining orders, and dealing with juvenile matters. At the same time, court users at other courthouse locations may find shorter lines to access some of the same court services also being offered in Kapolei. However, if the Kapolei project is to move forward, the Judiciary must have a signed construction contract by December 31, 2006. If not, we will forfeit the option on the 13.6 acres of Campbell Estate land, and the State will have lost a once-in-a-lifetime opportunity to acquire this substantial portion of land at no cost to the taxpayers.

“The future of the Kapolei project is at a critical crossroad, and this Legislative Session is the last opportunity to fund this much-needed project. The Judiciary is, therefore, requesting a total of 95 million dollars for the design, construction, and purchase of necessary equipment for the Kapolei Court Complex.

“Because community participation and input has been critical to the development of Kapolei, Administrative Director Rick Keller and other key court administrators presented our construction plans to the Kapolei Neighborhood Board. I am pleased to report that, at its meeting on October 27, 2004, the Board unanimously approved a resolution to support the Judiciary’s plans to construct the new Kapolei Court Complex. The Judiciary indeed appreciates the support from those whom we hope will soon be our new neighbors.

“I thank the leadership of the Senate and House for their expressions of support. We sincerely hope that each of you – the individual members of the Senate and House – will join them in helping us improve our services to all of your constituency. I also extend my appreciation to the Governor for indicating her support of this critical project.

“I am, however, keenly aware that there are those who doubt the wisdom of selecting the Kapolei district for a new courthouse. The most common concern seems to be over the travel time from downtown Honolulu to Kapolei, which reminds me of a historical exhibit in the Supreme Court Building. The exhibit contains pictures of a new government building constructed in 1874 and named Ali’iolani Hale. It tells the story of King Kamehameha the Fifth’s decision to forego plans to build a new palace because substantial monies were being paid to rent private office space in the city. He, therefore, believed that a new government building was ‘of greater necessity.’ The new government building would house the legislature, the judiciary, and other government offices. Commentaries from newspapers of the day about the location of the newly planned government building sound quite familiar. One newspaper wrote:

‘. . . the site so improperly selected entails on the present and future generations a long and fatiguing journey over the dustiest roads in the city [that would be] a permanent and inevitable public nuisance. Had [the people] been consulted as to its site, we doubt if a solitary vote would have been cast in favor of that so improperly and injudiciously selected.’

“Of course, you realize that they were speaking about traveling on foot or by horse and buggy from the current China Town area to Ali‘iolani Hale, the current home of the Supreme Court. I submit that, with the advancements in video conferencing and other technology that will be available in the new court complex, the complaints of it being too far from downtown Honolulu will dissipate as they did in the 1800s regarding the site of the then-new government building. Moreover, we believe the long-term benefits to be realized from the new Kapolei Court Complex significantly outweigh any of the perceived disadvantages.

“I recognize that the construction of a new court complex with 20 courtrooms may appear extravagant. However, we take a lesson from our experience with Ka‘ahumanu Hale, the First Circuit courthouse on Punchbowl Street. It was, when first occupied in 1983, criticized as extravagant with its twenty-seven courtrooms. But, within ten years, Ka‘ahumanu Hale was too small, and we had to find additional courtroom space elsewhere. Currently, some judges are sharing courtrooms and four circuit court judges are located in the district court building on Alakea Street. The accommodation of circuit judges in the district court building has created a negative domino effect by taking needed space away from our district court operations. The courtrooms and support service areas planned for the Kapolei complex will provide greater flexibility and allow the Judiciary to move forward with its planned-redistribution of services in order to adequately attend to the needs of the people on O‘ahu in the years to come.

“Obviously, many details for the Kapolei complex have yet to be resolved. However, one thing is certain: Campbell Estate’s offer of prime real estate within the burgeoning civic center area of Kapolei and the compelling need for more family court resources represent a tremendous convergence of supplying needed services to meet escalating demands. A key component of this synergy is the continuing roll-out of the Judiciary’s Information Management System, or JIMS. The JIMS Project, which owes much to the support of previous legislatures, is at the core of our strategic technological vision and is transforming the way that the courts do business.

“For the newest members of the legislature who may not know, JIMS is a multi-year, multi-million dollar effort to produce a modern computer-based case management system that will facilitate communications, eliminate duplication, and provide sharing of court and case information statewide. The electronic filing and document imaging aspects of JIMS will provide document review capabilities from virtually any web-connected computer, which will be of particular importance to the Kapolei Court Complex. Of course, to the extent that confidential records are involved, such records would still be available only with the proper security authorizations. Document imaging will also enable the Judiciary to avoid the expense of storing paper documents. Ultimately, the benefits reaped through JIMS will translate in improved public safety and increased efficiency in court operations, as well as enhance our ability to provide better customer service to the public. The benefits of JIMS, coupled with all of the advantages of moving

to Kapolei, definitely constitute a positive step toward improving the administration of justice for our citizenry.

“Ladies and gentlemen – I began my remarks this morning by discussing the concept of separate, independent, and equal branches of government. We are, however, all partners in the quest for excellence in government. Although our roles and responsibilities are different, we are all here to serve the people of this great state. I take enormous pride in all of the employees and volunteers in the Hawai‘i State Judiciary, who work diligently day after day, protecting the fundamental rights of our citizenry and ensuring the fair administration of justice.

“On behalf of the entire Judiciary, we pledge our continuing commitment to applying the rule of law through impartial and independent decision-making and look forward to working collaboratively with all of you.

“Thank you again for the honor of addressing you today.”

Speaker Say then rose and stated:

“Chief Justice Moon, thank you very much for sharing with us your views the role of the Judiciary will play in helping us serve the people of the State of Hawaii. We look forward to working with you and the Judiciary during the coming days of this Session. With that, I declare this Joint Session adjourned.”

At 10:45 o’clock a.m., Speaker Say declared the Joint Session adjourned.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, 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 were introduced and placed on the calendar for further action on Thursday, January 27, 2005:

##### Senate Bill

No. 998 “A BILL FOR AN ACT RELATING TO GREEN BUILDING.”

Introduced by: Senators English, Chun Oakland, Tsutsui, Nishihara, Baker, Kanno, Trimble, Hanabusa, Ihara, Fukunaga.

No. 999 “A BILL FOR AN ACT RELATING TO THE HANA WHARF AND SMALL BOAT HARBOR.”

Introduced by: Senators English, Trimble, Baker, Slom, Taniguchi, Nishihara, Hanabusa, Ihara, Espero, Hogue, Tsutsui, Sakamoto, Chun Oakland.

No. 1000 “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY.”

Introduced by: Senators English, Hooser, Chun Oakland, Hemmings, Kanno, Nishihara, Tsutsui, Hanabusa, Ihara, Fukunaga, Taniguchi.

No. 1001 “A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE.”

Introduced by: Senators English, Hooser, Chun Oakland, Baker, Hemmings, Kanno, Nishihara, Trimble, Tsutsui, Hanabusa, Ihara, Slom, Fukunaga.

No. 1002 “A BILL FOR AN ACT RELATING TO CRUISE SHIPS.”

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

No. 1003 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senators English, Chun Oakland, Tsutsui, Fukunaga, Sakamoto, Hooser, Nishihara, Baker, Hemmings, Espero, Kanno, Taniguchi, Hanabusa, Ihara.

No. 1004 "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE."

Introduced by: Senators English, Chun Oakland, Espero, Fukunaga, Nishihara, Baker, Hemmings, Kanno, Hanabusa, Ihara, Hogue, Sakamoto.

No. 1005 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF JURISDICTION OVER HIGHWAYS TO THE COUNTIES."

Introduced by: Senators English, Hemmings, Tsutsui, Hogue, Slom, Baker, Kanno, Nishihara, Hanabusa, Ihara, Sakamoto.

No. 1006 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU."

Introduced by: Senators English, Fukunaga, Sakamoto, Hooser, Slom, Chun Oakland, Baker, Hemmings, Espero, Kanno, Nishihara, Tsutsui, Hanabusa, Ihara, Hogue.

No. 1007 "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS."

Introduced by: Senator Hemmings, by request.

No. 1008 "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES."

Introduced by: Senators Hooser, Nishihara, Ige, Baker, Fukunaga.

No. 1009 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

Introduced by: Senators Hooser, English, Nishihara, Ige, Baker, Fukunaga.

No. 1010 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

Introduced by: Senators Hooser, English, Sakamoto, Baker, Fukunaga.

No. 1011 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senators Hooser, Chun Oakland, English, Nishihara, Hanabusa, Baker, Fukunaga.

No. 1012 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED CROPS."

Introduced by: Senators Hooser, English, Nishihara, Tsutsui, Hanabusa.

No. 1013 "A BILL FOR AN ACT RELATING TO VETERANS."

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

No. 1014 "A BILL FOR AN ACT RELATING TO TRUANCY."

Introduced by: Senators Hooser, Nishihara, Hemmings, Chun Oakland, Baker, Fukunaga.

No. 1015 "A BILL FOR AN ACT RELATING TO LAND USE."

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

No. 1016 "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX."

Introduced by: Senator Hooser, by request.

No. 1017 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Chun Oakland, Hanabusa, Hee.

No. 1018 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Chun Oakland.

No. 1019 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Chun Oakland.

No. 1020 "A BILL FOR AN ACT RELATING TO A STATE PUBLIC MARKET."

Introduced by: Senator Chun Oakland.

No. 1021 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Ihara.

No. 1022 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Ihara.

No. 1023 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."

Introduced by: Senator Chun Oakland.

No. 1024 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Senator Chun Oakland.

No. 1025 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

Introduced by: Senator Chun Oakland.

No. 1026 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."

- Introduced by: Senator Chun Oakland.
- No. 1027 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE."
- Introduced by: Senators Chun Oakland, Ihara.
- No. 1028 "A BILL FOR AN ACT RELATING TO THE CERVICAL CANCER ELIMINATION TASK FORCE."
- Introduced by: Senator Chun Oakland.
- No. 1029 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DENTAL SERVICES."
- Introduced by: Senator Chun Oakland.
- No. 1030 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senator Chun Oakland.
- No. 1031 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- Introduced by: Senator Chun Oakland.
- No. 1032 "A BILL FOR AN ACT RELATING TO CARE HOMES."
- Introduced by: Senator Chun Oakland.
- No. 1033 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR QUEST AND MEDICAID COVERAGE FOR ALIENS RESIDING IN HAWAII UNDER THE COMPACT OF FREE ASSOCIATION."
- Introduced by: Senator Chun Oakland.
- No. 1034 "A BILL FOR AN ACT RELATING TO SAFETY."
- Introduced by: Senator Chun Oakland.
- No. 1035 "A BILL FOR AN ACT RELATING TO SPEEDING."
- Introduced by: Senator Chun Oakland.
- No. 1036 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."
- Introduced by: Senators English, Hemmings, Nishihara.
- No. 1037 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS."
- Introduced by: Senators English, Nishihara, Hanabusa.
- No. 1038 "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE."
- Introduced by: Senators Inouye, Chun Oakland, Kanno, Sakamoto.
- No. 1039 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PORT SECURITY."
- Introduced by: Senators Inouye, Kanno, Kim, Sakamoto.
- No. 1040 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS."
- Introduced by: Senators Inouye, Chun Oakland, Kanno, Sakamoto.
- No. 1041 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEDICATED AERO-MEDICAL HELICOPTER UNIT IN SOUTH KOHALA."
- Introduced by: Senators Inouye, Chun Oakland, Kanno, Kim, Sakamoto.
- No. 1042 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, Nishihara, English, Kim, Espero, Ige, Hanabusa.
- No. 1043 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senators Kanno, Kim.
- No. 1044 "A BILL FOR AN ACT RELATING TO WAGES."
- Introduced by: Senators Kanno, Nishihara.
- No. 1045 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, English, Kim, Espero, Ige, Hanabusa.
- No. 1046 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, English, Kim, Ige, Hanabusa.
- No. 1047 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, English, Kim, Ige, Hanabusa.
- No. 1048 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, English, Kim, Espero, Ige, Hanabusa.
- No. 1049 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, English, Kim, Espero, Ige, Hanabusa.
- No. 1050 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Kanno, Chun Oakland, Inouye, English, Kim, Espero, Ige, Hanabusa.

No. 1051 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Kanno, Chun Oakland, Nishihara, English, Kim, Espero, Ige, Hanabusa.

No. 1052 "A BILL FOR AN ACT RELATING TO THE DEPENDENT-BENEFICIARIES OF THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senator Kanno.

No. 1053 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION AND ENFORCEMENT OF THE HAWAII PREPAID HEALTH CARE ACT."

Introduced by: Senators Kanno, Espero.

No. 1054 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senator Kanno.

No. 1055 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senator Ihara.

No. 1056 "A BILL FOR AN ACT RELATING TO POSSESSION OF MARIJUANA."

Introduced by: Senator Ihara, by request.

No. 1057 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senators Ihara, Trimble, Nishihara, Chun Oakland, Hee, Ige, Hanabusa.

No. 1058 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senators Ihara, Hogue, Nishihara, Hanabusa, Sakamoto, Kokubun.

No. 1059 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senators Ihara, Hooser, Slom.

No. 1060 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Ihara, English, Hooser, Baker, Tsutsui, Ige, Nishihara, Kim, Inouye.

No. 1061 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Ihara.

No. 1062 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Senator Ihara.

No. 1063 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Hee.

No. 1064 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Hee.

No. 1065 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND MARKET DEVELOPMENT."

Introduced by: Senator Hee.

No. 1066 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senator Hee.

No. 1067 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN WINDWARD DISTRICT SCHOOLS."

Introduced by: Senator Hogue.

No. 1068 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Senators Hogue, Chun Oakland, Hemmings, Trimble, Slom, Sakamoto, Whalen.

No. 1069 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Senator Hogue.

No. 1070 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHARTER SCHOOL FACILITIES."

Introduced by: Senators Hogue, Hemmings, Tsutsui, English, Espero, Trimble, Slom, Sakamoto.

No. 1071 "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR INCENTIVE PROGRAM."

Introduced by: Senators Hogue, Hemmings, Chun Oakland, Slom, Whalen, Fukunaga, Tsutsui, English, Espero, Sakamoto.

No. 1072 "A BILL FOR AN ACT RELATING TO LIQUOR AND TOBACCO."

Introduced by: Senators Hogue, Hemmings, Ihara.

No. 1073 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."

Introduced by: Senators Hogue, Hemmings, Slom.

No. 1074 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Espero, Baker, Chun Oakland, Kim, Ige, Tsutsui, Nishihara.

No. 1075 "A BILL FOR AN ACT RELATING TO MONKEYS."

Introduced by: Senator Espero.

No. 1076 "A BILL FOR AN ACT RELATING TO BINGO."

- Introduced by: Senator Espero.
- No. 1077 "A BILL FOR AN ACT RELATING TO RECYCLING."  
Introduced by: Senators Espero, English, Kokubun, Hooser, Hanabusa, Nishihara.
- No. 1078 "A BILL FOR AN ACT RELATING TO EVIDENCE."  
Introduced by: Senators Espero, Baker, Chun Oakland, Nishihara, Kim, Tsutsui.
- No. 1079 "A BILL FOR AN ACT RELATING TO SNAP TRAPS."  
Introduced by: Senator Espero.
- No. 1080 "A BILL FOR AN ACT RELATING TO RECYCLING."  
Introduced by: Senators Espero, English, Kokubun, Hooser, Hanabusa, Nishihara.
- No. 1081 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POUHALA MARSH EDUCATION AND JOB TRAINING CENTER."  
Introduced by: Senators Espero, Nishihara, Kokubun, Hooser, Hanabusa.
- No. 1082 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE PREVENTION."  
Introduced by: Senators Espero, Chun Oakland, Hemmings, Nishihara, Hooser, Kanno, Fukunaga.
- No. 1083 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senators Espero, English, Hooser, Hanabusa, Nishihara.
- No. 1084 "A BILL FOR AN ACT RELATING TO CAFETERIA PLANS."  
Introduced by: Senators Espero, Chun Oakland, Hemmings, Nishihara, Fukunaga.
- No. 1085 "A BILL FOR AN ACT RELATING TO HOME SCHOOLING."  
Introduced by: Senators Espero, Chun Oakland.
- No. 1086 "A BILL FOR AN ACT RELATING TO HEALTH."  
Introduced by: Senators Espero, Nishihara, Hooser, Kanno, Fukunaga.
- No. 1087 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE."  
Introduced by: Senators Hooser, Baker, English, Chun Oakland, Ige, Sakamoto, Nishihara, Kokubun, Espero, Ihara, Hee.
- No. 1088 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO RECOGNIZE HAWAII VETERANS AND MEDAL OF HONOR RECIPIENTS."  
Introduced by: Senators Hooser, Espero, Sakamoto, English, Nishihara, Ige, Baker, Fukunaga, Kokubun, Chun Oakland, Ihara.
- No. 1089 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Senators Hooser, Chun Oakland, English, Nishihara, Fukunaga, Kokubun, Baker, Ihara, Ige.
- No. 1090 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES."  
Introduced by: Senators Hooser, English, Nishihara, Baker, Fukunaga, Chun Oakland, Ige, Espero, Kokubun, Ihara.
- No. 1091 "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT PROGRAMS."  
Introduced by: Senator Whalen.
- No. 1092 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Senator Whalen.
- No. 1093 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT PRIVATE NONSECTARIAN AND SECTARIAN ELEMENTARY SCHOOLS, SECONDARY SCHOOLS, COLLEGES, AND UNIVERSITIES SERVING THE GENERAL PUBLIC."  
Introduced by: Senator Whalen.
- No. 1094 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."  
Introduced by: Senators English, Tsutsui, Chun Oakland, Baker, Nishihara, Hanabusa, Ihara, Trimble, Espero, Hogue, Slom, Taniguchi, Sakamoto, Fukunaga, Kokubun.
- No. 1095 "A BILL FOR AN ACT RELATING TO STATE IRRIGATION SYSTEMS."  
Introduced by: Senators English, Tsutsui, Nishihara, Hanabusa, Ihara, Trimble, Slom, Espero, Hogue, Chun Oakland, Kokubun, Fukunaga, Sakamoto, Baker.
- No. 1096 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."  
Introduced by: Senators English, Tsutsui, Chun Oakland, Baker, Nishihara, Hanabusa, Ihara, Trimble, Slom, Espero, Hogue, Kokubun, Fukunaga, Sakamoto.
- No. 1097 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."  
Introduced by: Senators English, Tsutsui, Chun Oakland, Baker, Trimble, Slom, Espero, Hogue, Ihara, Kokubun, Fukunaga, Sakamoto, Hanabusa.

No. 1098 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Baker, by request.

No. 1099 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Baker, by request.

No. 1100 "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE."

Introduced by: Senator Baker, by request.

No. 1101 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senator Baker, by request.

No. 1102 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIFE GUARDS AT MAKENA STATE PARK."

Introduced by: Senators Baker, English, Tsutsui.

No. 1103 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE PROGRAM."

Introduced by: Senators Baker, Chun Oakland, English, Tsutsui.

No. 1104 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE INSURANCE."

Introduced by: Senators Baker, Chun Oakland.

No. 1105 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Slom, Chun Oakland, Hogue, English.

No. 1106 "A BILL FOR AN ACT RELATING TO WATER SUPPLY."

Introduced by: Senators Slom, Trimble, Hemmings, Chun Oakland, Nishihara, Inouye, Hogue.

No. 1107 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Slom.

No. 1108 "A BILL FOR AN ACT RELATING TO STATE EMPLOYEES."

Introduced by: Senator Slom.

No. 1109 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Slom.

No. 1110 "A BILL FOR AN ACT RELATING TO ABORTION."

Introduced by: Senator Slom.

No. 1111 "A BILL FOR AN ACT RELATING TO PARENTAL NOTIFICATION BEFORE AN ABORTION MAY BE PERFORMED ON CERTAIN MINORS."

Introduced by: Senator Slom.

No. 1112 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Senator Slom.

No. 1113 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."

Introduced by: Senator Bunda, by request.

No. 1114 "A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM TAX CREDIT."

Introduced by: Senator Bunda.

No. 1115 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senator Bunda.

No. 1116 "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSIT AUTHORITY."

Introduced by: Senator Bunda.

No. 1117 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC."

Introduced by: Senator Bunda.

No. 1118 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPDATE TSUNAMI EVACUATION MAPS."

Introduced by: Senators Hemmings, Espero, Trimble, English, Hogue, Chun Oakland, Ige, Slom.

No. 1119 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT OF RENEWABLE ENERGY SYSTEMS."

Introduced by: Senators Hemmings, Espero, Chun Oakland, English, Ige.

No. 1120 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Hemmings, Espero, Baker, Chun Oakland, Slom, Ige, Trimble, Hogue.

No. 1121 "A BILL FOR AN ACT RELATING TO REPEATED EXCESSIVE SPEEDING OF A VEHICLE."

Introduced by: Senators Hemmings, Espero, Kim, Baker, Chun Oakland, Ige, Trimble, Hogue.

No. 1122 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Hemmings, Espero, Chun Oakland, Slom, Ige, Hogue.

No. 1123 "A BILL FOR AN ACT RELATING TO PERSONAL EXEMPTION."

- Introduced by: Senators Hemmings, Hogue, Slom, Chun  
Oakland.
- No. 1124 "A BILL FOR AN ACT RELATING TO THE  
OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Hemmings.
- No. 1125 "A BILL FOR AN ACT RELATING TO  
MINERAL RIGHTS."
- Introduced by: Senator Hemmings.
- No. 1126 "A BILL FOR AN ACT RELATING TO THE  
DEPARTMENT OF BUSINESS, ECONOMIC  
DEVELOPMENT, AND TOURISM."
- Introduced by: Senators Bunda, Espero, Fukunaga.
- No. 1127 "A BILL FOR AN ACT RELATING TO THE  
PUBLIC PROCUREMENT CODE."
- Introduced by: Senator Taniguchi.
- No. 1128 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION FOR VARIOUS IMPROVEMENTS AT  
THE UNIVERSITY OF HAWAII-WEST OAHU."
- Introduced by: Senator Taniguchi.
- No. 1129 "A BILL FOR AN ACT RELATING TO  
INSURANCE."
- Introduced by: Senator Taniguchi.
- No. 1130 "A BILL FOR AN ACT RELATING TO LOSS  
MITIGATION."
- Introduced by: Senator Taniguchi.
- No. 1131 "A BILL FOR AN ACT RELATING TO  
INSURANCE."
- Introduced by: Senator Taniguchi.
- No. 1132 "A BILL FOR AN ACT RELATING TO  
CONDOMINIUMS."
- Introduced by: Senator Menor, by request.
- No. 1133 "A BILL FOR AN ACT RELATING TO  
RENTAL MOTOR VEHICLE SURCHARGE TAX."
- Introduced by: Senator Menor, by request.
- No. 1134 "A BILL FOR AN ACT RELATING TO  
UNPAID CIVIL FINES OWED TO THE COUNTIES."
- Introduced by: Senator Menor, by request.
- No. 1135 "A BILL FOR AN ACT RELATING TO  
INTEREST AND USURY."
- Introduced by: Senator Menor, by request.
- No. 1136 "A BILL FOR AN ACT RELATING TO  
HAWAII PUBLIC PROCUREMENT CODE."
- Introduced by: Senator Menor, by request.
- No. 1137 "A BILL FOR AN ACT RELATING TO  
CONDOMINIUMS."
- Introduced by: Senator Menor, by request.
- No. 1138 "A BILL FOR AN ACT RELATING TO  
CONTRACTORS."
- Introduced by: Senator Menor, by request.
- No. 1139 "A BILL FOR AN ACT RELATING TO TIME  
SHARING."
- Introduced by: Senator Menor, by request.
- No. 1140 "A BILL FOR AN ACT RELATING TO  
FINANCIAL SERVICE LOAN COMPANIES."
- Introduced by: Senator Menor, by request.
- No. 1141 "A BILL FOR AN ACT RELATING TO TIME  
SHARE PLANS."
- Introduced by: Senator Menor, by request.
- No. 1142 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION FOR EMERGENCY MEDICAL  
SERVICES."
- Introduced by: Senator Menor.
- No. 1143 "A BILL FOR AN ACT RELATING TO FERAL  
CHICKENS."
- Introduced by: Senator Menor.
- No. 1144 "A BILL FOR AN ACT ESTABLISHING A  
COMMISSION TO RECOGNIZE AND HONOR SENATOR  
HIRAM L. FONG."
- Introduced by: Senator Menor.
- No. 1145 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION TO ENSURE QUALITY STAFFING AND  
FACILITIES AT MILILANI MIDDLE SCHOOL UNDER  
THE MULTI-TRACK SCHOOL SYSTEM."
- Introduced by: Senator Menor.
- No. 1146 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION FOR MILILANI HIGH SCHOOL."
- Introduced by: Senator Menor.
- No. 1147 "A BILL FOR AN ACT RELATING TO  
COASTAL ZONE MANAGEMENT."
- Introduced by: Senator Kokubun, by request.
- No. 1148 "A BILL FOR AN ACT RELATING TO  
FIREARMS."
- Introduced by: Senator Kokubun, by request.
- No. 1149 "A BILL FOR AN ACT RELATING TO  
COASTAL ZONE MANAGEMENT."
- Introduced by: Senator Kokubun, by request.
- No. 1150 "A BILL FOR AN ACT RELATING TO DAIRY  
PRODUCTS."



- Introduced by: Senator Kokubun, by request.
- No. 1151 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
- Introduced by: Senator Kokubun, by request.
- No. 1152 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senators Kokubun, Taniguchi, English, Fukunaga, Chun Oakland, Espero, Sakamoto, Hooser.
- No. 1153 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- Introduced by: Senators Kokubun, Tsutsui, Trimble, Fukunaga, Hooser, Chun Oakland.
- No. 1154 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
- Introduced by: Senators Kokubun, English, Hooser, Tsutsui, Fukunaga, Chun Oakland.
- No. 1155 "A BILL FOR AN ACT RELATING TO DROUGHT."
- Introduced by: Senators Kokubun, English, Tsutsui, Taniguchi, Fukunaga, Hooser, Chun Oakland.
- No. 1156 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senators Kokubun, Chun Oakland, Kim, Nishihara, Taniguchi, English, Espero, Ige, Hanabusa, Fukunaga, Hooser.
- No. 1157 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senators Hee, Hanabusa.
- No. 1158 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS."
- Introduced by: Senators Hee, Hanabusa.
- No. 1159 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND POSITIONS TO EXPAND ETHNIC STUDIES, LABOR HISTORY, AND DIVERSITY CURRICULUM AT ALL UNIVERSITY OF HAWAII CAMPUSES."
- Introduced by: Senators Hee, Hanabusa.
- No. 1160 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR STUDENT SUPPORT SERVICES FOR NON-TRADITIONAL STUDENTS."
- Introduced by: Senators Hee, Hanabusa.
- No. 1161 "A BILL FOR AN ACT RELATING TO ELECTRONIC GOVERNMENT RECORDS."
- Introduced by: Senators Hee, Hanabusa.
- No. 1162 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE LEGISLATIVE SERVICE AGENCIES."
- Introduced by: Senators Hee, Hanabusa.
- No. 1163 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."
- Introduced by: Senators Hee, Hanabusa.
- No. 1164 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND FACULTY POSITIONS FOR ILOKANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA."
- Introduced by: Senators Hee, Hanabusa.
- No. 1165 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL."
- Introduced by: Senator Hee.
- No. 1166 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO CHANGE THE MANNER OF APPOINTMENT OF JUSTICES AND JUDGES."
- Introduced by: Senator Hee.
- No. 1167 "A BILL FOR AN ACT RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT."
- Introduced by: Senator Hee.
- No. 1168 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE STATE ART GALLERY."
- Introduced by: Senators Fukunaga, Chun Oakland, Baker, Espero, Kanno, Ihara, Sakamoto, English, Kokubun, Hanabusa, Ige, Menor.
- No. 1169 "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS."
- Introduced by: Senators Fukunaga, Chun Oakland, Hemmings, Hanabusa, English, Baker, Kanno, Ihara, Slom, Menor, Kokubun, Ige.
- No. 1170 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."
- Introduced by: Senators Fukunaga, Chun Oakland, English, Baker, Espero, Kokubun, Sakamoto, Kanno, Menor, Trimble, Ige, Hogue, Ihara, Hemmings, Slom, Hanabusa.
- No. 1171 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."
- Introduced by: Senators Fukunaga, Taniguchi, Espero, Ige, English, Baker, Tsutsui, Hanabusa, Chun Oakland, Sakamoto, Kim, Kanno, Nishihara, Inouye, Hogue, Kokubun, Menor.
- No. 1172 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."
- Introduced by: Senator Ihara, by request.

No. 1173 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Senators Ihara, Hooser, Trimble, Nishihara.

No. 1174 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, Hooser.

No. 1175 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Ihara, Hooser.

No. 1176 "A BILL FOR AN ACT RELATING TO ELECTIONS."

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

No. 1177 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE."

Introduced by: Senators Ihara, Ige, Chun Oakland, Hooser, Nishihara.

No. 1178 "A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE."

Introduced by: Senator Ihara.

No. 1179 "A BILL FOR AN ACT RELATING TO HEALTH."

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

No. 1180 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Hemmings, Hogue, Slom.

No. 1181 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Menor, Hooser.

No. 1182 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senators Menor, Hooser.

No. 1183 "A BILL FOR AN ACT RELATING TO THEFT."

Introduced by: Senators Kim, Espero, Ige, Inouye, Chun Oakland, Sakamoto, Nishihara, Fukunaga, Tsutsui, Hogue, Slom, Hemmings, Taniguchi.

No. 1184 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senators Kim, Inouye, Ige, Chun Oakland, Hanabusa, English, Espero, Sakamoto, Nishihara, Kokubun, Hemmings, Baker, Fukunaga.

No. 1185 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Kim.

No. 1186 "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT."

Introduced by: Senators Kim, Espero, Slom, Tsutsui, English, Ige, Taniguchi, Kokubun, Baker, Chun Oakland, Sakamoto, Nishihara, Menor.

No. 1187 "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING."

Introduced by: Senators Kim, Espero, Chun Oakland, Sakamoto, Kanno, Ihara, Kokubun, Hanabusa, Baker, Tsutsui, Ige, English, Nishihara, Menor.

No. 1188 "A BILL FOR AN ACT RELATING TO TEMPORARY FACILITIES FOR THE UNIVERSITY OF HAWAII-WEST OAHU."

Introduced by: Senators Kanno, Nishihara, Espero.

No. 1189 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII-WEST OAHU."

Introduced by: Senators Kanno, Nishihara, Espero.

No. 1190 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kanno, Chun Oakland.

No. 1191 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."

Introduced by: Senator Kanno.

No. 1192 "A BILL FOR AN ACT RELATING TO EXEMPT EMPLOYEES."

Introduced by: Senator Kanno.

No. 1193 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

Introduced by: Senators Kanno, Ihara, Chun Oakland, Espero, Sakamoto, Taniguchi.

No. 1194 "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN."

Introduced by: Senators Kanno, Ihara, Slom, Chun Oakland, Espero, Sakamoto, Taniguchi.

#### ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, January 27, 2005.

## SIXTH DAY

## Thursday, January 27, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Jon Shimabuku, Senate Data Systems Office, after which the Roll was called showing all Senators present with the exception of Senator Ige 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. 79 to 118) were read by the Clerk and were placed on file:

Gov. Msg. No. 79, dated January 10, 2005, transmitting the Annual Report Relating to Invasive Species, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Act 85, SLH 2003.

Gov. Msg. No. 80, dated January 10, 2005, transmitting the Annual Report Relating to the NARS and Natural Area Partnership Program and the Financial Condition of the Natural Area Reserve Fund, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 81, dated December 30, 2004, transmitting a Report on the Criteria for the Establishment and Continuance of Administratively Established Accounts and Funds, prepared by the Department of Land and Natural Resources pursuant to Section 37-52.5, HRS.

Gov. Msg. No. 82, dated December 30, 2004, transmitting the Annual Report on the Status of the Program for Environmentally-Themed Products to Support the Environment Established Under Section 195D-5.5, Hawaii Revised Statutes, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife pursuant to Section 195D-5.5, HRS.

Gov. Msg. No. 83, dated December 24, 2004, transmitting a report prepared by the Department of Hawaiian Home Lands, pursuant to Act 41, Section 37.2, SLH 2004, on the actual and projected revenues and expenditures of the department's trust funds.

Gov. Msg. No. 84, dated January 10, 2005, 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, 2003 – June 30, 2004, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS.

Gov. Msg. No. 85, dated January 10, 2005, transmitting a Report on Land Dispositions Made of Public Lands for Calendar Year 2004, prepared by the Department of Land and Natural Resources pursuant to Section 171-29, HRS.

Gov. Msg. No. 86, dated December 30, 2004, transmitting a report prepared by the Department of Human Services, Social Services Division, pursuant to Act 237, SLH 2004, on the pilot project in East Hawaii to provide community-based,

collaborative, comprehensive early childhood care for children under five and their families.

Gov. Msg. No. 87, dated December 15, 2004, transmitting a report prepared by the Housing and Community Development Corporation of Hawaii, pursuant to H.C.R. No. 214 (2004), to explore home ownership options and study the feasibility of implementing a housing demonstration project at Hauiki Homes and other state-owned and operated housing projects.

Gov. Msg. No. 88, dated December 30, 2004, transmitting the Annual Report on the Wireless Enhanced 911 Board for the Period July 1 to December 15, 2004, prepared by the Department of Accounting and General Services pursuant to Act 159, SLH 2004.

Gov. Msg. No. 89, dated December 30, 2004, transmitting the Annual Report of the Stadium Authority Stadium Special Fund Statement of Receipts, Expenditures and Transfers for Fiscal Year Ended June 30, 2004, prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS.

Gov. Msg. No. 90, dated December 30, 2004, transmitting the Spouse and Child Abuse Special Account Annual Report for Fiscal Year Beginning July 1, 2004, prepared by the Department of Human Services, Social Services Division, pursuant to Section 346-7.5, HRS.

Gov. Msg. No. 91, dated December 30, 2004, transmitting the Report on the Drug Endangered Child Protection Program Task Force, prepared by the Department of Human Services, Social Services Division, pursuant to Act 40, SLH 2004.

Gov. Msg. No. 92, dated December 30, 2004, transmitting a Report Relating to Eligibility for General Assistance and the Process of Determining Disability, prepared by the Department of Human Services, Benefit, Employment, and Support Services Division, pursuant to Act 208, SLH 2004.

Gov. Msg. No. 93, dated January 18, 2005, transmitting a Report Establishing and Extending for One Year 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, prepared by the Department of Human Services and the Department of Health, pursuant to S.C.R. No. 13 (2003) and S.C.R. No. 45 (2004).

Gov. Msg. No. 94, dated January 19, 2005, transmitting the Department of Taxation's Annual Report 2003-2004.

Gov. Msg. No. 95, dated January 19, 2005, 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. 96, dated January 19, 2005, transmitting the Disability and Communication Access Board Annual Report for Fiscal Year 2003 to 2004.

Gov. Msg. No. 97, dated January 19, 2005, transmitting the Annual Report of the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, prepared by the Department of Health pursuant to Section 329-3, HRS.

Gov. Msg. No. 98, dated January 19, 2005, transmitting a Report Regarding Services for Persons with Developmental

Disabilities or Mental Retardation, Directing the Department of Health to Keep Waiting Lists of All Individuals Who Are Eligible for Services and Supports, but for Whom Services and Supports Have Not Been Provided, and the Reasons for the Lack of Services and Supports, prepared by the Department of Health pursuant to Chapter 333F, Section 6, HRS.

Gov. Msg. No. 99, dated January 22, 2005, transmitting the 2004 Kaneohe Bay Regional Council Annual Report, submitted on behalf of the Kaneohe Bay Regional Council by the Department of Land and Natural Resources pursuant to Section 200D-5, HRS.

Gov. Msg. No. 100, dated September 8, 2004, transmitting the Department of Defense's Annual Report for Fiscal Year Ending June 30, 2003.

Gov. Msg. No. 101, dated April 1, 2004, transmitting the 2003-2004 Business and Community Assistance Branch Annual Report, prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 102, dated May 3, 2004, transmitting a report, "Statistics of Hawaii Agriculture 2002," prepared by the Department of Agriculture, Agricultural Development Division, and the U.S. Department of Agriculture, National Agricultural Statistics Service.

Gov. Msg. No. 103, letter dated May 7, 2004, informing the Senate that she has convened the Governor's Transportation Committee in June 2003 pursuant to S.C.R. No. 142 (2002).

Gov. Msg. No. 104, letter dated May 10, 2004, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Agriculture in the increased amount of \$57,000 for swine garbage feeder surveillance, pursuant to Act 200, Section 129, SLH 2003.

Gov. Msg. No. 105, dated June 9, 2004, transmitting the Department of Hawaiian Home Lands 2003 Annual Report and the Annual Report Addendum for Fiscal Year 2002 to 2003, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 106, dated May 17, 2004, transmitting the Hawaii Brownfields Cleanup Revolving Loan Fund Annual Report for 2002 and 2003, prepared by the Department of Business, Economic Development and Tourism, Office of Planning.

Gov. Msg. No. 107, dated June 20, 2004, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree Made to the United States Ninth District Court, the Felix Special Monitor, the Felix Monitoring Project, or Any Other Agent of the United States Judiciary for the Month of March, 2004, prepared by the Department of Health pursuant to Act 200, Section 30, SLH 2003.

Gov. Msg. No. 108, dated July 9, 2004, transmitting a report, Hawaii Income Patterns, Individuals – 2002, prepared by the Department of Taxation.

Gov. Msg. No. 109, dated July 21, 2004, transmitting the Housing and Community Development Corporation of Hawaii's Funds Report for Fiscal Year Ending June 30, 2003, prepared by Grant Thornton LLP pursuant to Section 201G-21, HRS.

Gov. Msg. No. 110, letter dated January 26, 2005, 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. 778, which makes an emergency general fund appropriation of \$11,672,564 in general funds to provide services to students with autism spectrum disorder.

Gov. Msg. No. 111, letter dated January 26, 2005, 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. 792, which makes an emergency general fund appropriation of \$12,572,175 for the continuation of services to the patients at the Hawaii State Hospital and others as required by the federal court-ordered plan for mental health services.

Gov. Msg. No. 112, letter dated January 26, 2005, 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. 793, which makes an emergency appropriation of \$2,120,801 for the Department of Health emergency ambulance service contracts collective bargaining costs.

Gov. Msg. No. 113, letter dated January 26, 2005, 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. 789, which makes an emergency general fund appropriation of \$6,900,000 for individuals with developmental disabilities.

Gov. Msg. No. 114, letter dated January 26, 2005, 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. 782, which makes an emergency general fund appropriation of \$981,719 for early intervention services as mandated by the Individuals with Disabilities Education Act and the Felix v. Cayetano consent decree.

Gov. Msg. No. 115, letter dated January 26, 2005, 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. 664, to appropriate \$3,000,000 in general funds to pay for electricity payments statewide.

Gov. Msg. No. 116, letter dated January 26, 2005, 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. 667, which makes an emergency general fund appropriation and increases the spending ceiling of the State Risk Management Revolving Fund from \$25,000,000 to \$35,450,000 to cover the University of Hawaii losses caused by the October 30, 2004 flood.

Gov. Msg. No. 117, letter dated January 26, 2005, 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. 665, to appropriate \$3,050,000 for the Wireless Enhanced 911 Fund.

Gov. Msg. No. 118, letter dated January 26, 2005, 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. 733, which makes an emergency appropriation of \$7,190,869 in general funds and \$2,587,143 in special and federal funds for Collective Bargaining Cost Items for Public Employees – Units #1 and #10.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 30) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the Department of Education dated May 7, 2004, transmitting a report, "The Superintendent's Fourteenth Annual Report on School Performance and Improvement in Hawaii, 2003," pursuant to Section 302A-1004, HRS.

Dept. Com. No. 2, from the State Auditor dated May 21, 2004, transmitting a report, "Follow-Up Audit of Custodial Services Programs of the Department of Accounting and General Services, the Judiciary, the Department of Education, and the University of Hawaii," (Report No. 04-09).

Dept. Com. No. 3, from the Hawaii Teacher Standards Board dated December 20, 2004, transmitting its 2004 Annual Report, pursuant to Section 302A-803, HRS.

Dept. Com. No. 4, from the State Auditor dated October 6, 2004, transmitting a report, "Sunrise Analysis: Money Transmitters," (Report No. 04-10).

Dept. Com. No. 5, from the Attorney General dated October 4, 2004, transmitting a letter of clarification regarding their preliminary report in response to H.C.R. No. 267 and noting that in over twenty proceedings, evidence has been presented to the court and the court has ruled, but the court has not yet filed an order.

Dept. Com. No. 6, from the State Auditor dated November 4, 2004, transmitting a report, "Assessment of Proposed Mandatory Health Insurance for Cognitive Rehabilitation," (Report No. 04-11).

Dept. Com. No. 7, from the Department of Health dated January 24, 2005, transmitting its 2003 Primary Care Needs Assessment Databook, prepared by the Family Health Services Division.

Dept. Com. No. 8, from the Department of Budget and Finance dated November 29, 2004, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 2004, pursuant to Sections 39-92 and 39-93, HRS.

Dept. Com. No. 9, from the Hawaii Strategic Development Corporation dated January 19, 2005, transmitting its 2004 Annual Report pursuant to Chapter 211F, HRS.

Dept. Com. No. 10, from the Superintendent of Education dated January 19, 2005, transmitting the Department of Education's Financial Report July 1, 2003 – June 30, 2004.

Dept. Com. No. 11, from the State Auditor dated December 7, 2004, transmitting a report, "Audit of the Department of Human Services' Expedited Application Process for Pregnant Women," (Report No. 04-12).

Dept. Com. No. 12, from the Office of the Administrative Director of the Courts dated December 13, 2004, transmitting the Judiciary's Multi-Year Program and Financial Plan (2005-2011), Biennium Budget (2005-2007) and Variance Report (2003-2005), pursuant to Section 601-2, HRS; the 2004 Annual Report Statistical Supplement, pursuant to Section 601-3, HRS; and the Annual Report of the Judiciary's Center for Alternative Dispute Resolution, pursuant to Section 613-4, HRS.

Dept. Com. No. 13, from the State Auditor dated December 15, 2004, transmitting a report, "Review of Revolving Funds, Trust Funds, and Trust Accounts of the Department of the Attorney General, the Department of Business, Economic Development, and Tourism, and the University of Hawaii," (Report No. 04-13).

Dept. Com. No. 14, from the State Auditor dated January 18, 2005, transmitting a report, "Audit of Na Wai Ola Waters of Life Charter School," (Report No. 05-01).

Dept. Com. No. 15, from the State Auditor dated December 23, 2004, transmitting a report, "Management and Fiscal Audit of the Harold L. Lyon Arboretum," (Report No. 04-14).

Dept. Com. No. 16, from the Ombudsman dated December 28, 2004, transmitting the Report of the Office of the Ombudsman for Fiscal Year 2003 – 2004 (Report No. 35), pursuant to Section 96-16, HRS.

Dept. Com. No. 17, from the State Auditor dated December 29, 2004, transmitting a report, "Investigation of the Department of Land and Natural Resources' Process for Developing Recommended Candidate Lists for Appointment to the Island Burial Councils," (Report No. 04-15).

Dept. Com. No. 18, from the Department of Education dated January 11, 2005, transmitting an informational orientation packet containing pertinent materials concerning the Department of Education.

Dept. Com. No. 19, from the University of Hawaii dated July 29, 2004, transmitting the Annual Report on the Tuition Waiver Program 2002-2003, prepared by the University of Hawaii, Office of the Vice President for Student Affairs, pursuant to Section 304-16.5, HRS.

Dept. Com. No. 20, from the University of Hawaii dated November 16, 2004, transmitting the Annual Report on the University of Hawaii Risk Management Special Fund for Fiscal Year Ended June 30, 2004, pursuant to Act 186, SLH 2003; and the Annual Report on the Research and Training Revolving Fund, pursuant to Section 304-8.1, HRS.

Dept. Com. No. 21, from the University of Hawaii dated December 6, 2004, transmitting the Annual Report on the University of Hawaii Special, Revolving, and Trust Funds for the Fiscal Year Ended June 30, 2004, pursuant to Sections 304-7 and 304-8, HRS.

Dept. Com. No. 22, from the University of Hawaii dated December 6, 2004, transmitting the Annual Report on Summarizing Uncollectible Delinquent Fines, pursuant to Act 243, SLH 2001.

Dept. Com. No. 23, from the University of Hawaii dated December 16, 2004, transmitting the Annual Report on The Hawai'i Institute for Educational Partnerships formerly The Center for Teacher Education, pursuant to Section 304-20.5, HRS.

Dept. Com. No. 24, from the University of Hawaii dated December 28, 2004, transmitting the Annual Report on University of Hawaii Tuition and Fees Special Fund Expenditures for the Purpose of Generating Private Donations FY 2004, pursuant to Section 304-16.5, HRS.

Dept. Com. No. 25, from the University of Hawaii dated December 28, 2004, transmitting the Annual Report on Workforce Development, pursuant to Act 225, SLH 2004.

Dept. Com. No. 26, from the University of Hawaii dated December 28, 2004, transmitting the Annual Report on Salaries Paid to Executive/Managerial and Faculty Employees, pursuant to Section 304-13.5, HRS.

Dept. Com. No. 27, from the University of Hawaii dated December 28, 2004, transmitting the Annual Report on the Hawaii Research Center for Future Studies, pursuant to Section 222-3, HRS.

Dept. Com. No. 28, from the University of Hawaii dated December 28, 2004, transmitting the Annual Report on the Status of the Asia-Pacific Risk Management & Insurance Program, pursuant to S.C.R. No. 136 (2004).

Dept. Com. No. 29, from the University of Hawaii dated December 28, 2004, transmitting the Annual Report on Government Operations and the Biennium Report on Benchmarks and Performance Indicators, pursuant to Act 100, SLH 1999, and Section 304-4.5, HRS.

Dept. Com. No. 30, from the University of Hawaii dated January 10, 2005, transmitting the Annual Report of the Research Corporation of the University of Hawaii for Fiscal Year Ending June 30, 2004.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills passed First Reading by title and were deferred:

#### Senate Bill

No. 1195 "A BILL FOR AN ACT RELATING TO CRIMINAL BACKGROUND CHECKS."

Introduced by: Senators Chun Oakland, Inouye, Baker, Espero, Ige, Sakamoto, Kokubun.

No. 1196 "A BILL FOR AN ACT RELATING TO TAXATION."

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

No. 1197 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Chun Oakland, Baker, Hanabusa, Fukunaga, Kim, Sakamoto, English, Menor.

No. 1198 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Chun Oakland, Baker, Hanabusa, Hooser, Kokubun, Taniguchi, Ige, Menor, Fukunaga.

No. 1199 "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS."

Introduced by: Senators Chun Oakland, Baker, Sakamoto, Espero, Inouye, Ige, Kokubun.

No. 1200 "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT."

Introduced by: Senators Chun Oakland, Inouye, Espero, Baker, Ige, Sakamoto, English, Kokubun.

No. 1201 "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES."

Introduced by: Senators Chun Oakland, Baker, Taniguchi, Fukunaga, English, Menor, Ige, Sakamoto, Kokubun.

No. 1202 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SENIOR CENTERS."

Introduced by: Senators Chun Oakland, Sakamoto, Fukunaga, Trimble, Ihara, Baker, Menor, Taniguchi, Ige, Kokubun.

No. 1203 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INMATE REINTEGRATION PROGRAMS."

Introduced by: Senators Chun Oakland, Hanabusa, Baker, Sakamoto, English, Menor, Fukunaga.

No. 1204 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

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

No. 1205 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Chun Oakland, Baker, Espero, Inouye, Fukunaga, Sakamoto, English, Kokubun.

No. 1206 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senators Chun Oakland, Sakamoto, Inouye, Baker, English, Ige, Kokubun.

No. 1207 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Chun Oakland, Hanabusa.

No. 1208 "A BILL FOR AN ACT RELATING TO THE AT-HOME INFANT CHILD CARE PROGRAM."

Introduced by: Senators Chun Oakland, Baker, Ige, Menor, Fukunaga.

No. 1209 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Senators Chun Oakland, Baker, Ige, Menor, Fukunaga, English, Sakamoto, Taniguchi.

No. 1210 "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE."

Introduced by: Senators Chun Oakland, Inouye, Baker, Sakamoto, English, Espero, Ige, Kokubun.

No. 1211 "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT SERVICES."

Introduced by: Senators Chun Oakland, Inouye, English, Espero, Baker, Fukunaga, Sakamoto, Kokubun.

No. 1212 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Espero, Fukunaga, Sakamoto, Ihara, Hanabusa, Hooser, Baker, Inouye, Kokubun.

No. 1213 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senators Chun Oakland, Espero, Inouye, Baker, Ige, Sakamoto, English, Kokubun.

No. 1214 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Chun Oakland, Espero, Inouye, Sakamoto, English, Kokubun.

No. 1215 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE ELEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Fukunaga.

No. 1216 "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS."

Introduced by: Senator Hooser.

No. 1217 "A BILL FOR AN ACT RELATING TO PUBLIC HUNTING AREAS."

Introduced by: Senator Hooser.

No. 1218 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OPERATION AND MAINTENANCE OF THE EAST KAUAI IRRIGATION SYSTEM."

Introduced by: Senator Hooser.

No. 1219 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Senator Hooser, by request.

No. 1220 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senator Hooser, by request.

No. 1221 "A BILL FOR AN ACT RELATING TO STUDENTS."

Introduced by: Senators Hooser, Sakamoto, English, Nishihara, Espero, Kanno, Baker, Inouye, Chun Oakland, Tsutsui, Hogue, Hanabusa, Fukunaga, Ige, Kokubun.

No. 1222 "A BILL FOR AN ACT RELATING TO THE SEARCH AND RESCUE REIMBURSEMENT ACT."

Introduced by: Senators Tsutsui, English, Baker, Slom, Inouye, Fukunaga, Ige, Kim, Hee, Nishihara, Taniguchi.

No. 1223 "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS."

Introduced by: Senators Tsutsui, English, Baker, Slom, Hee, Nishihara, Ige, Kim.

No. 1224 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Senators Tsutsui, English, Chun Oakland, Slom, Espero, Hee, Fukunaga, Nishihara, Ige, Kim.

No. 1225 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Baker, by request.

No. 1226 "A BILL FOR AN ACT RELATING TO HEPATITIS."

Introduced by: Senator Baker, by request.

No. 1227 "A BILL FOR AN ACT RELATING TO HIV/AIDS ASSISTANCE."

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

No. 1228 "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS."

Introduced by: Senators Baker, Chun Oakland, Hanabusa, Ige, English.

No. 1229 "A BILL FOR AN ACT RELATING TO THE LICENSING OF DENTAL HYGIENISTS."

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

No. 1230 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."

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

No. 1231 "A BILL FOR AN ACT RELATING TO SEXUAL VIOLENCE."

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Ihara, Tsutsui, Hanabusa.

No. 1232 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION."

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

No. 1233 "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa.

No. 1234 "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE OF IN VITRO FERTILIZATION."

Introduced by: Senator Baker.

No. 1235 "A BILL FOR AN ACT RELATING TO ELDERLY CARE."

Introduced by: Senators Baker, Chun Oakland, Hanabusa.

No. 1236 "A BILL FOR AN ACT RELATING TO CIGARETTE TAX."

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

No. 1237 "A BILL FOR AN ACT RELATING TO HEALTH CARE INSURANCE TAX CREDIT."

Introduced by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa.

No. 1238 "A BILL FOR AN ACT RELATING TO BOATING."

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

No. 1239 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Senators Baker, Chun Oakland, Hanabusa, Fukunaga, Tsutsui, Ihara.

No. 1240 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Baker, Espero, Ihara, Kanno, Fukunaga, Menor.

No. 1241 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Baker, English, Tsutsui, Hanabusa, Espero, Hooser, Ige, Hogue, Menor, Sakamoto.

No. 1242 "A BILL FOR AN ACT RELATING TO TRANSFERRING JURISDICTION OF STATE HIGHWAYS TO THE COUNTIES."

Introduced by: Senators Baker, English, Tsutsui, Hanabusa, Kanno.

No. 1243 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN THE SALT LAKE WATERWAY."

Introduced by: Senator Sakamoto.

No. 1244 "A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS."

Introduced by: Senators Sakamoto, Inouye, Espero, Tsutsui, Nishihara, English.

No. 1245 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senators Sakamoto, Chun Oakland, Inouye, Nishihara, Kokubun, English.

No. 1246 "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS."

Introduced by: Senators Sakamoto, Nishihara.

No. 1247 "A BILL FOR AN ACT RELATING TO FAMILY."

Introduced by: Senators Sakamoto, Inouye, Nishihara.

No. 1248 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Espero.

No. 1249 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Nishihara, Espero.

No. 1250 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS."

Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Espero.

No. 1251 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Espero.

No. 1252 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Espero, Chun Oakland, Nishihara.

No. 1253 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Espero.

No. 1254 "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOLS."

Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Espero.

No. 1255 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Nishihara.

No. 1256 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS."

Introduced by: Senators Sakamoto, Hooser, Hee, Tsutsui, Nishihara, Baker, Kokubun, Espero, Inouye, Chun Oakland, Hanabusa, Ige, Taniguchi, Kanno.

No. 1257 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Sakamoto, Hooser, Hee, Tsutsui, Nishihara, Baker, Kokubun, Espero, Inouye, Chun Oakland, Hanabusa, Ige, Taniguchi, Kanno.

No. 1258 "A BILL FOR AN ACT RELATING TO EDUCATION."



Introduced by: Senators Sakamoto, Inouye, Chun Oakland, Nishihara, Baker, Espero, English, Hooser, Tsutsui, Kokubun, Taniguchi, Hanabusa, Kanno, Ihara.

No. 1259 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SECOND SENATORIAL DISTRICT."

Introduced by: Senator Kokubun.

No. 1260 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Kanno, Tsutsui, Kim, Espero, Ige, Menor, Hooser, Ihara, Nishihara, Taniguchi.

No. 1261 "A BILL FOR AN ACT RELATING TO THE CONSUMER BILL OF RIGHTS."

Introduced by: Senators Kanno, Ihara, Nishihara, Espero, Hooser.

No. 1262 "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST."

Introduced by: Senators Hanabusa, Chun Oakland, Hooser, English, Hee.

No. 1263 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Senators Hanabusa, Hooser, English.

No. 1264 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Nishihara.

No. 1265 "A BILL FOR AN ACT RELATING TO BOATING."

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

No. 1266 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Chun Oakland, Nishihara.

No. 1267 "A BILL FOR AN ACT RELATING TO SHARK MONITORING."

Introduced by: Senators Hanabusa, Kokubun, Nishihara, Fukunaga.

No. 1268 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Hanabusa, Kokubun, Nishihara, Fukunaga, English, Ihara.

No. 1269 "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Nishihara, Fukunaga, English.

No. 1270 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL JUSTICE."

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

No. 1271 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE."

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

No. 1272 "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF FEDERAL FUNDS."

Introduced by: Senators Hanabusa, Taniguchi, Hooser, English.

No. 1273 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

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

No. 1274 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Hanabusa, Chun Oakland, English.

No. 1275 "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES."

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

No. 1276 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Chun Oakland, Nishihara.

No. 1277 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Nishihara, Fukunaga.

No. 1278 "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT."

Introduced by: Senators Hanabusa, Chun Oakland, Taniguchi, Hooser, English, Hee.

No. 1279 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Hanabusa, Hee.

No. 1280 "A BILL FOR AN ACT RELATING TO TAXATION."

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

No. 1281 "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS."

- Introduced by: Senators Hanabusa, Taniguchi, English, Hee.
- No. 1282 "A BILL FOR AN ACT RELATING TO NURSES."
- Introduced by: Senators Hanabusa, English, Chun Oakland, Hee.
- No. 1283 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE HAWAII STATE CONSTITUTION TO ALLOW THE STATE TO SELF-INSURE THE HEALTH BENEFITS PROVIDED TO PUBLIC EMPLOYEES."
- Introduced by: Senators Hanabusa, Chun Oakland, Taniguchi, Hooser, English, Hee.
- No. 1284 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."
- Introduced by: Senators Hanabusa, English, Chun Oakland, Taniguchi, Hooser, Hee.
- No. 1285 "A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES."
- Introduced by: Senators Hanabusa, Kokubun, Ihara, Chun Oakland, Nishihara, Fukunaga.
- No. 1286 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Hanabusa.
- No. 1287 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senators Hanabusa, English, Hee, Chun Oakland.
- No. 1288 "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOO LAWE."
- Introduced by: Senators Hanabusa, English, Hooser.
- No. 1289 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS COMMISSION ACT."
- Introduced by: Senator Hanabusa.
- No. 1290 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."
- Introduced by: Senators Hanabusa, English.
- No. 1291 "A BILL FOR AN ACT RELATING TO INDIVIDUAL CLAIMS RESOLUTION UNDER THE HAWAIIAN HOME LANDS TRUST."
- Introduced by: Senators Hanabusa, Chun Oakland, Nishihara, Fukunaga.
- No. 1292 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."
- Introduced by: Senators Hanabusa, English, Hooser.
- No. 1293 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE HAWAII CONSTITUTION TO PREVENT CONDEMNATION OF TRUST LANDS."
- Introduced by: Senators Hanabusa, English, Kokubun, Ihara, Nishihara.
- No. 1294 "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST REVENUES."
- Introduced by: Senators Hanabusa, English, Nishihara, Baker, Kanno.
- No. 1295 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."
- Introduced by: Senators Hanabusa, English, Hooser.
- No. 1296 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR HAWAIIAN STUDENTS."
- Introduced by: Senators Hanabusa, Chun Oakland, Nishihara.
- No. 1297 "A BILL FOR AN ACT RELATING TO HAWAIIAN EDUCATION."
- Introduced by: Senators Hanabusa, English.
- No. 1298 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
- Introduced by: Senators Hanabusa, English, Hooser.
- No. 1299 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- Introduced by: Senators Hanabusa, Kanno, Taniguchi, Nishihara, English, Baker.
- No. 1300 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."
- Introduced by: Senators Hanabusa, English, Baker, Kanno.
- No. 1301 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION."
- Introduced by: Senators Hanabusa, Nishihara, Espero, Chun Oakland.
- No. 1302 "A BILL FOR AN ACT RELATING TO PRIVATE LANDFILLS."
- Introduced by: Senators Hanabusa, English, Kanno.
- No. 1303 "A BILL FOR AN ACT RELATING TO SOLID WASTE."
- Introduced by: Senators Hanabusa, Kanno, Taniguchi, Nishihara, Fukunaga, English, Baker.
- No. 1304 "A BILL FOR AN ACT RELATING TO TELEVISION AND FILM INDUSTRY DEVELOPMENT."
- Introduced by: Senators Hanabusa, English, Kanno, Baker.

No. 1305 "A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS IN EMERGENCY ROOMS."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Chun Oakland, Nishihara, Fukunaga.

No. 1306 "A BILL FOR AN ACT RELATING TO SECTION 453-16, HAWAII REVISED STATUTES."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Chun Oakland, Nishihara, Fukunaga.

No. 1307 "A BILL FOR AN ACT RELATING TO REPRODUCTIVE FREEDOM."

Introduced by: Senators Hanabusa, Kokubun, Chun Oakland, Nishihara, Fukunaga.

No. 1308 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."

Introduced by: Senators Hanabusa, Taniguchi, Hooser, Hee.

No. 1309 "A BILL FOR AN ACT RELATING TO SENTENCING OF HABITUAL VIOLENT FELONS."

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

No. 1310 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Senators Hanabusa, Hooser.

No. 1311 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS."

Introduced by: Senators Hanabusa, Taniguchi, Hooser, English.

No. 1312 "A BILL FOR AN ACT RELATING TO ALTERNATIVE PROGRAMS TO INCARCERATION."

Introduced by: Senators Hanabusa, Espero, Chun Oakland, Taniguchi, Hooser, English, Hee.

No. 1313 "A BILL FOR AN ACT RELATING TO FORFEITURES."

Introduced by: Senators Hanabusa, Taniguchi, Hooser, English.

No. 1314 "A BILL FOR AN ACT RELATING TO THE PROBATE CODE."

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

No. 1315 "A BILL FOR AN ACT RELATING TO SUMMONS AND CITATIONS."

Introduced by: Senators Hanabusa, Taniguchi.

No. 1316 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Hanabusa.

No. 1317 "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL."

Introduced by: Senators Hanabusa, Taniguchi, Hooser, English.

No. 1318 "A BILL FOR AN ACT RELATING TO PAROLE."

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

No. 1319 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."

Introduced by: Senators Hanabusa, Taniguchi, English, Hee.

No. 1320 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."

Introduced by: Senators Hanabusa, Taniguchi, Hooser, English.

No. 1321 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Hanabusa, Hooser, Taniguchi, English.

No. 1322 "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, English, Ihara, Kanno.

No. 1323 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Hanabusa, English, Taniguchi, Fukunaga, Baker, Kanno.

No. 1324 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Hanabusa, Hooser.

No. 1325 "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING REQUIREMENTS."

Introduced by: Senators Hanabusa, Kokubun, Nishihara, Fukunaga, Bunda, Ihara, Chun Oakland, English, Taniguchi.

No. 1326 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Senators Hanabusa, Nishihara, Espero, Ige, Fukunaga, Chun Oakland.

No. 1327 "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION."

Introduced by: Senators Hanabusa, Chun Oakland, Nishihara, Espero, Ige, Fukunaga.

No. 1328 "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION FEE."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Nishihara, Chun Oakland, Fukunaga.

No. 1329 "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION."

Introduced by: Senators Hanabusa, Kokubun, Chun Oakland, Nishihara, Fukunaga.

No. 1330 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION TO ADD A SECTION ON CRIME VICTIMS' RIGHTS."

Introduced by: Senators Hanabusa, Kokubun, Ihara, Chun Oakland, Nishihara, Fukunaga, English.

No. 1331 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A NEW SUBSTANCE ABUSE TREATMENT FACILITY."

Introduced by: Senators Hanabusa, Hooser, English.

No. 1332 "A BILL FOR AN ACT RELATING TO FRAUDULENT INSURANCE CLAIMS."

Introduced by: Senators Hanabusa, Baker, Taniguchi, Nishihara, English.

No. 1333 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Senators Hanabusa, Hee, Ihara, Nishihara, Taniguchi, Fukunaga, English.

No. 1334 "A BILL FOR AN ACT RELATING TO LIABILITY."

Introduced by: Senators Hanabusa, Chun Oakland, Nishihara, Espero, Ige, Fukunaga.

No. 1335 "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE."

Introduced by: Senators Hanabusa, Espero, Chun Oakland, Nishihara, Ige, Fukunaga.

No. 1336 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS."

Introduced by: Senators Hanabusa, Hooser, Hee.

No. 1337 "A BILL FOR AN ACT RELATING TO SECURITIES."

Introduced by: Senators Hanabusa, by request, Ihara.

No. 1338 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Hanabusa, Nishihara.

No. 1339 "A BILL FOR AN ACT RELATING TO EDUCATION."

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

No. 1340 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."

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

No. 1341 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

No. 1342 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION."

Introduced by: Senator Hanabusa.

**ORDER OF THE DAY**

**FIRST READING**

On motion by Senator Hee, seconded by Senator Hogue and carried unanimously, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 998 "A BILL FOR AN ACT RELATING TO GREEN BUILDING."

No. 999 "A BILL FOR AN ACT RELATING TO THE HANA WHARF AND SMALL BOAT HARBOR."

No. 1000 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

No. 1001 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE."

No. 1002 "A BILL FOR AN ACT RELATING TO CRUISE SHIPS."

No. 1003 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

No. 1004 "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE."

No. 1005 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF JURISDICTION OVER HIGHWAYS TO THE COUNTIES."

No. 1006 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU."

No. 1007 "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS."

No. 1008 "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES."

No. 1009 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

No. 1010 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

No. 1011 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

No. 1012 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED CROPS."

No. 1013 "A BILL FOR AN ACT RELATING TO VETERANS."

No. 1014 "A BILL FOR AN ACT RELATING TO TRUANCY."

No. 1015 "A BILL FOR AN ACT RELATING TO LAND USE."

No. 1016 "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX."

No. 1017 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

No. 1018 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

No. 1019 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

No. 1020 "A BILL FOR AN ACT RELATING TO A STATE PUBLIC MARKET."

No. 1021 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

No. 1022 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

No. 1023 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."

No. 1024 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

No. 1025 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

No. 1026 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."

No. 1027 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE."

No. 1028 "A BILL FOR AN ACT RELATING TO THE CERVICAL CANCER ELIMINATION TASK FORCE."

No. 1029 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DENTAL SERVICES."

No. 1030 "A BILL FOR AN ACT RELATING TO HEALTH."

No. 1031 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

No. 1032 "A BILL FOR AN ACT RELATING TO CARE HOMES."

No. 1033 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR QUEST AND MEDICAID COVERAGE FOR ALIENS RESIDING IN HAWAII UNDER THE COMPACT OF FREE ASSOCIATION."

No. 1034 "A BILL FOR AN ACT RELATING TO SAFETY."

No. 1035 "A BILL FOR AN ACT RELATING TO SPEEDING."

No. 1036 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."

No. 1037 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS."

No. 1038 "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE."

No. 1039 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PORT SECURITY."

No. 1040 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS."

No. 1041 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DEDICATED AERO-MEDICAL HELICOPTER UNIT IN SOUTH KOHALA."

No. 1042 "A BILL FOR AN ACT RELATING TO ELECTIONS."

No. 1043 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1044 "A BILL FOR AN ACT RELATING TO WAGES."

No. 1045 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1046 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1047 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1048 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1049 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1050 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1051 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

No. 1052 "A BILL FOR AN ACT RELATING TO THE DEPENDENT-BENEFICIARIES OF THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

No. 1053 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION AND ENFORCEMENT OF THE HAWAII PREPAID HEALTH CARE ACT."

No. 1054 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

- No. 1055 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."
- No. 1056 "A BILL FOR AN ACT RELATING TO POSSESSION OF MARIJUANA."
- No. 1057 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS."
- No. 1058 "A BILL FOR AN ACT RELATING TO VOTING."
- No. 1059 "A BILL FOR AN ACT RELATING TO VOTING."
- No. 1060 "A BILL FOR AN ACT RELATING TO COUNTIES."
- No. 1061 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
- No. 1062 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."
- No. 1063 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- No. 1064 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- No. 1065 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND MARKET DEVELOPMENT."
- No. 1066 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."
- No. 1067 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN WINDWARD DISTRICT SCHOOLS."
- No. 1068 "A BILL FOR AN ACT RELATING TO TEACHERS."
- No. 1069 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."
- No. 1070 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHARTER SCHOOL FACILITIES."
- No. 1071 "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR INCENTIVE PROGRAM."
- No. 1072 "A BILL FOR AN ACT RELATING TO LIQUOR AND TOBACCO."
- No. 1073 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."
- No. 1074 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- No. 1075 "A BILL FOR AN ACT RELATING TO MONKEYS."
- No. 1076 "A BILL FOR AN ACT RELATING TO BINGO."
- No. 1077 "A BILL FOR AN ACT RELATING TO RECYCLING."
- No. 1078 "A BILL FOR AN ACT RELATING TO EVIDENCE."
- No. 1079 "A BILL FOR AN ACT RELATING TO SNAP TRAPS."
- No. 1080 "A BILL FOR AN ACT RELATING TO RECYCLING."
- No. 1081 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POUHALA MARSH EDUCATION AND JOB TRAINING CENTER."
- No. 1082 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE PREVENTION."
- No. 1083 "A BILL FOR AN ACT RELATING TO HOUSING."
- No. 1084 "A BILL FOR AN ACT RELATING TO CAFETERIA PLANS."
- No. 1085 "A BILL FOR AN ACT RELATING TO HOME SCHOOLING."
- No. 1086 "A BILL FOR AN ACT RELATING TO HEALTH."
- No. 1087 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE."
- No. 1088 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO RECOGNIZE HAWAII VETERANS AND MEDAL OF HONOR RECIPIENTS."
- No. 1089 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1090 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES."
- No. 1091 "A BILL FOR AN ACT RELATING TO HOUSING DEVELOPMENT PROGRAMS."
- No. 1092 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1093 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT PRIVATE NONSECTARIAN AND SECTARIAN ELEMENTARY SCHOOLS, SECONDARY SCHOOLS, COLLEGES, AND UNIVERSITIES SERVING THE GENERAL PUBLIC."
- No. 1094 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."
- No. 1095 "A BILL FOR AN ACT RELATING TO STATE IRRIGATION SYSTEMS."
- No. 1096 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."
- No. 1097 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."

- No. 1098 "A BILL FOR AN ACT RELATING TO HEALTH."
- No. 1099 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."
- No. 1100 "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE."
- No. 1101 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
- No. 1102 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIFE GUARDS AT MAKENA STATE PARK."
- No. 1103 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE PROGRAM."
- No. 1104 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE INSURANCE."
- No. 1105 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."
- No. 1106 "A BILL FOR AN ACT RELATING TO WATER SUPPLY."
- No. 1107 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1108 "A BILL FOR AN ACT RELATING TO STATE EMPLOYEES."
- No. 1109 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1110 "A BILL FOR AN ACT RELATING TO ABORTION."
- No. 1111 "A BILL FOR AN ACT RELATING TO PARENTAL NOTIFICATION BEFORE AN ABORTION MAY BE PERFORMED ON CERTAIN MINORS."
- No. 1112 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."
- No. 1113 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."
- No. 1114 "A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM TAX CREDIT."
- No. 1115 "A BILL FOR AN ACT RELATING TO TOBACCO."
- No. 1116 "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSIT AUTHORITY."
- No. 1117 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC."
- No. 1118 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPDATE TSUNAMI EVACUATION MAPS."
- No. 1119 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT OF RENEWABLE ENERGY SYSTEMS."
- No. 1120 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."
- No. 1121 "A BILL FOR AN ACT RELATING TO REPEATED EXCESSIVE SPEEDING OF A VEHICLE."
- No. 1122 "A BILL FOR AN ACT RELATING TO COUNTIES."
- No. 1123 "A BILL FOR AN ACT RELATING TO PERSONAL EXEMPTION."
- No. 1124 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
- No. 1125 "A BILL FOR AN ACT RELATING TO MINERAL RIGHTS."
- No. 1126 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM."
- No. 1127 "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE."
- No. 1128 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS IMPROVEMENTS AT THE UNIVERSITY OF HAWAII-WEST OAHU."
- No. 1129 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 1130 "A BILL FOR AN ACT RELATING TO LOSS MITIGATION."
- No. 1131 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 1132 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
- No. 1133 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX."
- No. 1134 "A BILL FOR AN ACT RELATING TO UNPAID CIVIL FINES OWED TO THE COUNTIES."
- No. 1135 "A BILL FOR AN ACT RELATING TO INTEREST AND USURY."
- No. 1136 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE."
- No. 1137 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
- No. 1138 "A BILL FOR AN ACT RELATING TO CONTRACTORS."
- No. 1139 "A BILL FOR AN ACT RELATING TO TIME SHARING."
- No. 1140 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICE LOAN COMPANIES."
- No. 1141 "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS."

No. 1142 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

No. 1143 "A BILL FOR AN ACT RELATING TO FERAL CHICKENS."

No. 1144 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG."

No. 1145 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ENSURE QUALITY STAFFING AND FACILITIES AT MILILANI MIDDLE SCHOOL UNDER THE MULTI-TRACK SCHOOL SYSTEM."

No. 1146 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MILILANI HIGH SCHOOL."

No. 1147 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

No. 1148 "A BILL FOR AN ACT RELATING TO FIREARMS."

No. 1149 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

No. 1150 "A BILL FOR AN ACT RELATING TO DAIRY PRODUCTS."

No. 1151 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

No. 1152 "A BILL FOR AN ACT RELATING TO LAND USE."

No. 1153 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

No. 1154 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

No. 1155 "A BILL FOR AN ACT RELATING TO DROUGHT."

No. 1156 "A BILL FOR AN ACT RELATING TO LAND USE."

No. 1157 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

No. 1158 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS."

No. 1159 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND POSITIONS TO EXPAND ETHNIC STUDIES, LABOR HISTORY, AND DIVERSITY CURRICULUM AT ALL UNIVERSITY OF HAWAII CAMPUSES."

No. 1160 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR STUDENT SUPPORT SERVICES FOR NON-TRADITIONAL STUDENTS."

No. 1161 "A BILL FOR AN ACT RELATING TO ELECTRONIC GOVERNMENT RECORDS."

No. 1162 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF OFFICIALS IN THE LEGISLATIVE SERVICE AGENCIES."

No. 1163 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."

No. 1164 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND FACULTY POSITIONS FOR ILOKANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA."

No. 1165 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL."

No. 1166 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO CHANGE THE MANNER OF APPOINTMENT OF JUSTICES AND JUDGES."

No. 1167 "A BILL FOR AN ACT RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT."

No. 1168 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE STATE ART GALLERY."

No. 1169 "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS."

No. 1170 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."

No. 1171 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."

No. 1172 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

No. 1173 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

No. 1174 "A BILL FOR AN ACT RELATING TO ELECTIONS."

No. 1175 "A BILL FOR AN ACT RELATING TO ETHICS."

No. 1176 "A BILL FOR AN ACT RELATING TO ELECTIONS."

No. 1177 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE."

No. 1178 "A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE."

No. 1179 "A BILL FOR AN ACT RELATING TO HEALTH."

No. 1180 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

No. 1181 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1182 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."



<p>No. 1183 "A BILL FOR AN ACT RELATING TO THEFT."</p> <p>No. 1184 "A BILL FOR AN ACT RELATING TO VOTING."</p> <p>No. 1185 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH SENATORIAL DISTRICT."</p> <p>No. 1186 "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT."</p> <p>No. 1187 "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING."</p> <p>No. 1188 "A BILL FOR AN ACT RELATING TO TEMPORARY FACILITIES FOR THE UNIVERSITY OF HAWAII-WEST OAHU."</p> <p>No. 1189 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII-WEST OAHU."</p> <p>No. 1190 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>No. 1191 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."</p> <p>No. 1192 "A BILL FOR AN ACT RELATING TO EXEMPT EMPLOYEES."</p> <p>No. 1193 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."</p> <p>No. 1194 "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN."</p>	<p>No. 2 Committee on Commerce, Consumer Protection and Housing</p> <p>No. 3 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 4 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing</p> <p>No. 5 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 6 Committee on Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 7 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 8 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 9 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 10 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 11 Committee on Education and Military Affairs, then to the Committee on Ways and Means</p> <p>No. 12 Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means</p> <p>No. 13 Committee on Ways and Means</p> <p>No. 14 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 15 Committee on Energy, Environment, and International Affairs</p> <p>No. 16 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Health</p> <p>No. 17 Committee on Education and Military Affairs, then to the Committee on Ways and Means</p> <p>No. 18 Committee on Labor, then to the Committee on Transportation and Government Operations</p> <p>No. 19 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means</p> <p>No. 20 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 21 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 22 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 23 Committee on Human Services, then to the Committee on Ways and Means</p>
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**ADOPTION OF RESOLUTION**

**MATTER DEFERRED FROM WEDNESDAY, JANUARY 26, 2005**

S.R. No. 2:

At 11:48 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.

On motion by Senator Hee, seconded by Senator Hogue and carried, S.R. No. 2, entitled: "SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE OF THE TWENTY-THIRD LEGISLATURE," was adopted.

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Wednesday, January 19, 2005; Thursday, January 20, 2005; and Friday, January 21, 2005:

<p>Senate Bill</p> <p>No. 1</p>	<p>Referred to:</p> <p>Committee on Labor, then to the Committee on Higher Education</p>
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| <p>No. 24 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 25 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 26 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means</p> <p>No. 27 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 28 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 29 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 30 Committee on Health, then to the Committee on Ways and Means</p> <p>No. 31 Committee on Energy, Environment, and International Affairs</p> <p>No. 32 Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 33 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means</p> <p>No. 34 Committee on Higher Education, then to the Committee on Ways and Means</p> <p>No. 35 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 36 Committee on Education and Military Affairs, then to the Committee on Ways and Means</p> <p>No. 37 Committee on Education and Military Affairs, then to the Committee on Ways and Means</p> <p>No. 38 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 39 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 40 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 41 Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 42 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means</p> | <p>No. 43 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means</p> <p>No. 44 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 45 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 46 Committee on Judiciary and Hawaiian Affairs</p> <p>No. 47 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means</p> <p>No. 48 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 49 Committee on Education and Military Affairs, then to the Committee on Ways and Means</p> <p>No. 50 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means</p> <p>No. 51 Jointly to the Committee on Human Services and the Committee on Higher Education, then to the Committee on Ways and Means</p> <p>No. 52 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 53 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 54 Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 55 Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 56 Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 57 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 58 Committee on Labor, then to the Committee on Health</p> <p>No. 59 Committee on Health, then to the Committee on Labor</p> <p>No. 60 Committee on Commerce, Consumer Protection and Housing</p> <p>No. 61 Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 62 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs</p> <p>No. 63 Committee on Education and Military Affairs, then to the Committee on Ways and Means</p> |
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- No. 64 Committee on Health, then to the Committee on Labor, then to the Committee on Ways and Means
- No. 65 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
- No. 66 Committee on Labor, then to the Committee on Ways and Means
- No. 67 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 68 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 69 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 70 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 71 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 72 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 73 Committee on Transportation and Government Operations
- No. 74 Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 75 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 76 Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 77 Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 78 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. 79 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 80 Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 81 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 82 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 83 Jointly to the Committee on Transportation and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 84 Jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations
- No. 85 Committee on Transportation and Government Operations
- No. 86 Jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations
- No. 87 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 88 Committee on Judiciary and Hawaiian Affairs
- No. 89 Committee on Commerce, Consumer Protection and Housing
- No. 90 Committee on Health
- No. 91 Committee on Health
- No. 92 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 93 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 94 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 95 Committee on Commerce, Consumer Protection and Housing
- No. 96 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 97 Committee on Ways and Means
- No. 98 Committee on Ways and Means
- No. 99 Committee on Ways and Means
- No. 100 Committee on Ways and Means
- No. 101 Committee on Ways and Means
- No. 102 Committee on Ways and Means
- No. 103 Committee on Ways and Means
- No. 104 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

- No. 105 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 106 Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 107 Committee on Commerce, Consumer Protection and Housing
- No. 108 Committee on Commerce, Consumer Protection and Housing
- No. 109 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 110 Committee on Commerce, Consumer Protection and Housing
- No. 111 Committee on Commerce, Consumer Protection and Housing
- No. 112 Committee on Human Services, then to the Committee on Ways and Means
- No. 113 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 114 Committee on Health, then to the Committee on Ways and Means
- No. 115 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 116 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Ways and Means
- No. 117 Committee on Commerce, Consumer Protection and Housing
- No. 118 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 119 Committee on Commerce, Consumer Protection and Housing
- No. 120 Committee on Commerce, Consumer Protection and Housing
- No. 121 Jointly to the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 122 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 123 Committee on Health, then to the Committee on Transportation and Government Operations
- No. 124 Committee on Commerce, Consumer Protection and Housing
- No. 125 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
- No. 126 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 127 Jointly to the Committee on Health and the Committee on Human Services
- No. 128 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 129 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 130 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 131 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 132 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 133 Committee on Higher Education, then to the Committee on Ways and Means
- No. 134 Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 135 Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 136 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 137 Committee on Commerce, Consumer Protection and Housing
- No. 138 Committee on Labor, then to the Committee on Ways and Means
- No. 139 Committee on Ways and Means
- No. 140 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 141 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 142 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 143 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 144 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 145 Committee on Judiciary and Hawaiian Affairs
- No. 146 Committee on Business and Economic Development

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No. 214	Committee on Energy, Environment, and International Affairs	No. 237	Committee on Higher Education
No. 215	Committee on Energy, Environment, and International Affairs	No. 238	Committee on Human Services
No. 216	Committee on Energy, Environment, and International Affairs	No. 239	Committee on Human Services
		No. 240	Committee on Human Services
		No. 241	Committee on Human Services
		No. 242	Committee on Human Services
		No. 243	Committee on Human Services
		No. 244	Committee on Human Services
		No. 245	Committee on Judiciary and Hawaiian Affairs
		No. 246	Committee on Human Services
		No. 247	Committee on Human Services
		No. 248	Committee on Human Services
		No. 249	Committee on Intergovernmental Affairs
		No. 250	Committee on Intergovernmental Affairs
		No. 251	Committee on Intergovernmental Affairs

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No. 252	Committee on Intergovernmental Affairs	No. 276 Affairs	Committee on Judiciary and Hawaiian
No. 253	Committee on Intergovernmental Affairs	No. 277 Affairs	Committee on Judiciary and Hawaiian
No. 254	Committee on Intergovernmental Affairs	No. 278 Affairs	Committee on Judiciary and Hawaiian
No. 255 Affairs	Committee on Judiciary and Hawaiian	No. 279 Affairs	Committee on Judiciary and Hawaiian
No. 256 Affairs	Committee on Judiciary and Hawaiian	No. 280 Affairs	Committee on Judiciary and Hawaiian
No. 257 Affairs	Committee on Judiciary and Hawaiian	No. 281 Affairs	Committee on Judiciary and Hawaiian
No. 258 Affairs	Committee on Judiciary and Hawaiian	No. 282	Committee on Commerce, Consumer Protection and Housing
No. 259 Affairs	Committee on Judiciary and Hawaiian	No. 283 Affairs	Committee on Judiciary and Hawaiian
No. 260 Affairs	Committee on Judiciary and Hawaiian	No. 284 Affairs	Committee on Judiciary and Hawaiian
No. 261 Affairs	Committee on Judiciary and Hawaiian	No. 285	Committee on Human Services
No. 262 Affairs	Committee on Judiciary and Hawaiian	No. 286 Affairs	Committee on Judiciary and Hawaiian
No. 263 Affairs	Committee on Judiciary and Hawaiian	No. 287 Affairs	Committee on Judiciary and Hawaiian
No. 264 Affairs	Committee on Judiciary and Hawaiian	No. 288 Affairs	Committee on Judiciary and Hawaiian
No. 265 Affairs	Committee on Judiciary and Hawaiian	No. 289	Committee on Labor
No. 266 Affairs	Committee on Judiciary and Hawaiian	No. 290	Committee on Labor
No. 267 Affairs	Committee on Judiciary and Hawaiian	No. 291	Committee on Labor
No. 268 Affairs	Committee on Judiciary and Hawaiian	No. 292	Committee on Labor
No. 269 Affairs	Committee on Judiciary and Hawaiian	No. 293	Committee on Labor
No. 270 Affairs	Committee on Judiciary and Hawaiian	No. 294	Committee on Labor
No. 271 Affairs	Committee on Judiciary and Hawaiian	No. 295	Committee on Labor
No. 272 Affairs	Committee on Judiciary and Hawaiian	No. 296	Committee on Labor
No. 273 Affairs	Committee on Judiciary and Hawaiian	No. 297	Committee on Labor
No. 274 Affairs	Committee on Judiciary and Hawaiian	No. 298	Committee on Labor
No. 275 Affairs	Committee on Judiciary and Hawaiian	No. 299	Committee on Labor
		No. 300	Committee on Labor
		No. 301	Committee on Labor
		No. 302	Committee on Labor
		No. 303	Committee on Labor
		No. 304	Committee on Labor

No. 305 Development	Committee on Business and Economic	No. 328 Development	Committee on Business and Economic
No. 306 Technology	Committee on Media, Arts, Science and	No. 329 Technology	Committee on Media, Arts, Science and
No. 307 Technology	Committee on Media, Arts, Science and	No. 330 Technology	Committee on Media, Arts, Science and
No. 308 Technology	Committee on Media, Arts, Science and	No. 331 Technology	Committee on Media, Arts, Science and
No. 309 Technology	Committee on Media, Arts, Science and	No. 332 Technology	Committee on Media, Arts, Science and
No. 310 Technology	Committee on Media, Arts, Science and	No. 333 Technology	Committee on Media, Arts, Science and
No. 311 Technology	Committee on Media, Arts, Science and	No. 334 Technology	Committee on Media, Arts, Science and
No. 312 Technology	Committee on Media, Arts, Science and	No. 335	Committee on Tourism
No. 313 Technology	Committee on Media, Arts, Science and	No. 336	Committee on Tourism
No. 314 Technology	Committee on Media, Arts, Science and	No. 337	Committee on Tourism
No. 315 Technology	Committee on Media, Arts, Science and	No. 338	Committee on Tourism
No. 316 Technology	Committee on Media, Arts, Science and	No. 339	Committee on Tourism
No. 317 Technology	Committee on Media, Arts, Science and	No. 340	Committee on Tourism
No. 318 Technology	Committee on Media, Arts, Science and	No. 341	Committee on Energy, Environment, and International Affairs
No. 319 Technology	Committee on Media, Arts, Science and	No. 342	Committee on Judiciary and Hawaiian Affairs
No. 320 Development	Committee on Business and Economic	No. 343	Committee on Transportation and Government Operations
No. 321 Technology	Committee on Media, Arts, Science and	No. 344	Committee on Commerce, Consumer Protection and Housing
No. 322 Technology	Committee on Media, Arts, Science and	No. 345	Committee on Intergovernmental Affairs
No. 323 Technology	Committee on Media, Arts, Science and	No. 346	Committee on Intergovernmental Affairs
No. 324 Technology	Committee on Media, Arts, Science and	No. 347	Committee on Judiciary and Hawaiian Affairs
No. 325 Technology	Committee on Media, Arts, Science and	No. 348	Committee on Intergovernmental Affairs
No. 326 Technology	Committee on Media, Arts, Science and	No. 349	Committee on Intergovernmental Affairs
No. 327 Technology	Committee on Media, Arts, Science and	No. 350	Committee on Transportation and Government Operations
		No. 351	Committee on Transportation and Government Operations
		No. 352	Committee on Transportation and Government Operations
		No. 353	Committee on Transportation and Government Operations
		No. 354	Committee on Transportation and Government Operations



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No. 355	Committee on Transportation and Government Operations	No. 379	Committee on Water, Land, and Agriculture
No. 356	Committee on Transportation and Government Operations	No. 380	Committee on Water, Land, and Agriculture
No. 357	Committee on Transportation and Government Operations	No. 381	Committee on Water, Land, and Agriculture
No. 358	Committee on Transportation and Government Operations	No. 382	Committee on Water, Land, and Agriculture
No. 359	Committee on Transportation and Government Operations	No. 383	Committee on Water, Land, and Agriculture
No. 360	Committee on Transportation and Government Operations	No. 384	Committee on Water, Land, and Agriculture
No. 361	Committee on Water, Land, and Agriculture	No. 385	Committee on Water, Land, and Agriculture
No. 362	Committee on Water, Land, and Agriculture	No. 386	Committee on Water, Land, and Agriculture
No. 363	Committee on Water, Land, and Agriculture	No. 387	Committee on Water, Land, and Agriculture
No. 364	Committee on Tourism	No. 388	Committee on Judiciary and Hawaiian Affairs
No. 365	Committee on Business and Economic Development	No. 389	Committee on Ways and Means
No. 366	Committee on Water, Land, and Agriculture	No. 390	Committee on Ways and Means
No. 367	Committee on Water, Land, and Agriculture	No. 391	Committee on Ways and Means
No. 368	Committee on Water, Land, and Agriculture	No. 392	Committee on Ways and Means
No. 369	Committee on Water, Land, and Agriculture	No. 393	Committee on Ways and Means
No. 370	Committee on Water, Land, and Agriculture	No. 394	Committee on Ways and Means
No. 371	Committee on Water, Land, and Agriculture	No. 395	Committee on Ways and Means
No. 372	Committee on Water, Land, and Agriculture	No. 396	Committee on Ways and Means
No. 373	Committee on Water, Land, and Agriculture	No. 397	Committee on Ways and Means
No. 374	Committee on Water, Land, and Agriculture	No. 398	Committee on Ways and Means
No. 375	Committee on Water, Land, and Agriculture	No. 399	Committee on Ways and Means
No. 376	Committee on Water, Land, and Agriculture	No. 400	Committee on Ways and Means
No. 377	Committee on Water, Land, and Agriculture	No. 401	Committee on Ways and Means
No. 378	Committee on Water, Land, and Agriculture	No. 402	Committee on Ways and Means
		No. 403	Committee on Ways and Means
		No. 404	Committee on Ways and Means
		No. 405	Committee on Ways and Means
		No. 406	Committee on Ways and Means
		No. 407	Committee on Ways and Means
		No. 408	Committee on Ways and Means

- No. 409                    Committee on Ways and Means
- No. 410                    Committee on Ways and Means
- No. 411                    Committee on Intergovernmental Affairs,  
then to the Committee on Judiciary and Hawaiian Affairs
- No. 412                    Jointly to the Committee on Business and  
Economic Development and the Committee on Water, Land,  
and Agriculture
- No. 413                    Committee on Transportation and  
Government Operations, then to the Committee on Judiciary  
and Hawaiian Affairs
- No. 414                    Committee on Judiciary and Hawaiian  
Affairs
- No. 415                    Committee on Intergovernmental Affairs,  
then to the Committee on Judiciary and Hawaiian Affairs
- No. 416                    Committee on Labor
- No. 417                    Committee on Ways and Means
- No. 418                    Committee on Education and Military  
Affairs
- No. 419                    Committee on Ways and Means
- No. 420                    Committee on Judiciary and Hawaiian  
Affairs
- No. 421                    Committee on Business and Economic  
Development
- No. 422                    Committee on Business and Economic  
Development
- No. 423                    Committee on Judiciary and Hawaiian  
Affairs

At 11:49 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.

At this time, Senator Hemmings rose and said:

"Mr. President, I rise for the purpose of a personal inquiry.

"Mr. President, in this process we, the Loyal Opposition, feel it's our responsibility to ask pertinent questions and we try to monitor the system very closely. We did notice that the Friday deadline came and went for the introduction of packages bills, and as I recall, I don't remember seeing anything specific from the Majority Party. We do want to note for the record, though, that we do note that today we're referring over 250 blank bills that are commonly referred to as short form bills, and the question is: Are we to assume that those 250-plus bills are the Majority Party package?"

The President responded:

"No, they are not the Majority Party package. It is for the purposes of the individual Committees."

Senator Hemmings inquired:

"So they're just rider bills to be later filled in?"

The President replied:

"Yes."

Senator Hemmings then said:

"Thank you, Mr. President."

**THIRD READING**

S.B. No. 543:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 543, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE 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(Ige).

**MISCELLANEOUS COMMUNICATIONS**

The following communications (Misc. Com. Nos. 1 to 7), were read by the Clerk and were placed on file:

Misc. Com No. 1, from the County of Kauai, Department of Water, dated December 1, 2004, transmitting its proposed CIP projects request for state aid for the 2005 Legislative Session.

Misc. Com No. 2, from the Hawaii Tourism Authority dated December 6, 2004, transmitting its 2004 Annual Report.

Misc. Com No. 3, from the Hawaii Tourism Authority dated December 6, 2004, transmitting the Expenditure Report of the Hawaii Convention Center for FY 03-04 and FY 04-05, pursuant to Act 41, SLH 2004.

Misc. Com No. 4, from the Hawaii Tourism Authority dated December 9, 2004, transmitting a report on the expenditures of \$8 million from the Tourism Special Fund for FY 2004-2005 to improve the operational and financial efficiency of the Authority, pursuant to Act 58, SLH 2004.

Misc. Com. No. 5, from the City and County of Honolulu Police Department dated December 14, 2004, transmitting its 2004 Annual Report, pursuant to 52D-3.5, HRS.

Misc. Com. No. 6, from the County of Maui Police Department dated December 27, 2004, transmitting its Report on Disciplinary Action Imposed, Suspensions and Terminations for Calendar Year 2004.

Misc. Com. No. 7, from the County of Hawaii Police Department dated January 3, 2005, transmitting the 2004 Annual Misconduct Report, pursuant to Section 52D-3.5, HRS.

**INTRODUCTION OF SENATE BILLS**

On motion by Senator Hee, 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 11:53 o'clock a.m., on a rising vote, observing a moment of silence in honor of the 27 Kaneohe Marines who were killed in a helicopter crash in Iraq yesterday, the following bills were introduced and placed on the calendar for further action on Monday, January 31, 2005:

Senate Bill	Introduced by: Senator Baker, by request.
No. 1343 "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS."	No. 1357 "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH."
Introduced by: Senators Espero, Sakamoto, Hooser.	Introduced by: Senator Baker, by request.
No. 1344 "A BILL FOR AN ACT RELATING TO ASSOCIATION OF APARTMENT OWNERS."	No. 1358 "A BILL FOR AN ACT RELATING TO TELEHEALTH."
Introduced by: Senators Espero, Fukunaga, Ige, Menor.	Introduced by: Senators Baker, English, Tsutsui, Chun Oakland, Hanabusa.
No. 1345 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."	No. 1359 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."
Introduced by: Senators Espero, Fukunaga, Ige, Menor.	Introduced by: Senators Espero, Baker, Inouye, Hooser, Kanno.
No. 1346 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."	No. 1360 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
Introduced by: Senator Espero, by request.	Introduced by: Senators Espero, Fukunaga, Ige, Hooser, Menor.
No. 1347 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."	No. 1361 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
Introduced by: Senators Espero, Fukunaga, Menor.	Introduced by: Senators Espero, Kanno.
No. 1348 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."	No. 1362 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."
Introduced by: Senators Espero, Fukunaga, Ige, Menor.	Introduced by: Senators Espero, Inouye, Hooser, Baker, Kanno.
No. 1349 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."	No. 1363 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
Introduced by: Senators Espero, Fukunaga, Ige, Menor.	Introduced by: Senators Espero, Baker, Inouye, Hooser.
No. 1350 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."	No. 1364 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
Introduced by: Senators Espero, Fukunaga, Ige.	Introduced by: Senators Espero, Inouye, Kanno.
No. 1351 "A BILL FOR AN ACT RELATING TO HUMAN STEM CELL RESEARCH."	No. 1365 "A BILL FOR AN ACT RELATING TO HAWAII PORT AUTHORITY."
Introduced by: Senators Espero, by request, Hooser.	Introduced by: Senator Espero.
No. 1352 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."	No. 1366 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senators Espero, Hooser.	Introduced by: Senators Espero, Kanno, Inouye, Nishihara.
No. 1353 "A BILL FOR AN ACT RELATING TO EDUCATION."	No. 1367 "A BILL FOR AN ACT RELATING TO THE PLANNING, DESIGNING, AND CONSTRUCTION OF THE UNIVERSITY OF HAWAII-WEST OAHU CAMPUS FACILITIES."
Introduced by: Senators Espero, Chun Oakland, Hooser, Ige, Fukunaga.	Introduced by: Senators Espero, Kanno, Sakamoto, Nishihara, Hooser, Menor, Hee.
No. 1354 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."	No. 1368 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senator Slom, by request.	Introduced by: Senator Espero.
No. 1355 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."	
Introduced by: Senator Baker.	
No. 1356 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."	

No. 1369 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Espero, Kanno, Hooser, Sakamoto, Nishihara, Hee.

No. 1370 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Espero, Hooser, Menor.

No. 1371 "A BILL FOR AN ACT RELATING TO CHECK CASHING."

Introduced by: Senator Espero.

No. 1372 "A BILL FOR AN ACT RELATING TO CRIME STOPPERS."

Introduced by: Senators Espero, Menor.

No. 1373 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE FAIR."

Introduced by: Senators Espero, Fukunaga, Ige, Hooser, Menor.

No. 1374 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Espero, Fukunaga, Hooser, Sakamoto, Ige, Menor.

No. 1375 "A BILL FOR AN ACT RELATING TO CORPORATE INCOME TAXES."

Introduced by: Senators Espero, Sakamoto, Fukunaga, Ige, Hooser, Menor.

No. 1376 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Espero, Hooser, Fukunaga, Ige, Menor.

No. 1377 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Espero, Fukunaga, Hooser, Menor.

No. 1378 "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL."

Introduced by: Senators Espero, Sakamoto, Fukunaga, Ige, Hooser, Menor.

No. 1379 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Espero, Baker, Chun Oakland, Kim, Nishihara, Menor.

No. 1380 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS."

Introduced by: Senators Espero, Chun Oakland, Sakamoto, Menor, Hemmings, Nishihara, Ige, Fukunaga.

No. 1381 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senators Espero, Sakamoto, Nishihara, Trimble, Kanno, Ige, Menor.

No. 1382 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senators Hemmings, Hogue.

No. 1383 "A BILL FOR AN ACT RELATING TO HYPNOTHERAPY."

Introduced by: Senator Hemmings, by request.

No. 1384 "A BILL FOR AN ACT RELATING TO THE WAIPAHU CENTENNIAL MEMORIAL."

Introduced by: Senator Sakamoto.

No. 1385 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Sakamoto.

No. 1386 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Sakamoto.

No. 1387 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS."

Introduced by: Senator Sakamoto.

No. 1388 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Senators Sakamoto, Inouye, Espero, Nishihara, Chun Oakland, Hooser, Taniguchi, English, Baker.

No. 1389 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Senators Sakamoto, Hooser, Tsutsui, Chun Oakland, Nishihara, Espero, Kim, Hanabusa, Kokubun, English, Baker, Hee, Taniguchi.

No. 1390 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROFESSIONAL DEVELOPMENT SCHOOLS."

Introduced by: Senators Sakamoto, Chun Oakland, Nishihara, Hooser, Tsutsui, Espero, Kim, Hanabusa, Kokubun, Baker, Hee, Taniguchi, English.

No. 1391 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL PROPERTY."

Introduced by: Senators Sakamoto, Hee, Chun Oakland, Nishihara, Kim, English, Hooser, Tsutsui, Hanabusa, Baker, Kokubun.

No. 1392 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Nishihara, Hooser, Tsutsui, Chun Oakland, Espero, Kim, Hanabusa, Hee, Kokubun, English, Baker.

No. 1393 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS."

Introduced by: Senators Sakamoto, Hooser, Tsutsui, Chun Oakland, English, Nishihara, Hee, Baker, Taniguchi, Kim, Hanabusa, Kokubun.

No. 1394 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Espero, Hooser, Tsutsui, Chun Oakland, Nishihara, Kim, Hanabusa, Kokubun, Hee.

No. 1395 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION CIVIL SERVICE PERSONNEL."

Introduced by: Senators Sakamoto, Chun Oakland, Nishihara, Hooser, Tsutsui, Espero, Hanabusa, Kokubun, Baker, Hee, Taniguchi, English.

No. 1396 "A BILL FOR AN ACT RELATING TO EDUCATIONAL FACILITIES."

Introduced by: Senators Sakamoto, Hooser, Tsutsui, Chun Oakland, Nishihara, Espero, English, Baker, Hee, Hanabusa, Kim, Taniguchi, Kokubun.

No. 1397 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Tsutsui, Nishihara, Espero, Baker, English, Hee, Hooser, Chun Oakland, Taniguchi, Kim, Hanabusa, Kokubun.

No. 1398 "A BILL FOR AN ACT RELATING TO TUITION SCHOLARSHIPS."

Introduced by: Senator Hee.

No. 1399 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES."

Introduced by: Senator Hee.

No. 1400 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Senator Hee.

No. 1401 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES FOR OAHU."

Introduced by: Senator Hee.

No. 1402 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Hee.

No. 1403 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hee.

No. 1404 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hee.

No. 1405 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Senator Hee.

No. 1406 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT SUPPORT SERVICES."

Introduced by: Senator Hee.

No. 1407 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT EMPLOYMENT FUNDS IN SUPPORT OF UNIVERSITY OF HAWAII'S SYSTEMWIDE OPERATIONS AND PROGRAMS."

Introduced by: Senator Hee.

No. 1408 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE BOARD OF REGENTS TO ISSUE GENERAL OBLIGATION BONDS."

Introduced by: Senator Hee.

No. 1409 "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK."

Introduced by: Senator Hee.

No. 1410 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Hooser, English, Nishihara, Chun Oakland, Sakamoto, Ihara, Kim, Espero, Ige, Baker, Fukunaga, Kokubun, Hee.

No. 1411 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Senators Hooser, Baker, English, Sakamoto, Ige, Fukunaga, Espero, Kim, Taniguchi.

No. 1412 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Senators Hooser, Ige, Baker, Espero, Kokubun, Kim, English.

No. 1413 "A BILL FOR AN ACT RELATING TO CHECK CASHING."

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

No. 1414 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS."

Introduced by: Senators Hooser, English, Chun Oakland, Baker, Hee, Ihara, Kim.

No. 1415 "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDITS."

Introduced by: Senators Hooser, English, Nishihara, Fukunaga, Chun Oakland, Sakamoto, Kim, Ige, Baker, Espero, Kokubun, Ihara, Taniguchi.

No. 1416 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE LIFE GUARDS."

Introduced by: Senators Hooser, Baker, English, Tsutsui, Espero, Kokubun, Kim.

No. 1417 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Senator Baker.

No. 1418 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senator Baker, by request.

No. 1419 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Tsutsui, Hanabusa.

No. 1420 "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION."

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

No. 1421 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI ECONOMIC DEVELOPMENT BOARD."

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

No. 1422 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

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

No. 1423 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PULELEHUA ELEMENTARY SCHOOL."

Introduced by: Senators Baker, English, Tsutsui, Hooser, Espero, Ihara, Fukunaga.

No. 1424 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators English, Nishihara, Hanabusa, Trimble, Fukunaga, Chun Oakland, Kokubun, Baker, Inouye, Hooser, Hemmings, Kim.

No. 1425 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."

Introduced by: Senators English, Nishihara, Hanabusa, Ihara, Chun Oakland, Kokubun, Hemmings.

No. 1426 "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING."

Introduced by: Senator English, by request.

No. 1427 "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES."

Introduced by: Senators English, Chun Oakland, Hooser, Hemmings, Espero, Ihara, Sakamoto, Fukunaga, Kokubun, Baker, Nishihara, Taniguchi, Kanno, Inouye.

No. 1428 "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SUSTAINABLE PRACTICES."

Introduced by: Senators English, Chun Oakland, Baker, Nishihara, Hanabusa, Ihara, Fukunaga, Kokubun, Inouye.

No. 1429 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE."

Introduced by: Senators English, Nishihara, Hanabusa, Trimble, Fukunaga, Chun Oakland, Kokubun, Baker, Kanno, Hooser, Hemmings.

No. 1430 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE STATE FUNDING TO ERADICATE THE MICONIA CALVESESCENS PLANT."

Introduced by: Senators English, Tsutsui, Chun Oakland, Sakamoto, Baker, Nishihara, Hemmings, Hooser, Kokubun, Fukunaga, Hanabusa, Taniguchi, Kanno, Inouye.

No. 1431 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Senator Hemmings, by request.

No. 1432 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Senator Hemmings, by request.

No. 1433 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Hemmings, by request.

No. 1434 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Hemmings, by request.

No. 1435 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSING LAWS."

Introduced by: Senator Hemmings, by request.

No. 1436 "A BILL FOR AN ACT RELATING TO RENEWALS OF DRIVERS LICENSES."

Introduced by: Senator Hemmings, by request.

No. 1437 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senator Hemmings, by request.

No. 1438 "A BILL FOR AN ACT RELATING TO TECHNOLOGY USES IN THE PUBLIC SECTOR."

Introduced by: Senator Hemmings, by request.

No. 1439 "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION."

Introduced by: Senator Hemmings, by request.

No. 1440 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Senators Menor, Baker, Chun Oakland.

No. 1441 "A BILL FOR AN ACT RELATING TO NURSING."

Introduced by: Senators Menor, Baker, Chun Oakland.

No. 1442 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senator Menor.

No. 1443 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Menor, Baker, Chun Oakland.

No. 1444 "A BILL FOR AN ACT RELATING TO QUALIFIED MENTAL HEALTH CENTER INVESTMENT TAX CREDIT."

Introduced by: Senators Menor, Baker.

No. 1445 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A ROAMING SECURITY GUARD FOR VARIOUS SCHOOLS ON MAUI."

Introduced by: Senators Baker, Tsutsui, English, Chun Oakland, Nishihara, Hooser, Sakamoto.

No. 1446 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AIR AMBULANCE HELICOPTER PAD FOR MAUI MEMORIAL MEDICAL CENTER."

Introduced by: Senators Baker, English, Tsutsui, Chun Oakland.

No. 1447 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MEDICAL FACILITY IN WEST MAUI."

Introduced by: Senators Baker, English, Tsutsui, Chun Oakland.

No. 1448 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE."

Introduced by: Senator Bunda, by request.

No. 1449 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Bunda, by request.

No. 1450 "A BILL FOR AN ACT RELATING TO FLOOD CONTROL."

Introduced by: Senators Bunda, English, Sakamoto, Espero, Hooser.

No. 1451 "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY."

Introduced by: Senator Bunda.

No. 1452 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL."

Introduced by: Senator Bunda, by request.

No. 1453 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."

Introduced by: Senator Bunda.

No. 1454 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE INTERNATIONAL TECHNOLOGY INCUBATOR OF HAWAII."

Introduced by: Senator Bunda.

No. 1455 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Senator Bunda.

No. 1456 "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR."

Introduced by: Senator Bunda.

No. 1457 "A BILL FOR AN ACT RELATING TO NORTH KOHALA."

Introduced by: Senator Bunda.

No. 1458 "A BILL FOR AN ACT RELATING TO COUNTY TAXES."

Introduced by: Senator Bunda.

No. 1459 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senator Bunda.

No. 1460 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Bunda.

No. 1461 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES MANAGEMENT."

Introduced by: Senator Bunda.

No. 1462 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator Baker, by request.

No. 1463 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAHAINALUNA HIGH SCHOOL."

Introduced by: Senator Baker.

No. 1464 "A BILL FOR AN ACT RELATING TO COMMUNITY ELDER CARE."

Introduced by: Senator Baker.

No. 1465 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."

Introduced by: Senator Baker, by request.

No. 1466 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

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

No. 1467 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Baker, Chun Oakland, Hanabusa.

No. 1468 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Senators Baker, Chun Oakland, Hanabusa.

No. 1469 "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES."

Introduced by: Senator Baker.

No. 1470 "A BILL FOR AN ACT RELATING TO NATUROPATHY."

Introduced by: Senator Bunda.

No. 1471 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."

Introduced by: Senator Ige.

No. 1472 "A BILL FOR AN ACT RELATING TO PUBLIC DISCLOSURE OF COMFORT LETTERS."

Introduced by: Senators Ige, Fukunaga.

No. 1473 "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE."

Introduced by: Senators Ige, Nishihara, Baker.

No. 1474 "A BILL FOR AN ACT RELATING TO THE MAUNA KEA SCIENCE RESERVE AUTHORITY."

Introduced by: Senators Inouye, Hee, Espero, Bunda, Nishihara, Ihara, Kanno, Trimble, Tsutsui, Chun Oakland, Hanabusa, Ige, Kim, Fukunaga, Whalen.

No. 1475 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Inouye, by request.

No. 1476 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Inouye.

No. 1477 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Inouye, Baker, Chun Oakland, Kanno, Sakamoto, Hanabusa.

No. 1478 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Senators Inouye, Nishihara, Hooser.

No. 1479 "A BILL FOR AN ACT RELATING TO FIRE FIGHTER LIABILITY."

Introduced by: Senators Inouye, Nishihara, Hooser.

No. 1480 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Senator Inouye.

No. 1481 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."

Introduced by: Senators Inouye, Baker, Nishihara, Hooser.

No. 1482 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES."

Introduced by: Senators Inouye, Hanabusa, Hooser.

No. 1483 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL."

Introduced by: Senators Inouye, Nishihara, Hanabusa.

No. 1484 "A BILL FOR AN ACT RELATING TO PRIVATE ROAD MAINTENANCE."

Introduced by: Senators Inouye, Hanabusa.

No. 1485 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST SENATORIAL DISTRICT."

Introduced by: Senator Inouye.

No. 1486 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Senators Inouye, Fukunaga.

No. 1487 "A BILL FOR AN ACT RELATING TO HIGHWAY DESIGN."

Introduced by: Senators Inouye, Kokubun.

No. 1488 "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS."

Introduced by: Senator Inouye.

No. 1489 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A COQUI FROG ERADICATION PROGRAM ON THE ISLAND OF HAWAII."

Introduced by: Senators Inouye, Chun Oakland, Kanno, Kim, Sakamoto, Whalen, Nishihara, Hanabusa, Hooser, Hee, Kokubun.

No. 1490 "A BILL FOR AN ACT RELATING TO PROCUREMENT."



Introduced by: Senators Inouye, Hooser.

No. 1491 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Inouye, Hooser.

No. 1492 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senators Inouye, Nishihara.

No. 1493 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC EVENT TRANSPORTATION."

Introduced by: Senators Inouye, Kokubun, Hooser.

No. 1494 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Senators Fukunaga, Ihara, Inouye, Kim, Hooser, Baker, Kanno.

No. 1495 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Senator Whalen.

No. 1496 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRD SENATORIAL DISTRICT."

Introduced by: Senator Whalen.

No. 1497 "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION."

Introduced by: Senator Whalen.

No. 1498 "A BILL FOR AN ACT RELATING TO MUNICIPALITIES."

Introduced by: Senator Whalen.

No. 1499 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Senators Espero, Hooser, Inouye, Nishihara, Trimble, Menor.

No. 1500 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR."

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

No. 1501 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Senators Espero, Hooser, Inouye, Nishihara, Trimble, Menor.

No. 1502 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 20TH SENATORIAL DISTRICT."

Introduced by: Senator Espero.

No. 1503 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators Espero, Hooser, Inouye, Nishihara, Menor.

No. 1504 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX HOLIDAY."

Introduced by: Senators Espero, Inouye, Nishihara, Fukunaga, Menor, Tsutsui.

No. 1505 "A BILL FOR AN ACT RELATING TO COMPUTER RECYCLING."

Introduced by: Senators Espero, English, Inouye, Nishihara, Trimble, Menor.

No. 1506 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOBILE PRODUCTION FACILITIES."

Introduced by: Senators Espero, Kanno, Tsutsui, Ihara, Nishihara, Menor.

No. 1507 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."

Introduced by: Senators Chun Oakland, Ihara, Espero.

No. 1508 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Senators Chun Oakland, Espero, Ihara, Fukunaga.

No. 1509 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senators Chun Oakland, Fukunaga.

No. 1510 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Chun Oakland, Ihara, Fukunaga.

No. 1511 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senator Chun Oakland.

No. 1512 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE FATALITY REVIEW."

Introduced by: Senators Chun Oakland, Baker, Hee, Ihara.

No. 1513 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES PROGRAMS."

Introduced by: Senators Chun Oakland, Baker, Hee, Kokubun, Ihara.

No. 1514 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senator Chun Oakland.

No. 1515 "A BILL FOR AN ACT RELATING TO TRANSFERS FROM SPECIAL FUNDS FOR CENTRAL SERVICE EXPENSES."

Introduced by: Senators Chun Oakland, Baker.

No. 1516 "A BILL FOR AN ACT RELATING TO KEWALO BASIN."

Introduced by: Senator Chun Oakland.

No. 1517 "A BILL FOR AN ACT RELATING TO STUDENT HEALTH."

Introduced by: Senators Chun Oakland, Baker, Ihara, Hee.

No. 1518 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Senator Chun Oakland.

No. 1519 "A BILL FOR AN ACT RELATING TO FOSTER CARE HOMES."

Introduced by: Senator Chun Oakland.

No. 1520 "A BILL FOR AN ACT RELATING TO AMMUNITION."

Introduced by: Senator Chun Oakland.

No. 1521 "A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES."

Introduced by: Senator Baker, by request.

No. 1522 "A BILL FOR AN ACT RELATING TO PREVIOUSLY UNDIAGNOSED CONDITIONS."

Introduced by: Senator Baker, by request.

No. 1523 "A BILL FOR AN ACT RELATING TO THE WAIKIKI WAR MEMORIAL NATATORIUM."

Introduced by: Senators Hanabusa, Ihara.

No. 1524 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SOCIAL WORK AND SUBSTANCE ABUSE INTERVENTION."

Introduced by: Senators Hanabusa, Hooser, Ihara, English, Kokubun, Ige.

No. 1525 "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION."

Introduced by: Senators Hanabusa, Hooser, Ihara, English, Kokubun, Ige.

No. 1526 "A BILL FOR AN ACT RELATING TO GOVERNMENT SIGNS."

Introduced by: Senator Hanabusa, by request.

No. 1527 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senators Hanabusa, English, Kokubun, Hooser, Ihara, Ige.

No. 1528 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator Hanabusa.

No. 1529 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senators Hanabusa, Hooser, Ihara, English, Kokubun, Ige.

No. 1530 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Hanabusa.

No. 1531 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Hanabusa.

No. 1532 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE EDUCATIONAL PROGRAMS."

Introduced by: Senators Hooser, English, Ige, Baker, Espero, Nishihara.

No. 1533 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO THE COMPOSITION OF THE BOARD OF EDUCATION."

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

No. 1534 "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION."

Introduced by: Senators Hooser, Kokubun, Ihara, English, Ige, Nishihara.

No. 1535 "A BILL FOR AN ACT RELATING TO THE ORAL HEALTH INSTITUTE OF THE PACIFIC."

Introduced by: Senators Baker, Tsutsui, English, Taniguchi, Kokubun.

No. 1536 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Baker, English, Tsutsui.

No. 1537 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ON-CALL EMERGENCY CARE SERVICES AT THE QUEEN'S MEDICAL CENTER."

Introduced by: Senators Baker, Chun Oakland, Kokubun, English, Tsutsui, Hanabusa, Taniguchi.

No. 1538 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."

Introduced by: Senator Hee.

No. 1539 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."

- Introduced by: Senator Hee.
- No. 1540 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
- Introduced by: Senators Hogue, Trimble, Ihara, Sakamoto, Baker.
- No. 1541 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- Introduced by: Senators Hogue, Trimble, Ihara, Sakamoto.
- No. 1542 "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS."
- Introduced by: Senators Hogue, Trimble, Ihara.
- No. 1543 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- Introduced by: Senator Hogue.
- No. 1544 "A BILL FOR AN ACT RELATING TO DIAMOND HEAD VISITOR ORIENTATION CENTER."
- Introduced by: Senator Ihara.
- No. 1545 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 5 OF THE HAWAII CONSTITUTION TO ALLOW FOR FULL PUBLIC FINANCING OF CAMPAIGNS FOR STATE AND COUNTY OFFICES."
- Introduced by: Senator Ihara.
- No. 1546 "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS."
- Introduced by: Senators Ihara, Ige, Fukunaga, Hogue, Nishihara, Kim.
- No. 1547 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- Introduced by: Senators Ihara, Hooser, Baker, Inouye, Kokubun.
- No. 1548 "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS."
- Introduced by: Senators Ihara, Chun Oakland, Hooser, Kim, Trimble, Espero.
- No. 1549 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCIES AND BOARDS."
- Introduced by: Senators Ihara, Inouye, Nishihara, Kim, Ige, Espero.
- No. 1550 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."
- Introduced by: Senators Ihara, Hooser, Chun Oakland, Baker, Kim, Inouye.
- No. 1551 "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION."
- Introduced by: Senators Ihara, Chun Oakland, Hooser, Inouye, Hanabusa, Trimble, Espero.
- No. 1552 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."
- Introduced by: Senators Ihara, Inouye, Chun Oakland, English, Hooser, Fukunaga, Nishihara, Hanabusa.
- No. 1553 "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS."
- Introduced by: Senators English, Espero, Kokubun, Fukunaga, Hooser, Tsutsui, Baker, Chun Oakland, Sakamoto, Hanabusa, Nishihara, Kanno.
- No. 1554 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
- Introduced by: Senators English, Tsutsui, Baker, Kokubun, Chun Oakland, Fukunaga, Sakamoto, Nishihara, Hemmings, Hooser, Hanabusa, Kanno, Espero, Taniguchi.
- No. 1555 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."
- Introduced by: Senators English, Hooser, Hanabusa, Ihara, Slom, Hogue, Fukunaga, Hemmings, Chun Oakland, Kokubun, Nishihara, Kanno.
- No. 1556 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- Introduced by: Senators English, Chun Oakland, Hemmings, Hooser, Hanabusa, Ihara, Fukunaga, Kokubun, Baker, Nishihara, Taniguchi, Kanno, Inouye.
- No. 1557 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
- Introduced by: Senators English, Hanabusa, Ihara, Fukunaga, Chun Oakland, Kokubun, Baker, Nishihara, Inouye, Hooser, Hemmings.
- No. 1558 "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AND CONSERVATION TRUST FUND."
- Introduced by: Senators English, Chun Oakland, Sakamoto, Hooser, Tsutsui, Kokubun, Fukunaga, Baker, Nishihara, Taniguchi, Kanno, Inouye, Hemmings, Espero.
- No. 1559 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR AN ELECTED PUBLIC UTILITIES COMMISSION."
- Introduced by: Senator Kanno.
- No. 1560 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
- Introduced by: Senator Kanno.
- No. 1561 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."
- Introduced by: Senator Kanno.

No. 1562 "A BILL FOR AN ACT RELATING TO MEDICAL EXAMINATION BY EMPLOYER'S PHYSICIAN IN WORKERS' COMPENSATION CLAIMS."

Introduced by: Senator Kanno.

No. 1563 "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF INFORMATION ON WORKERS' COMPENSATION CLAIMS."

Introduced by: Senator Kanno.

No. 1564 "A BILL FOR AN ACT RELATING TO DISABILITY BENEFITS UNDER WORKERS' COMPENSATION LAW."

Introduced by: Senator Kanno.

No. 1565 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Kanno.

No. 1566 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senator Kanno.

No. 1567 "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION UNDER WORKERS' COMPENSATION LAW."

Introduced by: Senator Kanno.

No. 1568 "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS UNDER WORKERS' COMPENSATION LAW."

Introduced by: Senator Kanno.

No. 1569 "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES UNDER WORKERS' COMPENSATION LAW."

Introduced by: Senator Kanno.

No. 1570 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY."

Introduced by: Senator Kanno.

No. 1571 "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS."

Introduced by: Senator Kanno.

No. 1572 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."

Introduced by: Senator Kanno.

No. 1573 "A BILL FOR AN ACT RELATING TO APPROVAL OF REQUESTS FOR MEDICAL CARE."

Introduced by: Senator Kanno.

No. 1574 "A BILL FOR AN ACT RELATING TO TEMPORARY TOTAL DISABILITY."

Introduced by: Senator Kanno.

No. 1575 "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY BENEFITS."

Introduced by: Senator Kanno.

No. 1576 "A BILL FOR AN ACT RELATING TO TEMPORARY TOTAL DISABILITY BENEFITS."

Introduced by: Senator Kanno.

No. 1577 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Kanno.

No. 1578 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."

Introduced by: Senator Kanno.

No. 1579 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1580 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1581 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1582 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1583 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1584 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1585 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Kanno.

No. 1586 "A BILL FOR AN ACT RELATING TO THE HAWAII COUNTY BOARD OF WATER SUPPLY."

Introduced by: Senators Kokubun, Espero, Tsutsui, English, Hooser, Inouye, Hee, Chun Oakland, Nishihara.

No. 1587 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE."

Introduced by: Senators Kokubun, Chun Oakland, Taniguchi, Nishihara, Baker, Hee, Hooser, Ige, English.

No. 1588 "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT."

Introduced by: Senators Kokubun, Nishihara, Baker, Hee, Chun Oakland, Taniguchi, Hooser, English.

No. 1589 "A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT LIABILITY."

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

No. 1590 "A BILL FOR AN ACT RELATING TO HARBORS."

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

No. 1591 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'ROADS IN LIMBO' PROGRAM IN HAWAII COUNTY."

Introduced by: Senators Kokubun, Kim, Nishihara, Espero, Ige, Chun Oakland, Hanabusa, Hee, Baker, Hooser.

No. 1592 "A BILL FOR AN ACT RELATING TO STATE PLANNING."

Introduced by: Senators Kokubun, English, Tsutsui, Hooser, Fukunaga, Sakamoto, Chun Oakland, Baker, Bunda, Inouye, Kanno, Hanabusa, Espero, Kim, Hee, Taniguchi, Whalen, Ige, Nishihara, Ihara.

No. 1593 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Kokubun, English, Chun Oakland, Taniguchi, Nishihara, Baker, Hee, Ige, Hooser.

No. 1594 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Nishihara, Sakamoto, English, Baker, Kokubun.

No. 1595 "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS."

Introduced by: Senators Nishihara, English.

No. 1596 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Nishihara, Espero, Hooser, Kokubun, Menor.

No. 1597 "A BILL FOR AN ACT RELATING TO THE TEACHER CADET PROGRAM."

Introduced by: Senators Nishihara, Espero, Hooser, Kokubun, Menor.

No. 1598 "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS."

Introduced by: Senators Nishihara, Espero, Hooser, Kokubun, Menor, Taniguchi.

No. 1599 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EIGHTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Nishihara.

No. 1600 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO DESIGN AND CONSTRUCT A SIDEWALK ON THE NORTH SIDE OF WAIPAHU STREET, OAHU."

Introduced by: Senators Nishihara, Espero, Hooser, Taniguchi.

No. 1601 "A BILL FOR AN ACT RELATING TO THE ALA WAI BOAT HARBOR."

Introduced by: Senators Trimble, Tsutsui, Hogue, English, Nishihara, Chun Oakland, Ihara.

No. 1602 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Trimble, Hogue, Slom, Hemmings, Espero, Ihara, Hooser.

No. 1603 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Senators Trimble, Hooser.

No. 1604 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Trimble, Hooser.

No. 1605 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Senator Trimble.

No. 1606 "A BILL FOR AN ACT RELATING TO WILLS."

Introduced by: Senator Trimble.

No. 1607 "A BILL FOR AN ACT RELATING TO KAKAAKO DISTRICT RESIDENTIAL DEVELOPMENT."

Introduced by: Senators Trimble, Hogue.

No. 1608 "A BILL FOR AN ACT RELATING TO PUBLIC PROPERTY."

Introduced by: Senators Trimble, Sakamoto, Hogue.

No. 1609 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Trimble, Hogue, Ihara.

No. 1610 "A BILL FOR AN ACT RELATING TO THE KAKAAKO WATERFRONT."

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

No. 1611 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Trimble.

No. 1612 "A BILL FOR AN ACT RELATING TO CONFORMING STATE STANDARD DEDUCTION TO FEDERAL STANDARD DEDUCTION."

Introduced by: Senators Trimble, Slom, Hogue, Hemmings, Chun Oakland, Ihara.

No. 1613 "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITY PROPERTIES."

Introduced by: Senators Trimble, Slom, Tsutsui, Hogue, English, Nishihara, Hemmings, Chun Oakland.

No. 1614 "A BILL FOR AN ACT RELATING TO TRANSIT SERVICES FOR ELDERLY AND DISABLED."

Introduced by: Senators Trimble, Chun Oakland, Hogue, Hemmings, Sakamoto, Tsutsui, Hooser, Espero, Nishihara, Slom.

No. 1615 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Trimble, Chun Oakland, Hogue, Espero, Nishihara, Hemmings, Slom.

No. 1616 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT."

Introduced by: Senators Trimble, Hogue, Espero, Nishihara, Hemmings, Slom.

No. 1617 "A BILL FOR AN ACT RELATING TO THE VEHICULAR FERRY SYSTEM."

Introduced by: Senator Trimble.

No. 1618 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KONA COFFEE FESTIVAL."

Introduced by: Senator Whalen.

No. 1619 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senator Trimble.

No. 1620 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Chun Oakland.

No. 1621 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senator Chun Oakland.

No. 1622 "A BILL FOR AN ACT RELATING TO THE CIGARETTE AND TOBACCO TAX."

Introduced by: Senator Chun Oakland.

No. 1623 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Chun Oakland.

No. 1624 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senators Hanabusa, Kokubun, Hooser, English.

No. 1625 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Senators Hanabusa, Kokubun, Hooser, Tsutsui, English.

No. 1626 "A BILL FOR AN ACT RELATING TO PAROLE."

Introduced by: Senators Hanabusa, Kokubun, Hooser.

No. 1627 "A BILL FOR AN ACT RELATING TO PAROLE."

Introduced by: Senators Hanabusa, Kokubun, Hooser, English.

No. 1628 "A BILL FOR AN ACT RELATING TO GOVERNMENT REFORM."

Introduced by: Senators Hanabusa, Kokubun, Hooser, Tsutsui.

No. 1629 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Hanabusa, Hooser, Kokubun, Tsutsui, English.

No. 1630 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WEED AND SEED STRATEGY."

Introduced by: Senator Hanabusa.

No. 1631 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 1632 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Senator Hanabusa.

No. 1633 "A BILL FOR AN ACT RELATING TO INITIATIVE."

Introduced by: Senator Trimble.

No. 1634 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

- Introduced by: Senators Sakamoto, Chun Oakland, Hooser, Nishihara, Kokubun, Taniguchi.
- No. 1635 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Tsutsui, Baker, Taniguchi, Kokubun.
- No. 1636 "A BILL FOR AN ACT RELATING TO TEACHERS."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Tsutsui, Baker, Taniguchi.
- No. 1637 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Tsutsui, Baker, Kokubun, Taniguchi.
- No. 1638 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII EDUCATIONAL RESEARCH CENTER."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Baker.
- No. 1639 "A BILL FOR AN ACT RELATING TO TEACHER COMPENSATION."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Tsutsui, Baker, Taniguchi.
- No. 1640 "A BILL FOR AN ACT RELATING TO THE OVERPAYMENT OF TEACHERS."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara.
- No. 1641 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Tsutsui, Baker.
- No. 1642 "A BILL FOR AN ACT RELATING TO TEACHERS."
- Introduced by: Senators Sakamoto, Baker, Hooser, Chun Oakland, Nishihara, Tsutsui, Kokubun.
- No. 1643 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Sakamoto, Chun Oakland, Hooser, Nishihara, Baker.
- No. 1644 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- Introduced by: Senators Sakamoto, Hooser, Chun Oakland, Nishihara, Baker.
- No. 1645 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE."
- Introduced by: Senator Sakamoto.
- No. 1646 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."
- Introduced by: Senator Sakamoto.
- No. 1647 "A BILL FOR AN ACT RELATING TO UNDERGROUNDING OF OVERHEAD UTILITIES."
- Introduced by: Senator Sakamoto.
- No. 1648 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."
- Introduced by: Senator Sakamoto.
- No. 1649 "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR MEMORIAL."
- Introduced by: Senator Sakamoto.
- No. 1650 "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD."
- Introduced by: Senator Sakamoto.
- No. 1651 "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF PERMANENT IMPAIRMENT UNDER THE STATE'S WORKERS' COMPENSATION LAW."
- Introduced by: Senators Sakamoto, Chun Oakland, Baker, English, Nishihara, Espero.
- No. 1652 "A BILL FOR AN ACT RELATING TO STRESS CLAIMS UNDER THE STATE'S WORKERS' COMPENSATION LAW."
- Introduced by: Senators Sakamoto, Kim, Nishihara.
- No. 1653 "A BILL FOR AN ACT RELATING TO THE SPECIAL COMPENSATION FUND."
- Introduced by: Senators Sakamoto, Chun Oakland, Nishihara, Espero.
- No. 1654 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."
- Introduced by: Senators Sakamoto, Chun Oakland, Nishihara, Espero.
- No. 1655 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Sakamoto.
- No. 1656 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON 24-HOUR COVERAGE."
- Introduced by: Senator Sakamoto.
- No. 1657 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."
- Introduced by: Senator Sakamoto.
- No. 1658 "A BILL FOR AN ACT RELATING TO INCENTIVES FOR EDUCATIONAL PURPOSES."
- Introduced by: Senators Sakamoto, Nishihara, Chun Oakland.

No. 1659 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland, Baker, English, Nishihara, Hooser, Tsutsui.

No. 1660 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Nishihara, Hooser, Chun Oakland, Tsutsui, Baker, English.

No. 1661 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Nishihara, Hooser, Chun Oakland, Tsutsui, Baker, English.

No. 1662 "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES."

Introduced by: Senators Sakamoto, Baker, English, Nishihara, Hooser, Chun Oakland, Tsutsui.

No. 1663 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Baker, Nishihara, Hooser, Chun Oakland.

No. 1664 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senators Sakamoto, Nishihara, Hooser, Chun Oakland, Baker.

No. 1665 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland, Tsutsui, Baker, English, Nishihara, Hooser.

No. 1666 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland, Tsutsui, Baker, English, Nishihara, Hooser.

No. 1667 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Sakamoto, Nishihara.

No. 1668 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Sakamoto, Nishihara.

No. 1669 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Sakamoto, Nishihara.

No. 1670 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Sakamoto, Nishihara.

No. 1671 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Sakamoto, Chun Oakland, Baker, English, Nishihara, Hooser, Tsutsui.

No. 1672 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTH SENATORIAL DISTRICT."

Introduced by: Senator Tsutsui.

No. 1673 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senators Tsutsui, Taniguchi, Baker, English, Kokubun, Nishihara, Kanno, Inouye, Espero, Sakamoto, Kim.

No. 1674 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Tsutsui, Kim, Espero, Sakamoto, Inouye, English, Baker, Kanno, Nishihara.

No. 1675 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senators Tsutsui, Espero, Kim, Inouye.

No. 1676 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Tsutsui, English, Baker, Sakamoto, Kim, Inouye, Kanno, Espero, Nishihara.

No. 1677 "A BILL FOR AN ACT RELATING TO LIQUOR TAX."

Introduced by: Senators Tsutsui, English, Kim, Inouye, Espero, Nishihara.

No. 1678 "A BILL FOR AN ACT RELATING TO LONG-TERM INSURANCE TAX CREDIT FOR SMALL BUSINESS."

Introduced by: Senators Tsutsui, Baker, Sakamoto, Kim, Espero, Nishihara, English, Inouye, Kanno.

No. 1679 "A BILL FOR AN ACT RELATING TO WITHHOLDING TAX."

Introduced by: Senators Tsutsui, English, Baker, Sakamoto, Kim, Inouye, Kanno, Nishihara, Espero.

No. 1680 "A BILL FOR AN ACT RELATING TO QUALIFICATIONS OF BOARD MEMBERS."

Introduced by: Senators Tsutsui, English, Chun Oakland, Baker, Slom, Espero, Hee, Inouye, Fukunaga, Nishihara, Ige, Kim, Taniguchi, Kokubun, Hooser, Sakamoto, Kanno.

No. 1681 "A BILL FOR AN ACT RELATING TO CLASS SIZE REDUCTION."

Introduced by: Senators Tsutsui, English, Baker, Espero, Inouye, Fukunaga, Ige, Sakamoto, Nishihara, Taniguchi, Kim, Kanno.

No. 1682 "A BILL FOR AN ACT RELATING TO CLASS SIZE REDUCTION."



Introduced by: Senators Tsutsui, English, Baker, Sakamoto, Espero, Inouye, Fukunaga, Nishihara, Ige, Kim, Kanno, Taniguchi.

No. 1683 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Tsutsui, Inouye, Baker, Chun Oakland, Espero, Sakamoto, English, Nishihara, Hooser, Kanno, Ige, Slom, Kim, Fukunaga.

No. 1684 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE."

Introduced by: Senators Tsutsui, Inouye, English, Baker, Espero, Hee, Nishihara, Kim, Hooser, Sakamoto.

No. 1685 "A BILL FOR AN ACT RELATING TO TAX."

Introduced by: Senators Tsutsui, English, Baker, Nishihara, Kim, Hooser, Sakamoto, Chun Oakland, Slom, Espero, Inouye, Fukunaga, Kanno, Taniguchi.

No. 1686 "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES."

Introduced by: Senators Tsutsui, Inouye, English, Baker, Chun Oakland, Fukunaga, Nishihara, Kim, Hooser, Taniguchi, Sakamoto.

No. 1687 "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PLANS."

Introduced by: Senators Tsutsui, English, Baker, Espero, Inouye, Chun Oakland, Slom, Fukunaga, Nishihara.

No. 1688 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."

Introduced by: Senator Hanabusa.

No. 1689 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Hanabusa, Hooser, Chun Oakland, English, Ige, Fukunaga.

No. 1690 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."

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

No. 1691 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Hanabusa, by request.

No. 1692 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."

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

No. 1693 "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES."

Introduced by: Senators Espero, Fukunaga, Chun Oakland, Ige.

No. 1694 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Espero, by request.

No. 1695 "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS."

Introduced by: Senators Espero, Fukunaga, Chun Oakland, Ige, Kanno.

No. 1696 "A BILL FOR AN ACT RELATING TO INVESTMENTS."

Introduced by: Senators Espero, Fukunaga, Chun Oakland, Kanno, English.

No. 1697 "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING."

Introduced by: Senators Fukunaga, Ihara, Sakamoto, Inouye, Kim, Hooser, Baker, English, Kanno, Espero, Trimble, Ige.

No. 1698 "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH."

Introduced by: Senators Fukunaga, Inouye, Baker, English, Espero, Ihara, Sakamoto, Hooser, Ige, Kanno.

No. 1699 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."

Introduced by: Senators Fukunaga, Espero, Ige.

No. 1700 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Senators Fukunaga, Ige.

No. 1701 "A BILL FOR AN ACT RELATING TO TECHNOLOGY AND INNOVATION INDUSTRIES."

Introduced by: Senators Fukunaga, Ihara, Sakamoto, Inouye, Hooser, Baker, English, Kanno, Espero, Trimble, Ige.

No. 1702 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Senators Fukunaga, Ige.

No. 1703 "A BILL FOR AN ACT RELATING TO PROFESSIONAL LICENSING."

Introduced by: Senators Fukunaga, Baker, Chun Oakland, Ihara, Sakamoto, Kim, Hooser, Espero.

No. 1704 "A BILL FOR AN ACT RELATING TO REVENUE BONDS FOR MAUI MEMORIAL MEDICAL CENTER."

Introduced by: Senator Tsutsui.

No. 1705 "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."

Introduced by: Senator Tsutsui.

No. 1706 "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AND CONSERVATION TRUST FUND."

Introduced by: Senators English, Tsutsui.

No. 1707 "A BILL FOR AN ACT RELATING TO THE RIGHTS OF THE ACCUSED."

Introduced by: Senator English.

No. 1708 "A BILL FOR AN ACT RELATING TO MOLOKAI GENERAL HOSPITAL."

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

No. 1709 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS."

Introduced by: Senators English, Chun Oakland, Sakamoto, Kokubun, Hooser, Tsutsui, Baker, Taniguchi, Espero, Ige.

No. 1710 "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS."

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

No. 1711 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION."

Introduced by: Senators English, Baker, Chun Oakland, Sakamoto, Kokubun, Hooser, Tsutsui, Taniguchi, Ige.

No. 1712 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA YOUTH CENTER."

Introduced by: Senators English, Kanno, Hemmings, Baker, Chun Oakland, Hooser, Espero, Tsutsui, Ige.

No. 1713 "A BILL FOR AN ACT RELATING TO KALAUPAPA."

Introduced by: Senators English, Baker, Sakamoto, Taniguchi, Chun Oakland, Hooser, Tsutsui, Espero, Kokubun.

No. 1714 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY IN STATE BUILDINGS."

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

No. 1715 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL COURT."

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

No. 1716 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY."

Introduced by: Senators English, Kanno, Chun Oakland, Fukunaga, Baker, Hanabusa, Inouye, Kokubun, Hooser.

No. 1717 "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS."

Introduced by: Senator Hooser.

No. 1718 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senator Hooser.

No. 1719 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Hooser.

No. 1720 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTEENTH SENATORIAL DISTRICT."

Introduced by: Senators Ige, Nishihara.

No. 1721 "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET."

Introduced by: Senators Kim, Chun Oakland, Espero, Hanabusa, Taniguchi, Kokubun, Baker, Sakamoto, Nishihara, Menor, Kanno, Ihara, Hooser.

No. 1722 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Kim, Trimble, Slom, Hanabusa, Kokubun, Chun Oakland, Sakamoto, Nishihara, Menor, Kanno, Taniguchi, Hooser, Hemmings.

No. 1723 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Senators Kim, Tsutsui, Baker, Bunda, Hooser, Fukunaga, Ihara, Hemmings, Hogue, Espero, Hanabusa, Nishihara, Taniguchi, Kokubun.

No. 1724 "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION."

Introduced by: Senators Kim, Hooser, Chun Oakland, English, Tsutsui, Sakamoto, Kokubun, Hogue, Nishihara, Baker, Espero, Menor, Kanno, Taniguchi, Ihara.

No. 1725 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL CRIMES EDUCATION PROGRAM."

Introduced by: Senators Kim, Hooser, Chun Oakland, English, Ihara, Tsutsui, Sakamoto, Taniguchi, Kokubun, Baker, Espero, Nishihara, Kanno.

No. 1726 "A BILL FOR AN ACT RELATING TO WITNESSES."

Introduced by: Senators Kim, Hooser, Chun Oakland, English, Ihara, Tsutsui, Sakamoto, Taniguchi, Kokubun, Baker, Espero, Nishihara, Kanno.

No. 1727 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senators Kim, Espero, Hooser, Chun Oakland, Ihara, Tsutsui, Sakamoto, Baker, Nishihara, Kanno.

No. 1728 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Kim, Hooser, Chun Oakland, English, Ihara, Sakamoto, Hogue, Baker, Espero, Nishihara, Kanno, Ige.

No. 1729 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators Kim, Sakamoto, Tsutsui, Baker, Espero, Kokubun, Nishihara, Chun Oakland, Kanno.

No. 1730 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senators Tsutsui, Kim, Baker, English, Hooser, Sakamoto, Ihara, Taniguchi, Espero, Kokubun, Nishihara, Kanno, Chun Oakland.

No. 1731 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Bunda, Kim, Baker, Espero, Fukunaga.

No. 1732 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON."

Introduced by: Senator Bunda.

No. 1733 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD."

Introduced by: Senator Bunda.

No. 1734 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Bunda.

No. 1735 "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION."

Introduced by: Senator Bunda, by request.

No. 1736 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOKUA LEGAL SERVICES, INC."

Introduced by: Senator Bunda.

No. 1737 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO NA LEI WILI AREA HEALTH EDUCATION CENTER'S GROW OUR OWN HEALERS' PROGRAM."

Introduced by: Senator Bunda.

No. 1738 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SECOND SENATORIAL DISTRICT."

Introduced by: Senator Bunda.

No. 1739 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Bunda.

No. 1740 "A BILL FOR AN ACT RELATING TO ADJUSTING THE INCOME TAX BRACKETS."

Introduced by: Senators Bunda, Kim, English, Tsutsui, Hanabusa, Nishihara, Inouye, Sakamoto, Baker, Espero, Slom, Hemmings, Kanno, Hogue, Chun Oakland, Taniguchi, Ihara, Kokubun, Hee, Trimble, Menor, Fukunaga, Whalen.

No. 1741 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Ihara.

No. 1742 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION RELATING TO THE JUDICIAL SELECTION COMMISSION."

Introduced by: Senator Ihara.

No. 1743 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senator Kokubun, by request.

No. 1744 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO REPAIR THE DAMAGE CAUSED BY THE HEAVY RAIN AND FLOODING OF OCTOBER 2004."

Introduced by: Senator Taniguchi.

No. 1745 "A BILL FOR AN ACT RELATING TO RELIEF FOR MANOA FLOOD VICTIMS."

Introduced by: Senator Taniguchi.

No. 1746 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TENTH SENATORIAL DISTRICT."

Introduced by: Senator Taniguchi.

No. 1747 "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM."

Introduced by: Senator Taniguchi.

No. 1748 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Taniguchi.

No. 1749 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senator Taniguchi.

No. 1750 "A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND FUNDING EXPENDITURES."

Introduced by: Senator Taniguchi.

No. 1751 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi.

No. 1752 "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL."

Introduced by: Senator Taniguchi.

No. 1753 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Taniguchi.

No. 1754 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN."

Introduced by: Senator Taniguchi.

No. 1755 "A BILL FOR AN ACT RELATING TO LIBRARIANS."

Introduced by: Senator Taniguchi.

No. 1756 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senator Taniguchi, by request.

No. 1757 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Senator Taniguchi, by request.

No. 1758 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Taniguchi, by request.

No. 1759 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Taniguchi, by request.

No. 1760 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS."

Introduced by: Senator Taniguchi, by request.

No. 1761 "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE."

Introduced by: Senator Taniguchi, by request.

No. 1762 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENETIC ENGINEERING ASSESSMENT."

Introduced by: Senator Taniguchi, by request.

No. 1763 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Taniguchi, by request.

No. 1764 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Taniguchi, by request.

No. 1765 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senator Trimble.

No. 1766 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD DEVELOPMENT."

Introduced by: Senator Hee.

No. 1767 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."

Introduced by: Senator Hee.

No. 1768 "A BILL FOR AN ACT RELATING TO LITERACY."

Introduced by: Senator Hee.

No. 1769 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Baker, by request.

No. 1770 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS."

Introduced by: Senator Kanno.

No. 1771 "A BILL FOR AN ACT RELATING TO TOTAL DISABILITY PAYMENTS."

Introduced by: Senator Kanno.

No. 1772 "A BILL FOR AN ACT RELATING TO EMPLOYERS."

Introduced by: Senator Kanno.

No. 1773 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."

Introduced by: Senator Kanno.

No. 1774 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CULTURAL EDUCATION AND INTEGRATION, LANGUAGE, EMPLOYMENT, AND LEGAL SERVICES FOR IMMIGRANTS FROM THE FREELY ASSOCIATED STATES."

Introduced by: Senator Kanno.

No. 1775 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Senators Kanno, Espero, Hooser, English.

No. 1776 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SENATORIAL DISTRICT."

Introduced by: Senator Kanno.

No. 1777 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSUMER EDUCATION REGARDING REAL ESTATE LAWS."

Introduced by: Senator Kanno.

No. 1778 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Kanno.

No. 1779 "A BILL FOR AN ACT RELATING TO LIENS."

Introduced by: Senator Kanno.

No. 1780 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD."

Introduced by: Senators Kanno, Espero, Hooser, Taniguchi, English.

No. 1781 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS."

Introduced by: Senator Kanno.

No. 1782 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."

Introduced by: Senator Kanno.

No. 1783 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Senator Kanno.

No. 1784 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator Kanno.

No. 1785 "A BILL FOR AN ACT RELATING TO THE SUPERFERRY."

Introduced by: Senator Kanno.

No. 1786 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senator Hee.

No. 1787 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO ESTABLISH UNIVERSITY OF HAWAII WEST OAHU UNIVERSITY CENTER."

Introduced by: Senator Hee.

No. 1788 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."

Introduced by: Senator Hee.

No. 1789 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Chun Oakland.

No. 1790 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Senator Chun Oakland.

No. 1791 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senators Fukunaga, Ige, Trimble, Espero, Chun Oakland, Menor, Ihara.

No. 1792 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM."

Introduced by: Senators Fukunaga, Chun Oakland, Ige, English, Trimble, Espero, Menor, Ihara.

No. 1793 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."

Introduced by: Senators Fukunaga, Ige, Espero, Chun Oakland, Menor, Ihara.

No. 1794 "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY."

Introduced by: Senators Fukunaga, Espero, Chun Oakland, Ige, English, Trimble, Menor, Ihara.

No. 1795 "A BILL FOR AN ACT RELATING TO TRANSFERS FROM SPECIAL FUNDS FOR CENTRAL SERVICE EXPENSES."

Introduced by: Senators Chun Oakland, Baker.

No. 1796 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS."

Introduced by: Senator Menor.

No. 1797 "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."

Introduced by: Senators Menor, Baker, Chun Oakland.

No. 1798 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."

Introduced by: Senator Menor, by request.

No. 1799 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Menor, by request.

No. 1800 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Menor, by request.

No. 1801 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Menor.

No. 1802 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Senator Menor, by request.

No. 1803 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."

Introduced by: Senator Menor, by request.

No. 1804 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Menor, by request, Kanno.

No. 1805 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Menor, Hooser.

No. 1806 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Inouye.

No. 1807 "A BILL FOR AN ACT RELATING TO INTELLECTUAL PROPERTY."

Introduced by: Senators Tsutsui, English, Baker.

No. 1808 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."

Introduced by: Senator Kanno.

No. 1809 "A BILL FOR AN ACT RELATING TO MEDICAL TREATMENT DECISIONS."

Introduced by: Senators Sakamoto, Hemmings.

No. 1810 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."

Introduced by: Senators Sakamoto, Hooser, Nishihara.

No. 1811 "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM."

Introduced by: Senators Sakamoto, Hooser, Espero, Taniguchi, Kokubun, Nishihara.

No. 1812 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Kokubun, Nishihara, Taniguchi.

No. 1813 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, English, Hooser, Nishihara.

No. 1814 "A BILL FOR AN ACT RELATING TO IMPACT FEES."

Introduced by: Senators Sakamoto, English, Hooser, Espero, Kokubun, Nishihara.

No. 1815 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Senator Menor, by request.

No. 1816 "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS."

Introduced by: Senator Sakamoto.

No. 1817 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Sakamoto, English, Hooser, Kokubun, Nishihara.

No. 1818 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Hooser, Espero, Tsutsui, Kokubun, Nishihara, Taniguchi.

No. 1819 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Senators Sakamoto, Nishihara, Hooser.

No. 1820 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Sakamoto, Nishihara, Hooser.

No. 1821 "A BILL FOR AN ACT RELATING TO EMPLOYERS."

Introduced by: Senator Sakamoto.

No. 1822 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Senators Sakamoto, Espero.

No. 1823 "A BILL FOR AN ACT RELATING TO THE OAHU VETERANS CENTER."

Introduced by: Senators Sakamoto, Espero, Nishihara.

No. 1824 "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION."

Introduced by: Senators Sakamoto, Baker, Espero, Nishihara.

No. 1825 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Sakamoto, Hooser, Baker, Nishihara.

No. 1826 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Senators Sakamoto, Espero, Nishihara.

No. 1827 "A BILL FOR AN ACT RELATING TO A HAWAII MILITARY FAMILY RELIEF SPECIAL FUND."

Introduced by: Senators Sakamoto, Hooser, Baker, Nishihara.

No. 1828 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TSUNAMI PUBLIC AWARENESS CAMPAIGN."

Introduced by: Senator Sakamoto.

No. 1829 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."

Introduced by: Senator Sakamoto.

No. 1830 "A BILL FOR AN ACT RELATING TO VETERANS."

- Introduced by: Senator Sakamoto.
- No. 1831 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTEENTH SENATORIAL DISTRICT."
- Introduced by: Senator Sakamoto.
- No. 1832 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senator Sakamoto.
- No. 1833 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."
- Introduced by: Senator Sakamoto.
- No. 1834 "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS."
- Introduced by: Senator Sakamoto.
- No. 1835 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS."
- Introduced by: Senator Sakamoto.
- No. 1836 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS."
- Introduced by: Senator Sakamoto.
- No. 1837 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Sakamoto.
- No. 1838 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."
- Introduced by: Senator Sakamoto.
- No. 1839 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."
- Introduced by: Senator Sakamoto.
- No. 1840 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SHELTER RETROFITTING."
- Introduced by: Senator Sakamoto.
- No. 1841 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- Introduced by: Senators Hooser, Menor.
- No. 1842 "A BILL FOR AN ACT RELATING TO HAWAII LABOR RELATIONS BOARD."
- Introduced by: Senator Hooser, by request.
- No. 1843 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- Introduced by: Senator Hooser.
- No. 1844 "A BILL FOR AN ACT RELATING TO HOUSING."
- Introduced by: Senators Hooser, Menor.
- No. 1845 "A BILL FOR AN ACT RELATING TO AFFORDABLE RENTAL HOUSING."
- Introduced by: Senators Hooser, Menor.
- No. 1846 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- Introduced by: Senators Hooser, Menor.
- No. 1847 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED CROPS."
- Introduced by: Senators Hooser, English.
- No. 1848 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAUAI STATE PARKS."
- Introduced by: Senators Hooser, Espero, Ihara, Chun Oakland, English, Fukunaga, Ige.
- No. 1849 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Hooser, Chun Oakland, Espero, Ihara, Fukunaga, Ige.
- No. 1850 "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS."
- Introduced by: Senators Hooser, Ihara.
- No. 1851 "A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS."
- Introduced by: Senators Hooser, Menor, Chun Oakland, English, Fukunaga, Ihara, Espero, Ige.
- No. 1852 "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING."
- Introduced by: Senators Hooser, Menor, Espero, Chun Oakland, English, Fukunaga, Ige.
- No. 1853 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- Introduced by: Senators Hooser, Menor, Espero, Chun Oakland, English, Ige, Fukunaga.
- No. 1854 "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."
- Introduced by: Senators Hooser, Menor, Espero, Chun Oakland, English, Fukunaga, Ige.
- No. 1855 "A BILL FOR AN ACT RELATING TO PROTECTION OF AGRICULTURAL LANDS."
- Introduced by: Senators Hooser, Baker, English, Kim, Ihara, Ige, Espero, Nishihara.
- No. 1856 "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS."

Introduced by: Senators Hooser, Espero, English, Ige, Baker, Nishihara, Ihara.

No. 1857 "A BILL FOR AN ACT RELATING TO THE REGULATION OF CROPS."

Introduced by: Senators Hooser, English, Nishihara.

No. 1858 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Hooser, Baker, English, Nishihara, Taniguchi.

No. 1859 "A BILL FOR AN ACT RELATING TO CLEAN WATER."

Introduced by: Senators Hooser, Ihara.

No. 1860 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Hooser, Espero, Nishihara, Ihara.

No. 1861 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Senators Hooser, Espero, Ige, Baker, Nishihara.

No. 1862 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senators Hooser, Fukunaga, Baker, Ige.

No. 1863 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

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

No. 1864 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND."

Introduced by: Senator Taniguchi.

No. 1865 "A BILL FOR AN ACT RELATING TO EDUCATION WORKFORCE DEVELOPMENT PIPELINE."

Introduced by: Senator Sakamoto.

No. 1866 "A BILL FOR AN ACT RELATING TO STUDENT SERVICES COORDINATORS."

Introduced by: Senator Sakamoto.

No. 1867 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 1868 "A BILL FOR AN ACT RELATING TO MILITARY HISTORIC DISTRICTS."

Introduced by: Senator Sakamoto.

No. 1869 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL."

Introduced by: Senator Sakamoto.

No. 1870 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Sakamoto.

No. 1871 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MUNICIPAL PARKING STRUCTURE AT WAILUKU, MAUI."

Introduced by: Senators Hooser, Tsutsui, English, Baker.

No. 1872 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES."

Introduced by: Senator Bunda.

No. 1873 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS TO WELLS PARK, WAILUKU, MAUI."

Introduced by: Senators Bunda, Tsutsui.

No. 1874 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-FIRST SENATORIAL DISTRICT."

Introduced by: Senator Hanabusa.

No. 1875 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Hanabusa, Hee.

No. 1876 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senators Kokubun, Baker, Hooser, Hee, Taniguchi, Espero, Chun Oakland, Fukunaga, Hanabusa.

No. 1877 "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING."

Introduced by: Senators Kokubun, Nishihara, Ige, Taniguchi, Hooser, Baker, Tsutsui, English, Fukunaga, Espero, Hanabusa.

No. 1878 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND ALONG THE SOUTH KONA-KA`U COASTLINE ON THE ISLAND OF HAWAII."

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

No. 1879 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

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



No. 1880 "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES."

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

No. 1881 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Kokubun, Chun Oakland, Nishihara, Hanabusa.

No. 1882 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

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

No. 1883 "A BILL FOR AN ACT RELATING TO MILOLI FISHERIES MANAGEMENT AREA."

Introduced by: Senators Kokubun, Baker, Hee, Chun Oakland, Hanabusa.

No. 1884 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO SHORELINES."

Introduced by: Senators Kokubun, Hooser, Chun Oakland, Hanabusa.

No. 1885 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING."

Introduced by: Senators Kokubun, Baker, Hee, Taniguchi, Hooser, Chun Oakland, Hanabusa.

No. 1886 "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES."

Introduced by: Senator Kokubun, by request.

No. 1887 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGHWAY ACCESS IMPROVEMENT IN PUNA."

Introduced by: Senators Kokubun, Espero.

No. 1888 "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD."

Introduced by: Senator Kanno.

No. 1889 "A BILL FOR AN ACT RELATING TO APPRENTICESHIPS."

Introduced by: Senator Kanno.

No. 1890 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senators Kokubun, Nishihara, English, Hanabusa, Hee.

No. 1891 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Senators Kokubun, Chun Oakland, Baker, Espero, Nishihara, Hanabusa, Hee.

No. 1892 "A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES."

Introduced by: Senators Kokubun, Chun Oakland, English, Nishihara, Hanabusa.

No. 1893 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Senators Kokubun, Chun Oakland, English, Baker, Nishihara, Ige, Hooser, Hee, Taniguchi, Hanabusa.

No. 1894 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."

Introduced by: Senators Kokubun, English, Hooser, Chun Oakland, Tsutsui, Espero, Taniguchi.

No. 1895 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

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

No. 1896 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Introduced by: Senators Kokubun, Hooser, Chun Oakland, Fukunaga.

No. 1897 "A BILL FOR AN ACT RELATING TO LAND CONSERVATION."

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

No. 1898 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY."

Introduced by: Senator Kokubun, by request.

No. 1899 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Kokubun.

No. 1900 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTH SENATORIAL DISTRICT."

Introduced by: Senator Baker.

No. 1901 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NISEI VETERANS MEMORIAL CENTER."

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

No. 1902 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH SENATORIAL DISTRICT."

Introduced by: Senator English.

No. 1903 "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING."

Introduced by: Senator English, by request.

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No. 1904 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION FOR THE CONSTRUCTION OF  
AFFORDABLE HOUSING IN HANA, MAUI."

Introduced by: Senator English.

**ADJOURNMENT**

At 6:00 o'clock p.m., the Senate adjourned until 11:30  
o'clock a.m., Monday, January 31, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## SEVENTH DAY

Monday, January 31, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Miss Leina Fisher, Tenth Grade Student, St. Andrew's Priory, after which the Roll was called showing all Senators present.

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

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 119, submitting for consideration and confirmation as Compact Administrator, State Council for Interstate Adult Offender Supervision, the nomination of RONALD T. HAJIME, term to expire June 30, 2009, 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. 28 to 35) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 28 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR INITIAL MEDICAL VISITS AND PSYCHOLOGICAL ASSESSMENTS, EVEN WHEN SUCH MEDICAL VISITS AND PSYCHOLOGICAL ASSESSMENTS MAY INCLUDE PREVIOUSLY UNDIAGNOSED MEDICAL AND PSYCHOLOGICAL CONDITIONS."

Offered by: Senator Baker, by request.

No. 29 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR THE EARLY DETECTION OF PROSTATE CANCER IN ACCORDANCE WITH THE PROSTATE CANCER EARLY DETECTION GUIDELINES OF THE NATIONAL COMPREHENSIVE CANCER NETWORK."

Offered by: Senators Baker, Hanabusa.

No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE COST TO INSURE A GROUP HEALTH INSURANCE PLAN FOR THE STATE OF HAWAII BASED ON A RISK POOL EQUIVALENT TO THE STATE'S POPULATION."

Offered by: Senators Chun Oakland, Baker, Inouye, Ige, Sakamoto, English, Kokubun.

No. 31 "SENATE CONCURRENT RESOLUTION URGING COUNTIES TO MAKE A CONCERTED EFFORT TO DEVELOP A SENIOR TAX WORK-OFF PROGRAM TO HELP PAY REAL PROPERTY TAXES."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Sakamoto, Ihara, Hanabusa, Hooser, Inouye, Kokubun, Taniguchi, Ige, Menor.

No. 32 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CENTERS FOR MEDICARE & MEDICAID SERVICES TO GRANT ST. FRANCIS MEDICAL CENTER HEART TRANSPLANT PROGRAM A VOLUME EXEMPTION TO OBTAIN CERTIFICATION FOR REIMBURSEMENT OF HEART TRANSPLANTS."

Offered by: Senators Chun Oakland, Baker, Espero, Inouye, Ige, Sakamoto, English, Kokubun.

No. 33 "SENATE CONCURRENT RESOLUTION REQUESTING THE FULL PLEDGE OF ALLEGIANCE BE RECITED BEFORE THE START OF EACH SENATE AND HOUSE FLOOR SESSION."

Offered by: Senator Slom.

No. 34 "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO EXEMPT HAWAII, ALASKA, GUAM, AND PUERTO RICO FROM THE JONES ACT FOR THE HEALTH, SAFETY, AND SECURITY OF ITS RESIDENTS."

Offered by: Senator Slom.

No. 35 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION."

Offered by: Senator Slom.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 16 to 19) were read by the Clerk and were deferred:

## Senate Resolution

No. 16 "SENATE RESOLUTION REQUESTING THE FULL PLEDGE OF ALLEGIANCE BE RECITED BEFORE THE START OF EACH SENATE FLOOR SESSION."

Offered by: Senator Slom.

No. 17 "SENATE RESOLUTION REQUESTING CONGRESS TO EXEMPT HAWAII, ALASKA, GUAM, AND PUERTO RICO FROM THE JONES ACT FOR THE HEALTH, SAFETY, AND SECURITY OF ITS RESIDENTS."

Offered by: Senator Slom.

No. 18 "SENATE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, NARCOTICS ENFORCEMENT DIVISION."

Offered by: Senator Slom.

No. 19 "SENATE RESOLUTION REQUESTING THE STATE OF HAWAII RECOGNIZE FEBRUARY 6 AS 'RONALD REAGAN DAY.'"

Offered by: Senator Slom.

**ORDER OF THE DAY**

**FIRST READING**

On motion by Senator Hee, seconded by Senator Hogue and carried unanimously, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1343 "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS."

No. 1344 "A BILL FOR AN ACT RELATING TO ASSOCIATION OF APARTMENT OWNERS."

No. 1345 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

No. 1346 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

No. 1347 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

No. 1348 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

No. 1349 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

No. 1350 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

No. 1351 "A BILL FOR AN ACT RELATING TO HUMAN STEM CELL RESEARCH."

No. 1352 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

No. 1353 "A BILL FOR AN ACT RELATING TO EDUCATION."

No. 1354 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

No. 1355 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

No. 1356 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

No. 1357 "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH."

No. 1358 "A BILL FOR AN ACT RELATING TO TELEHEALTH."

No. 1359 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."

No. 1360 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

No. 1361 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

No. 1362 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."

No. 1363 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

No. 1364 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

No. 1365 "A BILL FOR AN ACT RELATING TO HAWAII PORT AUTHORITY."

No. 1366 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1367 "A BILL FOR AN ACT RELATING TO THE PLANNING, DESIGNING, AND CONSTRUCTION OF THE UNIVERSITY OF HAWAII-WEST OAHU CAMPUS FACILITIES."

No. 1368 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

No. 1369 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

No. 1370 "A BILL FOR AN ACT RELATING TO HOUSING."

No. 1371 "A BILL FOR AN ACT RELATING TO CHECK CASHING."

No. 1372 "A BILL FOR AN ACT RELATING TO CRIME STOPPERS."

No. 1373 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE FAIR."

No. 1374 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

No. 1375 "A BILL FOR AN ACT RELATING TO CORPORATE INCOME TAXES."

No. 1376 "A BILL FOR AN ACT RELATING TO HARBORS."

No. 1377 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1378 "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL."

No. 1379 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

No. 1380 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS."

No. 1381 "A BILL FOR AN ACT RELATING TO STATE PARKS."

No. 1382 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

No. 1383 "A BILL FOR AN ACT RELATING TO HYPNOTHERAPY."

No. 1384 "A BILL FOR AN ACT RELATING TO THE WAIPAHU CENTENNIAL MEMORIAL."

- No. 1385 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- No. 1386 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
- No. 1387 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS."
- No. 1388 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."
- No. 1389 "A BILL FOR AN ACT RELATING TO SCHOOLS."
- No. 1390 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROFESSIONAL DEVELOPMENT SCHOOLS."
- No. 1391 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL PROPERTY."
- No. 1392 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1393 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS."
- No. 1394 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1395 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION CIVIL SERVICE PERSONNEL."
- No. 1396 "A BILL FOR AN ACT RELATING TO EDUCATIONAL FACILITIES."
- No. 1397 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1398 "A BILL FOR AN ACT RELATING TO TUITION SCHOLARSHIPS."
- No. 1399 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES."
- No. 1400 "A BILL FOR AN ACT RELATING TO TRAFFIC."
- No. 1401 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES FOR OAHU."
- No. 1402 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- No. 1403 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 1404 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 1405 "A BILL FOR AN ACT RELATING TO SCHOOLS."
- No. 1406 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT SUPPORT SERVICES."
- No. 1407 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT EMPLOYMENT FUNDS IN SUPPORT OF UNIVERSITY OF HAWAII'S SYSTEMWIDE OPERATIONS AND PROGRAMS."
- No. 1408 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE BOARD OF REGENTS TO ISSUE GENERAL OBLIGATION BONDS."
- No. 1409 "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK."
- No. 1410 "A BILL FOR AN ACT RELATING TO TAXATION."
- No. 1411 "A BILL FOR AN ACT RELATING TO TEACHERS."
- No. 1412 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."
- No. 1413 "A BILL FOR AN ACT RELATING TO CHECK CASHING."
- No. 1414 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS."
- No. 1415 "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDITS."
- No. 1416 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE LIFEGUARDS."
- No. 1417 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."
- No. 1418 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 1419 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."
- No. 1420 "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION."
- No. 1421 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI ECONOMIC DEVELOPMENT BOARD."
- No. 1422 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 1423 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PULELEHUA ELEMENTARY SCHOOL."
- No. 1424 "A BILL FOR AN ACT RELATING TO FIREARMS."
- No. 1425 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."
- No. 1426 "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING."

- No. 1427 "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES."
- No. 1428 "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SUSTAINABLE PRACTICES."
- No. 1429 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE."
- No. 1430 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE STATE FUNDING TO ERADICATE THE MICONIA CALVESENS PLANT."
- No. 1431 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- No. 1432 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."
- No. 1433 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1434 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
- No. 1435 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSING LAWS."
- No. 1436 "A BILL FOR AN ACT RELATING TO RENEWALS OF DRIVERS LICENSES."
- No. 1437 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
- No. 1438 "A BILL FOR AN ACT RELATING TO TECHNOLOGY USES IN THE PUBLIC SECTOR."
- No. 1439 "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION."
- No. 1440 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."
- No. 1441 "A BILL FOR AN ACT RELATING TO NURSING."
- No. 1442 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."
- No. 1443 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 1444 "A BILL FOR AN ACT RELATING TO QUALIFIED MENTAL HEALTH CENTER INVESTMENT TAX CREDIT."
- No. 1445 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A ROAMING SECURITY GUARD FOR VARIOUS SCHOOLS ON MAUI."
- No. 1446 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AIR AMBULANCE HELICOPTER PAD FOR MAUI MEMORIAL MEDICAL CENTER."
- No. 1447 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MEDICAL FACILITY IN WEST MAUI."
- No. 1448 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE."
- No. 1449 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1450 "A BILL FOR AN ACT RELATING TO FLOOD CONTROL."
- No. 1451 "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY."
- No. 1452 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL."
- No. 1453 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."
- No. 1454 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE INTERNATIONAL TECHNOLOGY INCUBATOR OF HAWAII."
- No. 1455 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- No. 1456 "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR."
- No. 1457 "A BILL FOR AN ACT RELATING TO NORTH KOHALA."
- No. 1458 "A BILL FOR AN ACT RELATING TO COUNTY TAXES."
- No. 1459 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
- No. 1460 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 1461 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES MANAGEMENT."
- No. 1462 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."
- No. 1463 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAHAINALUNA HIGH SCHOOL."
- No. 1464 "A BILL FOR AN ACT RELATING TO COMMUNITY ELDER CARE."
- No. 1465 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."
- No. 1466 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."
- No. 1467 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 1468 "A BILL FOR AN ACT RELATING TO SMOKING."
- No. 1469 "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES."
- No. 1470 "A BILL FOR AN ACT RELATING TO NATUROPATHY."

- No. 1471 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."
- No. 1472 "A BILL FOR AN ACT RELATING TO PUBLIC DISCLOSURE OF COMFORT LETTERS."
- No. 1473 "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE."
- No. 1474 "A BILL FOR AN ACT RELATING TO THE MAUNA KEA SCIENCE RESERVE AUTHORITY."
- No. 1475 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- No. 1476 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- No. 1477 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- No. 1478 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."
- No. 1479 "A BILL FOR AN ACT RELATING TO FIRE FIGHTER LIABILITY."
- No. 1480 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."
- No. 1481 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."
- No. 1482 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES."
- No. 1483 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL."
- No. 1484 "A BILL FOR AN ACT RELATING TO PRIVATE ROAD MAINTENANCE."
- No. 1485 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST SENATORIAL DISTRICT."
- No. 1486 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."
- No. 1487 "A BILL FOR AN ACT RELATING TO HIGHWAY DESIGN."
- No. 1488 "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS."
- No. 1489 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A COQUI FROG ERADICATION PROGRAM ON THE ISLAND OF HAWAII."
- No. 1490 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- No. 1491 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
- No. 1492 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."
- No. 1493 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC EVENT TRANSPORTATION."
- No. 1494 "A BILL FOR AN ACT RELATING TO TRAFFIC."
- No. 1495 "A BILL FOR AN ACT RELATING TO AIRPORTS."
- No. 1496 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRD SENATORIAL DISTRICT."
- No. 1497 "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION."
- No. 1498 "A BILL FOR AN ACT RELATING TO MUNICIPALITIES."
- No. 1499 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."
- No. 1500 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR."
- No. 1501 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- No. 1502 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 20TH SENATORIAL DISTRICT."
- No. 1503 "A BILL FOR AN ACT RELATING TO TOURISM."
- No. 1504 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX HOLIDAY."
- No. 1505 "A BILL FOR AN ACT RELATING TO COMPUTER RECYCLING."
- No. 1506 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOBILE PRODUCTION FACILITIES."
- No. 1507 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
- No. 1508 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."
- No. 1509 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
- No. 1510 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- No. 1511 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 1512 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE FATALITY REVIEW."
- No. 1513 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES PROGRAMS."

- No. 1514 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
- No. 1515 "A BILL FOR AN ACT RELATING TO TRANSFERS FROM SPECIAL FUNDS FOR CENTRAL SERVICE EXPENSES."
- No. 1516 "A BILL FOR AN ACT RELATING TO KEWALO BASIN."
- No. 1517 "A BILL FOR AN ACT RELATING TO STUDENT HEALTH."
- No. 1518 "A BILL FOR AN ACT RELATING TO MEDICAID."
- No. 1519 "A BILL FOR AN ACT RELATING TO FOSTER CARE HOMES."
- No. 1520 "A BILL FOR AN ACT RELATING TO AMMUNITION."
- No. 1521 "A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES."
- No. 1522 "A BILL FOR AN ACT RELATING TO PREVIOUSLY UNDIAGNOSED CONDITIONS."
- No. 1523 "A BILL FOR AN ACT RELATING TO THE WAIKIKI WAR MEMORIAL NATATORIUM."
- No. 1524 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SOCIAL WORK AND SUBSTANCE ABUSE INTERVENTION."
- No. 1525 "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION."
- No. 1526 "A BILL FOR AN ACT RELATING TO GOVERNMENT SIGNS."
- No. 1527 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."
- No. 1528 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
- No. 1529 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
- No. 1530 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- No. 1531 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."
- No. 1532 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE EDUCATIONAL PROGRAMS."
- No. 1533 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO THE COMPOSITION OF THE BOARD OF EDUCATION."
- No. 1534 "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION."
- No. 1535 "A BILL FOR AN ACT RELATING TO THE ORAL HEALTH INSTITUTE OF THE PACIFIC."
- No. 1536 "A BILL FOR AN ACT RELATING TO HEALTH."
- No. 1537 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ON-CALL EMERGENCY CARE SERVICES AT THE QUEEN'S MEDICAL CENTER."
- No. 1538 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."
- No. 1539 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."
- No. 1540 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
- No. 1541 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- No. 1542 "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS."
- No. 1543 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- No. 1544 "A BILL FOR AN ACT RELATING TO DIAMOND HEAD VISITOR ORIENTATION CENTER."
- No. 1545 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 5 OF THE HAWAII CONSTITUTION TO ALLOW FOR FULL PUBLIC FINANCING OF CAMPAIGNS FOR STATE AND COUNTY OFFICES."
- No. 1546 "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS."
- No. 1547 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- No. 1548 "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS."
- No. 1549 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCIES AND BOARDS."
- No. 1550 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."
- No. 1551 "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION."
- No. 1552 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."
- No. 1553 "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS."
- No. 1554 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
- No. 1555 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."
- No. 1556 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."



No. 1557 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

No. 1558 "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AND CONSERVATION TRUST FUND."

No. 1559 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR AN ELECTED PUBLIC UTILITIES COMMISSION."

No. 1560 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

No. 1561 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."

No. 1562 "A BILL FOR AN ACT RELATING TO MEDICAL EXAMINATION BY EMPLOYER'S PHYSICIAN IN WORKERS' COMPENSATION CLAIMS."

No. 1563 "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF INFORMATION ON WORKERS' COMPENSATION CLAIMS."

No. 1564 "A BILL FOR AN ACT RELATING TO DISABILITY BENEFITS UNDER WORKERS' COMPENSATION LAW."

No. 1565 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

No. 1566 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

No. 1567 "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION UNDER WORKERS' COMPENSATION LAW."

No. 1568 "A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS UNDER WORKERS' COMPENSATION LAW."

No. 1569 "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES UNDER WORKERS' COMPENSATION LAW."

No. 1570 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY."

No. 1571 "A BILL FOR AN ACT RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS."

No. 1572 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."

No. 1573 "A BILL FOR AN ACT RELATING TO APPROVAL OF REQUESTS FOR MEDICAL CARE."

No. 1574 "A BILL FOR AN ACT RELATING TO TEMPORARY TOTAL DISABILITY."

No. 1575 "A BILL FOR AN ACT RELATING TO TEMPORARY PARTIAL DISABILITY BENEFITS."

No. 1576 "A BILL FOR AN ACT RELATING TO TEMPORARY TOTAL DISABILITY BENEFITS."

No. 1577 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

No. 1578 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS."

No. 1579 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1580 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1581 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1582 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1583 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1584 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1585 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

No. 1586 "A BILL FOR AN ACT RELATING TO THE HAWAII COUNTY BOARD OF WATER SUPPLY."

No. 1587 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE."

No. 1588 "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT."

No. 1589 "A BILL FOR AN ACT RELATING TO STATE AND COUNTY TORT LIABILITY."

No. 1590 "A BILL FOR AN ACT RELATING TO HARBORS."

No. 1591 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'ROADS IN LIMBO' PROGRAM IN HAWAII COUNTY."

No. 1592 "A BILL FOR AN ACT RELATING TO STATE PLANNING."

No. 1593 "A BILL FOR AN ACT RELATING TO LAND USE."

No. 1594 "A BILL FOR AN ACT RELATING TO EDUCATION."

No. 1595 "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS."

- No. 1596 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
- No. 1597 "A BILL FOR AN ACT RELATING TO THE TEACHER CADET PROGRAM."
- No. 1598 "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS."
- No. 1599 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EIGHTEENTH SENATORIAL DISTRICT."
- No. 1600 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO DESIGN AND CONSTRUCT A SIDEWALK ON THE NORTH SIDE OF WAIPAHU STREET, OAHU."
- No. 1601 "A BILL FOR AN ACT RELATING TO THE ALA WAI BOAT HARBOR."
- No. 1602 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
- No. 1603 "A BILL FOR AN ACT RELATING TO NOISE."
- No. 1604 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 1605 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."
- No. 1606 "A BILL FOR AN ACT RELATING TO WILLS."
- No. 1607 "A BILL FOR AN ACT RELATING TO KAKAAKO DISTRICT RESIDENTIAL DEVELOPMENT."
- No. 1608 "A BILL FOR AN ACT RELATING TO PUBLIC PROPERTY."
- No. 1609 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
- No. 1610 "A BILL FOR AN ACT RELATING TO THE KAKAAKO WATERFRONT."
- No. 1611 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- No. 1612 "A BILL FOR AN ACT RELATING TO CONFORMING STATE STANDARD DEDUCTION TO FEDERAL STANDARD DEDUCTION."
- No. 1613 "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITY PROPERTIES."
- No. 1614 "A BILL FOR AN ACT RELATING TO TRANSIT SERVICES FOR ELDERLY AND DISABLED."
- No. 1615 "A BILL FOR AN ACT RELATING TO HARBORS."
- No. 1616 "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT."
- No. 1617 "A BILL FOR AN ACT RELATING TO THE VEHICULAR FERRY SYSTEM."
- No. 1618 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KONA COFFEE FESTIVAL."
- No. 1619 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
- No. 1620 "A BILL FOR AN ACT RELATING TO STATE FUNDS."
- No. 1621 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
- No. 1622 "A BILL FOR AN ACT RELATING TO THE CIGARETTE AND TOBACCO TAX."
- No. 1623 "A BILL FOR AN ACT RELATING TO HEALTH."
- No. 1624 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."
- No. 1625 "A BILL FOR AN ACT RELATING TO VETERANS."
- No. 1626 "A BILL FOR AN ACT RELATING TO PAROLE."
- No. 1627 "A BILL FOR AN ACT RELATING TO PAROLE."
- No. 1628 "A BILL FOR AN ACT RELATING TO GOVERNMENT REFORM."
- No. 1629 "A BILL FOR AN ACT RELATING TO HOUSING."
- No. 1630 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WEED AND SEED STRATEGY."
- No. 1631 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."
- No. 1632 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."
- No. 1633 "A BILL FOR AN ACT RELATING TO INITIATIVE."
- No. 1634 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."
- No. 1635 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1636 "A BILL FOR AN ACT RELATING TO TEACHERS."
- No. 1637 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1638 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII EDUCATIONAL RESEARCH CENTER."
- No. 1639 "A BILL FOR AN ACT RELATING TO TEACHER COMPENSATION."
- No. 1640 "A BILL FOR AN ACT RELATING TO THE OVERPAYMENT OF TEACHERS."

- No. 1641 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII."
- No. 1642 "A BILL FOR AN ACT RELATING TO TEACHERS."
- No. 1643 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1644 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- No. 1645 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE."
- No. 1646 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."
- No. 1647 "A BILL FOR AN ACT RELATING TO UNDERGROUNDING OF OVERHEAD UTILITIES."
- No. 1648 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."
- No. 1649 "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR MEMORIAL."
- No. 1650 "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD."
- No. 1651 "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF PERMANENT IMPAIRMENT UNDER THE STATE'S WORKERS' COMPENSATION LAW."
- No. 1652 "A BILL FOR AN ACT RELATING TO STRESS CLAIMS UNDER THE STATE'S WORKERS' COMPENSATION LAW."
- No. 1653 "A BILL FOR AN ACT RELATING TO THE SPECIAL COMPENSATION FUND."
- No. 1654 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."
- No. 1655 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- No. 1656 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON 24-HOUR COVERAGE."
- No. 1657 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM."
- No. 1658 "A BILL FOR AN ACT RELATING TO INCENTIVES FOR EDUCATIONAL PURPOSES."
- No. 1659 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1660 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1661 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1662 "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES."
- No. 1663 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1664 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- No. 1665 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1666 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1667 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1668 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1669 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1670 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1671 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- No. 1672 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTH SENATORIAL DISTRICT."
- No. 1673 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."
- No. 1674 "A BILL FOR AN ACT RELATING TO INCOME TAX."
- No. 1675 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."
- No. 1676 "A BILL FOR AN ACT RELATING TO INCOME TAX."
- No. 1677 "A BILL FOR AN ACT RELATING TO LIQUOR TAX."
- No. 1678 "A BILL FOR AN ACT RELATING TO LONG-TERM INSURANCE TAX CREDIT FOR SMALL BUSINESS."
- No. 1679 "A BILL FOR AN ACT RELATING TO WITHHOLDING TAX."
- No. 1680 "A BILL FOR AN ACT RELATING TO QUALIFICATIONS OF BOARD MEMBERS."
- No. 1681 "A BILL FOR AN ACT RELATING TO CLASS SIZE REDUCTION."
- No. 1682 "A BILL FOR AN ACT RELATING TO CLASS SIZE REDUCTION."
- No. 1683 "A BILL FOR AN ACT RELATING TO INCOME TAX."
- No. 1684 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE."
- No. 1685 "A BILL FOR AN ACT RELATING TO TAX."

- No. 1686 "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES."
- No. 1687 "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PLANS."
- No. 1688 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."
- No. 1689 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
- No. 1690 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."
- No. 1691 "A BILL FOR AN ACT RELATING TO HOUSING."
- No. 1692 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."
- No. 1693 "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES."
- No. 1694 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- No. 1695 "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS."
- No. 1696 "A BILL FOR AN ACT RELATING TO INVESTMENTS."
- No. 1697 "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING."
- No. 1698 "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH."
- No. 1699 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."
- No. 1700 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."
- No. 1701 "A BILL FOR AN ACT RELATING TO TECHNOLOGY AND INNOVATION INDUSTRIES."
- No. 1702 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."
- No. 1703 "A BILL FOR AN ACT RELATING TO PROFESSIONAL LICENSING."
- No. 1704 "A BILL FOR AN ACT RELATING TO REVENUE BONDS FOR MAUI MEMORIAL MEDICAL CENTER."
- No. 1705 "A BILL FOR AN ACT RELATING TO STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."
- No. 1706 "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AND CONSERVATION TRUST FUND."
- No. 1707 "A BILL FOR AN ACT RELATING TO THE RIGHTS OF THE ACCUSED."
- No. 1708 "A BILL FOR AN ACT RELATING TO MOLOKAI GENERAL HOSPITAL."
- No. 1709 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS."
- No. 1710 "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS."
- No. 1711 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION."
- No. 1712 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA YOUTH CENTER."
- No. 1713 "A BILL FOR AN ACT RELATING TO KALAUPAPA."
- No. 1714 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY IN STATE BUILDINGS."
- No. 1715 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL COURT."
- No. 1716 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY."
- No. 1717 "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS."
- No. 1718 "A BILL FOR AN ACT RELATING TO TAX CREDITS."
- No. 1719 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH SENATORIAL DISTRICT."
- No. 1720 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTEENTH SENATORIAL DISTRICT."
- No. 1721 "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET."
- No. 1722 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
- No. 1723 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."
- No. 1724 "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION."
- No. 1725 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL CRIMES EDUCATION PROGRAM."
- No. 1726 "A BILL FOR AN ACT RELATING TO WITNESSES."
- No. 1727 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."
- No. 1728 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
- No. 1729 "A BILL FOR AN ACT RELATING TO TOURISM."
- No. 1730 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
- No. 1731 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1732 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON."

No. 1733 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD."

No. 1734 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1735 "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION."

No. 1736 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOKUA LEGAL SERVICES, INC."

No. 1737 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO NA LEI WILI AREA HEALTH EDUCATION CENTER'S GROW OUR OWN HEALERS' PROGRAM."

No. 1738 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SECOND SENATORIAL DISTRICT."

No. 1739 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

No. 1740 "A BILL FOR AN ACT RELATING TO ADJUSTING THE INCOME TAX BRACKETS."

No. 1741 "A BILL FOR AN ACT RELATING TO ELECTIONS."

No. 1742 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION RELATING TO THE JUDICIAL SELECTION COMMISSION."

No. 1743 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

No. 1744 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO REPAIR THE DAMAGE CAUSED BY THE HEAVY RAIN AND FLOODING OF OCTOBER 2004."

No. 1745 "A BILL FOR AN ACT RELATING TO RELIEF FOR MANOA FLOOD VICTIMS."

No. 1746 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TENTH SENATORIAL DISTRICT."

No. 1747 "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM."

No. 1748 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

No. 1749 "A BILL FOR AN ACT RELATING TO THE BUDGET."

No. 1750 "A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND FUNDING EXPENDITURES."

No. 1751 "A BILL FOR AN ACT RELATING TO TAXATION."

No. 1752 "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL."

No. 1753 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

No. 1754 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN."

No. 1755 "A BILL FOR AN ACT RELATING TO LIBRARIANS."

No. 1756 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

No. 1757 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

No. 1758 "A BILL FOR AN ACT RELATING TO PESTICIDES."

No. 1759 "A BILL FOR AN ACT RELATING TO PESTICIDES."

No. 1760 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS."

No. 1761 "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE."

No. 1762 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENETIC ENGINEERING ASSESSMENT."

No. 1763 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

No. 1764 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

No. 1765 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

No. 1766 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD DEVELOPMENT."

No. 1767 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."

No. 1768 "A BILL FOR AN ACT RELATING TO LITERACY."

No. 1769 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

No. 1770 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS."

No. 1771 "A BILL FOR AN ACT RELATING TO TOTAL DISABILITY PAYMENTS."

No. 1772 "A BILL FOR AN ACT RELATING TO EMPLOYERS."

No. 1773 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."

- No. 1774 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CULTURAL EDUCATION AND INTEGRATION, LANGUAGE, EMPLOYMENT, AND LEGAL SERVICES FOR IMMIGRANTS FROM THE FREELY ASSOCIATED STATES."
- No. 1775 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."
- No. 1776 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SENATORIAL DISTRICT."
- No. 1777 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSUMER EDUCATION REGARDING REAL ESTATE LAWS."
- No. 1778 "A BILL FOR AN ACT RELATING TO CONTRACTORS."
- No. 1779 "A BILL FOR AN ACT RELATING TO LIENS."
- No. 1780 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD."
- No. 1781 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS."
- No. 1782 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."
- No. 1783 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
- No. 1784 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."
- No. 1785 "A BILL FOR AN ACT RELATING TO THE SUPERFERRY."
- No. 1786 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- No. 1787 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO ESTABLISH UNIVERSITY OF HAWAII WEST OAHU UNIVERSITY CENTER."
- No. 1788 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."
- No. 1789 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH SENATORIAL DISTRICT."
- No. 1790 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."
- No. 1791 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
- No. 1792 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM."
- No. 1793 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."
- No. 1794 "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY."
- No. 1795 "A BILL FOR AN ACT RELATING TO TRANSFERS FROM SPECIAL FUNDS FOR CENTRAL SERVICE EXPENSES."
- No. 1796 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS."
- No. 1797 "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."
- No. 1798 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."
- No. 1799 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 1800 "A BILL FOR AN ACT RELATING TO HEALTH."
- No. 1801 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH SENATORIAL DISTRICT."
- No. 1802 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."
- No. 1803 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."
- No. 1804 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
- No. 1805 "A BILL FOR AN ACT RELATING TO HOUSING."
- No. 1806 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT HILO."
- No. 1807 "A BILL FOR AN ACT RELATING TO INTELLECTUAL PROPERTY."
- No. 1808 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
- No. 1809 "A BILL FOR AN ACT RELATING TO MEDICAL TREATMENT DECISIONS."
- No. 1810 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."
- No. 1811 "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM."
- No. 1812 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1813 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1814 "A BILL FOR AN ACT RELATING TO IMPACT FEES."
- No. 1815 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."
- No. 1816 "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS."

- No. 1817 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- No. 1818 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1819 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- No. 1820 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1821 "A BILL FOR AN ACT RELATING TO EMPLOYERS."
- No. 1822 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."
- No. 1823 "A BILL FOR AN ACT RELATING TO THE OAHU VETERANS CENTER."
- No. 1824 "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION."
- No. 1825 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- No. 1826 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."
- No. 1827 "A BILL FOR AN ACT RELATING TO A HAWAII MILITARY FAMILY RELIEF SPECIAL FUND."
- No. 1828 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TSUNAMI PUBLIC AWARENESS CAMPAIGN."
- No. 1829 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."
- No. 1830 "A BILL FOR AN ACT RELATING TO VETERANS."
- No. 1831 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTEENTH SENATORIAL DISTRICT."
- No. 1832 "A BILL FOR AN ACT RELATING TO INSURANCE."
- No. 1833 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE."
- No. 1834 "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS."
- No. 1835 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS."
- No. 1836 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS."
- No. 1837 "A BILL FOR AN ACT RELATING TO TAXATION."
- No. 1838 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."
- No. 1839 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."
- No. 1840 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SHELTER RETROFITTING."
- No. 1841 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- No. 1842 "A BILL FOR AN ACT RELATING TO HAWAII LABOR RELATIONS BOARD."
- No. 1843 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- No. 1844 "A BILL FOR AN ACT RELATING TO HOUSING."
- No. 1845 "A BILL FOR AN ACT RELATING TO AFFORDABLE RENTAL HOUSING."
- No. 1846 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."
- No. 1847 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED CROPS."
- No. 1848 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAUAI STATE PARKS."
- No. 1849 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- No. 1850 "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS."
- No. 1851 "A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS."
- No. 1852 "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING."
- No. 1853 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
- No. 1854 "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."
- No. 1855 "A BILL FOR AN ACT RELATING TO PROTECTION OF AGRICULTURAL LANDS."
- No. 1856 "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS."
- No. 1857 "A BILL FOR AN ACT RELATING TO THE REGULATION OF CROPS."
- No. 1858 "A BILL FOR AN ACT RELATING TO INCOME TAX."
- No. 1859 "A BILL FOR AN ACT RELATING TO CLEAN WATER."
- No. 1860 "A BILL FOR AN ACT RELATING TO LAND USE."
- No. 1861 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."
- No. 1862 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

- No. 1863 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
- No. 1864 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND."
- No. 1865 "A BILL FOR AN ACT RELATING TO EDUCATION WORKFORCE DEVELOPMENT PIPELINE."
- No. 1866 "A BILL FOR AN ACT RELATING TO STUDENT SERVICES COORDINATORS."
- No. 1867 "A BILL FOR AN ACT RELATING TO EDUCATION."
- No. 1868 "A BILL FOR AN ACT RELATING TO MILITARY HISTORIC DISTRICTS."
- No. 1869 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL."
- No. 1870 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
- No. 1871 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MUNICIPAL PARKING STRUCTURE AT WAILUKU, MAUI."
- No. 1872 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES."
- No. 1873 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS TO WELLS PARK, WAILUKU, MAUI."
- No. 1874 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-FIRST SENATORIAL DISTRICT."
- No. 1875 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."
- No. 1876 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
- No. 1877 "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING."
- No. 1878 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND ALONG THE SOUTH KONA-KA'U COASTLINE ON THE ISLAND OF HAWAII."
- No. 1879 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."
- No. 1880 "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES."
- No. 1881 "A BILL FOR AN ACT RELATING TO LAND USE."
- No. 1882 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."
- No. 1883 "A BILL FOR AN ACT RELATING TO MILOLI FISHERIES MANAGEMENT AREA."
- No. 1884 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO SHORELINES."
- No. 1885 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING."
- No. 1886 "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES."
- No. 1887 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGHWAY ACCESS IMPROVEMENT IN PUNA."
- No. 1888 "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD."
- No. 1889 "A BILL FOR AN ACT RELATING TO APPRENTICESHIPS."
- No. 1890 "A BILL FOR AN ACT RELATING TO HUNTING."
- No. 1891 "A BILL FOR AN ACT RELATING TO BOATING."
- No. 1892 "A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES."
- No. 1893 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."
- No. 1894 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."
- No. 1895 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."
- No. 1896 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."
- No. 1897 "A BILL FOR AN ACT RELATING TO LAND CONSERVATION."
- No. 1898 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY."
- No. 1899 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- No. 1900 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTH SENATORIAL DISTRICT."
- No. 1901 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NISEI VETERANS MEMORIAL CENTER."
- No. 1902 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH SENATORIAL DISTRICT."
- No. 1903 "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING."
- No. 1904 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AFFORDABLE HOUSING IN HANA, MAUI."



**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 21	Committee on Human Services, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 46	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 58	Committee on Labor, then to the Committee on Health, then to the Committee on Ways and Means
No. 115	Committee on Health, then to the Committee on Ways and Means
No. 128	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 158	Committee on Media, Arts, Science and Technology
No. 305	Committee on Media, Arts, Science and Technology
No. 320	Committee on Media, Arts, Science and Technology
No. 328	Committee on Media, Arts, Science and Technology
No. 412	Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 418	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 421	Committee on Business and Economic Development, then to the Committee on Ways and Means

At 11:47 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 Slom rose on a point of personal privilege as follows:

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

"Mr. President, I know that my colleagues join me in the enthusiasm for the event that took place yesterday with the vote in Iraq and Iraqi-Americans around our country who had the opportunity to vote. This comes after a week of great sadness for the loss of our fighting men and women, particularly from Hawaii, but those losses and that sympathy I think are tempered by the result that occurred yesterday. Against all odds, against things that we take for granted in America and challenges and threats that we've never faced to vote, the people of Iraq got an opportunity to vote for the first time. And we saw, despite limited news coverage, we saw on the faces of these people how important it is to be able to vote, how important and prideful they were to have ink on their fingers to show they had voted,

how proud they were that more than 60 percent of their eligible people – despite death threats, despite killings, despite all the things that happened – went to vote, and how important they took their democracy and their actions and how quickly and swiftly they were, Mr. President, to thank our fighting men and women, our government, our President, and our people.

"For a while it looked at a time that people wondered and questioned why we were there and what we were doing. As the President had announced so clearly, the gift that the United States can give and provide throughout the world is the right of freedom and the hope of independence. And that was shown yesterday in the faces of young children and women and old men who took that right seriously.

"And so, to the Iraqi people, to our fighting men and women who know why they are in harms way, and to our President – I say that, as part of a grateful nation, we realize this was only the first step, but we realize also how important it is to have the right to vote. And in that connection, Mr. President and colleagues, I'm very pleased and proud to introduce one of my staff members who last week after a two-year period became a United States citizen. And she's so excited and she's so anxious to participate more. I'd like to have Anna Maria Preston please stand up and be recognized because this is what it's all about. (Ms. Preston rose to be recognized.)

"Thank you, Mr. President."

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Monday, January 24, 2005:

Senate Bill	Referred to:
No. 424	Committee on Labor, then to the Committee on Ways and Means
No. 425	Committee on Labor, then to the Committee on Ways and Means
No. 426	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 427	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 428	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 429	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 430	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 431	Jointly to the Committee on Education and Military Affairs and the Committee on Labor
No. 432	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 433	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 434	Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 454	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 435	Committee on Business and Economic Development, then to the Committee on Ways and Means	No. 455	Committee on Energy, Environment, and International Affairs
No. 436	Committee on Judiciary and Hawaiian Affairs	No. 456	Committee on Ways and Means
No. 437	Committee on Judiciary and Hawaiian Affairs	No. 457	Committee on Labor, then to the Committee on Ways and Means
No. 438	Committee on Judiciary and Hawaiian Affairs	No. 458	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 439	Committee on Judiciary and Hawaiian Affairs	No. 459	Committee on Health, then to the Committee on Ways and Means
No. 440	Committee on Judiciary and Hawaiian Affairs	No. 460	Committee on Ways and Means
No. 441	Committee on Ways and Means	No. 461	Jointly to the Committee on Tourism and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 442	Committee on Ways and Means	No. 462	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 443	Committee on Water, Land, and Agriculture	No. 463	Committee on Water, Land, and Agriculture
No. 444	Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means	No. 464	Jointly to the Committee on Higher Education and the Committee on Labor, then to the Committee on Ways and Means
No. 445	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 465	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 446	Committee on Ways and Means	No. 466	Committee on Health, then to the Committee on Ways and Means
No. 447	Jointly to the Committee on Water, Land, and Agriculture, the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 467	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 448	Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 468	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 449	Jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 469	Committee on Health, then to the Committee on Ways and Means
No. 450	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 470	Committee on Judiciary and Hawaiian Affairs
No. 451	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 471	Committee on Health
No. 452	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 472	Committee on Human Services, then to the Committee on Ways and Means
No. 453	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 473	Committee on Labor, then to the Committee on Ways and Means
		No. 474	Committee on Human Services, then to the Committee on Ways and Means
		No. 475	Committee on Human Services, then to the Committee on Ways and Means
		No. 476	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

- No. 477 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 478 Committee on Labor, then to the Committee on Human Services
- No. 479 Jointly to the Committee on Human Services and the Committee on Labor, then jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means
- No. 480 Committee on Health, then to the Committee on Ways and Means
- No. 481 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 482 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 483 Jointly to the Committee on Education and Military Affairs and the Committee on Health
- No. 484 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 485 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 486 Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 487 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 488 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 489 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 490 Jointly to the Committee on Education and Military Affairs and the Committee on Health, then to the Committee on Ways and Means
- No. 491 Jointly to the Committee on Health and the Committee on Human Services
- No. 492 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 493 Jointly to the Committee on Health and the Committee on Education and Military Affairs
- No. 494 Jointly to the Committee on Health and the Committee on Human Services
- No. 495 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means
- No. 496 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 497 Committee on Education and Military Affairs, then to the Committee on Labor
- No. 498 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 499 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 500 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 501 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 502 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 503 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 504 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 505 Committee on Transportation and Government Operations, then to the Committee on Water, Land, and Agriculture
- No. 506 Committee on Commerce, Consumer Protection and Housing
- No. 507 Committee on Commerce, Consumer Protection and Housing
- No. 508 Committee on Ways and Means
- No. 509 Committee on Ways and Means
- No. 510 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 511 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 512 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 513 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 514 Jointly to the Committee on Health and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 515 Committee on Ways and Means
- No. 516 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 517	Committee on Judiciary and Hawaiian Affairs	No. 538	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 518	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 539	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 519	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 540	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Health, then to the Committee on Ways and Means
No. 520	Committee on Labor, then to the Committee on Ways and Means	No. 541	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 521	Jointly to the Committee on Health and the Committee on Business and Economic Development, then to the Committee on Labor	No. 542	Jointly to the Committee on Transportation and Government Operations and the Committee on Business and Economic Development, then to the Committee on Ways and Means
No. 522	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 544	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 523	Committee on Judiciary and Hawaiian Affairs	No. 545	Committee on Judiciary and Hawaiian Affairs
No. 524	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 546	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 525	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs	No. 547	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 526	Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 548	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 527	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations	No. 549	Committee on Education and Military Affairs, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 528	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 550	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 529	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 551	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 530	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 552	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 531	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 553	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 532	Committee on Transportation and Government Operations	No. 554	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 533	Committee on Labor, then to the Committee on Ways and Means	No. 555	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 534	Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 556	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 535	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 557	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 536	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs		
No. 537	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs		

No. 558	Committee on Judiciary and Hawaiian Affairs	No. 579	Committee on Labor, then to the Committee on Ways and Means
No. 559	Committee on Human Services, then to the Committee on Ways and Means	No. 580	Committee on Labor, then to the Committee on Ways and Means
No. 560	Committee on Human Services, then to the Committee on Ways and Means	No. 581	Committee on Higher Education, then to the Committee on Ways and Means
No. 561	Committee on Human Services, then to the Committee on Ways and Means	No. 582	Committee on Judiciary and Hawaiian Affairs
No. 562	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 583	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 563	Committee on Judiciary and Hawaiian Affairs	No. 584	Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 564	Committee on Judiciary and Hawaiian Affairs	No. 585	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 565	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 586	Committee on Judiciary and Hawaiian Affairs
No. 566	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 587	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 567	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 588	Committee on Judiciary and Hawaiian Affairs
No. 568	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 589	Committee on Judiciary and Hawaiian Affairs
No. 569	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 590	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 570	Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means	No. 591	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 571	Committee on Judiciary and Hawaiian Affairs	No. 592	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 572	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 593	Committee on Judiciary and Hawaiian Affairs
No. 573	Committee on Judiciary and Hawaiian Affairs	No. 594	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 574	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 595	Committee on Judiciary and Hawaiian Affairs
No. 575	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Tourism, then to the Committee on Ways and Means	No. 596	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, then to the Committee on Ways and Means
No. 576	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 597	Committee on Judiciary and Hawaiian Affairs
No. 577	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health, then to the Committee on Ways and Means	No. 598	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 578	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 599	Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 600 Affairs	Committee on Judiciary and Hawaiian	No. 620 Affairs	Committee on Judiciary and Hawaiian
No. 601 Affairs	Committee on Judiciary and Hawaiian	No. 621 Affairs	Committee on Judiciary and Hawaiian
No. 602	Committee on Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 622	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 603 Affairs	Committee on Judiciary and Hawaiian	No. 623	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 604	Jointly to the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 624	Committee on Labor, then to the Committee on Ways and Means
No. 605 Affairs	Committee on Judiciary and Hawaiian	No. 625	Committee on Media, Arts, Science and Technology, then to the Committee on Commerce, Consumer Protection and Housing
No. 606	Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 626	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 607 Affairs	Committee on Judiciary and Hawaiian	No. 627 Affairs	Committee on Judiciary and Hawaiian
No. 608	Jointly to the Committee on Transportation and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 628	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 609	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 629	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 610	Jointly to the Committee on Transportation and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 630	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 611	Jointly to the Committee on Transportation and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 631	Committee on Ways and Means
No. 612 Affairs	Committee on Judiciary and Hawaiian	No. 632	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 613	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 633	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 614	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 634	Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
No. 615 Affairs	Committee on Judiciary and Hawaiian	No. 635	Committee on Labor, then to the Committee on Ways and Means
No. 616 Affairs	Committee on Judiciary and Hawaiian	No. 636	Committee on Commerce, Consumer Protection and Housing
No. 617	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 637	Committee on Intergovernmental Affairs, 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. 638	Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 619 Affairs	Committee on Judiciary and Hawaiian	No. 639	Jointly to the Committee on Education and Military Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 640 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 641 Committee on Judiciary and Hawaiian Affairs

No. 642 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 643 Committee on Judiciary and Hawaiian Affairs

No. 644 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 645 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 646 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs

No. 647 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 648 Jointly to the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs

No. 649 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 650 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 651 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 652 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 653 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 654 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 655 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 656 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 657 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 658 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 659 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 660 Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 661 Committee on Judiciary and Hawaiian Affairs

No. 662 Committee on Judiciary and Hawaiian Affairs

No. 663 Committee on Judiciary and Hawaiian Affairs

No. 664 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 665 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 666 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 667 Committee on Higher Education, then to the Committee on Ways and Means

No. 668 Committee on Business and Economic Development, then to the Committee on Transportation and Government Operations

No. 669 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 670 Committee on Water, Land, and Agriculture, then to the Committee on Health

No. 671 Committee on Water, Land, and Agriculture

No. 672 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Media, Arts, Science and Technology

No. 673 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 674 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 675 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 676 Committee on Judiciary and Hawaiian Affairs

No. 677 Committee on Judiciary and Hawaiian Affairs

No. 678 Committee on Judiciary and Hawaiian Affairs

No. 679 Affairs	Committee on Judiciary and Hawaiian	No. 702	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 680	Committee on Health	No. 703	Committee on Judiciary and Hawaiian Affairs
No. 681 Affairs	Committee on Judiciary and Hawaiian	No. 704	Committee on Judiciary and Hawaiian
No. 682	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 705	Committee on Judiciary and Hawaiian
No. 683 Affairs	Committee on Judiciary and Hawaiian	No. 706	Committee on Judiciary and Hawaiian
No. 684	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 707	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 685 Affairs	Committee on Judiciary and Hawaiian	No. 708	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 686	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 709	Committee on Judiciary and Hawaiian
No. 687 Affairs	Committee on Judiciary and Hawaiian	No. 710	Committee on Business and Economic Development
No. 688 Affairs	Committee on Judiciary and Hawaiian	No. 711	Committee on Business and Economic Development
No. 689	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 712	Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture
No. 690	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 713	Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 691	Committee on Human Services	No. 714	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 692 Affairs	Committee on Judiciary and Hawaiian	No. 715	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing
No. 693	Committee on Commerce, Consumer Protection and Housing	No. 716	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 694	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 717	Jointly to the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing
No. 695 Affairs	Committee on Judiciary and Hawaiian	No. 718	Committee on Tourism, then to the Committee on Ways and Means
No. 696	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 719	Committee on Business and Economic Development, then to the Committee on Ways and Means
No. 697 Affairs	Committee on Judiciary and Hawaiian	No. 720	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means
No. 698 Affairs	Committee on Judiciary and Hawaiian	No. 721	Committee on Business and Economic Development
No. 699	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 722	Committee on Labor, then to the Committee on Ways and Means
No. 700 Affairs	Committee on Judiciary and Hawaiian		
No. 701 Affairs	Committee on Judiciary and Hawaiian		



No. 723	Committee on Labor, then to the Committee on Ways and Means	No. 745	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 724	Committee on Labor, then to the Committee on Ways and Means	No. 746	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 725	Committee on Labor, then to the Committee on Ways and Means	No. 747	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 726	Committee on Labor, then to the Committee on Ways and Means	No. 748	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 727	Committee on Labor, then to the Committee on Ways and Means	No. 749	Jointly to the Committee on Higher Education and the Committee on Commerce, Consumer Protection and Housing
No. 728	Committee on Labor, then to the Committee on Ways and Means	No. 750	Committee on Commerce, Consumer Protection and Housing
No. 729	Committee on Labor, then to the Committee on Ways and Means	No. 751	Committee on Commerce, Consumer Protection and Housing
No. 730	Committee on Labor, then to the Committee on Ways and Means	No. 752	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
No. 731	Committee on Labor, then to the Committee on Ways and Means	No. 753	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 732	Committee on Labor, then to the Committee on Ways and Means	No. 754	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 733	Committee on Labor, then to the Committee on Ways and Means	No. 755	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 734	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 756	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 735	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 757	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 736	Committee on Ways and Means	No. 758	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 737	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing	No. 759	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 738	Committee on Labor, then to the Committee on Ways and Means	No. 760	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Health
No. 739	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 761	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing
No. 740	Committee on Labor, then to the Committee on Ways and Means	No. 762	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
No. 741	Committee on Labor, then to the Committee on Ways and Means	No. 763	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 742	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means		
No. 743	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs		
No. 744	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs		

No. 764	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 785	Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs
No. 765	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 786	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 766	Committee on Education and Military Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 787	Jointly to the Committee on Labor and the Committee on Health
No. 767	Committee on Commerce, Consumer Protection and Housing	No. 788	Committee on Energy, Environment, and International Affairs
No. 768	Committee on Business and Economic Development, then to the Committee on Commerce, Consumer Protection and Housing	No. 789	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
No. 769	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 790	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 770	Committee on Commerce, Consumer Protection and Housing	No. 791	Jointly to the Committee on Health and the Committee on Intergovernmental Affairs
No. 771	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 792	Committee on Health, then to the Committee on Ways and Means
No. 772	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 793	Jointly to the Committee on Health and the Committee on Labor, then to the Committee on Ways and Means
No. 773	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 794	Committee on Judiciary and Hawaiian Affairs
No. 774	Committee on Education and Military Affairs	No. 795	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs
No. 775	Committee on Education and Military Affairs	No. 796	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs
No. 776	Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 797	Committee on Commerce, Consumer Protection and Housing
No. 777	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 798	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 778	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 799	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 779	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Business and Economic Development	No. 800	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 780	Committee on Judiciary and Hawaiian Affairs	No. 801	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 781	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 802	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 782	Committee on Health, then to the Committee on Ways and Means	No. 803	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 783	Committee on Health, then to the Committee on Transportation and Government Operations	No. 804	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 784	Committee on Health	No. 805	Committee on Labor, then to the Committee on Ways and Means

No. 806	Committee on Labor, then to the Committee on Ways and Means	No. 829	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health
No. 807	Committee on Labor, then to the Committee on Ways and Means	No. 830	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 808	Committee on Labor, then to the Committee on Ways and Means	No. 831	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health
No. 809	Committee on Labor, then to the Committee on Ways and Means	No. 832	Committee on Judiciary and Hawaiian Affairs
No. 810	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 833	Committee on Judiciary and Hawaiian Affairs
No. 811	Committee on Labor	No. 834	Committee on Ways and Means
No. 812	Committee on Labor	No. 835	Committee on Ways and Means
No. 813	Committee on Labor, then to the Committee on Ways and Means	No. 836	Committee on Ways and Means
No. 814	Committee on Labor, then to the Committee on Ways and Means	No. 837	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
No. 815	Committee on Labor, then to the Committee on Ways and Means	No. 838	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 816	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 839	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 817	Committee on Labor	No. 840	Committee on Ways and Means
No. 818	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 841	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 819	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means	No. 842	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 820	Committee on Water, Land, and Agriculture	No. 843	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 821	Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs	No. 844	Committee on Transportation and Government Operations
No. 822	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor	No. 845	Committee on Transportation and Government Operations
No. 823	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 846	Committee on Transportation and Government Operations
No. 824	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, then to the Committee on Ways and Means	No. 847	Jointly to the Committee on Transportation and Government Operations and the Committee on Higher Education, then to the Committee on Ways and Means
No. 825	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, then to the Committee on Ways and Means	No. 848	Committee on Transportation and Government Operations
No. 826	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 849	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 827	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 850	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 828	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means		

No. 851                   Committee on Transportation and  
Government Operations, then to the Committee on Ways and  
Means

No. 852                   Jointly to the Committee on Higher  
Education and the Committee on Transportation and  
Government Operations

No. 853                   Committee on Higher Education

No. 854                   Committee on Higher Education, then to  
the Committee on Ways and Means

No. 855                   Committee on Higher Education, then to  
the Committee on Ways and Means

**ADJOURNMENT**

At 11:48 o'clock a.m., on motion by Senator Hee, seconded  
by Senator Hogue and carried, the Senate adjourned until 11:30  
o'clock a.m., Tuesday, February 1, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## EIGHTH DAY

**Tuesday, February 1, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Dr. William "Pila" Wilson, Professor, University of Hawaii at Hilo, after which the Roll was called showing all Senators present.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 120 to 307) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 120, dated January 14, 2005, transmitting the 2004 Annual Report of the Hawaii Community Development Authority, was placed on file.

Gov. Msg. No. 121, dated January 14, 2005, transmitting the 2004 Annual Report of the Department of Hawaiian Home Lands, pursuant to Section 222 of the Hawaiian Homes Commission Act, 1920, as amended, was placed on file.

Gov. Msg. No. 122, dated January 19, 2005, transmitting a Report on the Findings and Recommendations of the Effectiveness of the West Hawaii Regional Fishery Management Area, prepared by the Department of Land and Natural Resources, Division of Aquatic Resources, pursuant to Section 188F-5, HRS, was placed on file.

Gov. Msg. No. 123, dated January 24, 2005, transmitting the High Technology Development Corporation's 2004 Annual Report, was placed on file.

Gov. Msg. No. 124, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of HOWARD KONG KAM JR., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 125, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of RANDALL T. KAYA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 126, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of KWANG CHAI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 127, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of ANDREW L. PEPPER, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 128, submitting for consideration and confirmation to the Board of Agriculture, the nomination of L. DOUGLAS MACCLUER, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 129, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of JEFFREY BRYANT, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 130, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of GEORGE R. COATES, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 131, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of LOIS FUJISHIGE, term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 132, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of EDSON MARTIN, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 133, submitting for consideration and confirmation to the Kaua'i Aquatic Life and Wildlife Advisory Committee, the nomination of ELTON S. USHIO, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 134, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of HEIDI M. K. FOWLER, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 135, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of CARLA M. MORIOKA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 136, submitting for consideration and confirmation to the Cable Advisory Committee, the nomination of GAY PORTER, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 137, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of NICHOLAS G. OPIE DC, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 138, submitting for consideration and confirmation to the Hawai'i Community Development Authority (HCDA), the nomination of JONATHAN WAI YUN LAI, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 139, submitting for consideration and confirmation to the Contractors License Board, the nomination of ANACLETO ALCANTRA SR., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 140, submitting for consideration and confirmation to the Contractors License Board, the nomination

of DENNY R. SADOWSKI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 141, submitting for consideration and confirmation to the Contractors License Board, the nomination of NICHOLAS W. TEVES JR., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 142, submitting for consideration and confirmation to the Contractors License Board, the nomination of THOMAS B. VINCENT, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 143, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of DENISE J. JOHNSTON, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 144, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of RICKY YUKIO TAMASHIRO, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 145, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of WAYNE M. SHINTANI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 146, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of GEORJA SKINNER, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 147, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of KENNETH T. TAIRA, term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 148, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of ARMAND K. CHONG DDS, FAGD, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 149, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of RANDALL S. CISLO D.M.D., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 150, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of LIZ ANN K. IHU, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 151, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of BRIAN KAJIYAMA, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 152, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of BERNADETTE GRUZINSKY, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 153, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of JOHN R. HOFF, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 154, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of JULIE JOW, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 155, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of HAROLD K. KOZUMA, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 156, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of DONALD K. MATSUI, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 157, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of SANDRA S. RONGITSCH, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 158, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of RUTH S. STEPULIS, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 159, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of DIANE M. STOWELL, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 160, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of KEN TAKEUCHI, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 161, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of DIANE M. IRONS, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 162, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of STUART DAVID LERNER M.D., term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 163, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of IAN T. SANTEE, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 164, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of WILLIAM T. WATKINS JR., term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 165, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of MILLICENT WELLINGTON,

term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 166, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of OSCAR PORTUGAL, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 167, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of RICHARD M. SUZUKI P.E., term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 168, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of MARC VENTURA AIA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 169, submitting for consideration and confirmation to the Environmental Council, the nomination of DENISE E. ANTOLINI, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 170, submitting for consideration and confirmation to the Environmental Council, the nomination of ROBERT A. KING, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 171, submitting for consideration and confirmation to the Environmental Council, the nomination of EILEEN O'HORA-WEIR, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 172, submitting for consideration and confirmation to the Environmental Council, the nomination of ORLAN L. PETERSON JR., term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 173, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of ANDRES A. BACLIG JR., term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 174, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of SANANDA K. BAZ, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 175, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of BERNARD P. CARVALHO JR., term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 176, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of WAYNE CORDEIRO, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 177, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of MICHAEL KRAMER, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 178, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination

of STEVEN NAKAOKA, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 179, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of MARIKA RIPKE PH.D, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 180, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of SYLVIA H. L. YUEN PH.D, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 181, submitting for consideration and confirmation to the Board of Health, the nomination of MAILE BURKE MPA, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 182, submitting for consideration and confirmation to the Board of Health, the nomination of JASON E. MADDOCK PHD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Board of Health, the nomination of ROGER B. MCKEAGUE, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of ROSANNE C. HARRIGAN EDD, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of SAMUEL DWIGHT LYONS MD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of CAROL MYRIANTHIS RPT, PSYD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 187, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of BRIAN K. NAKASHIMA, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 188, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of TYLER SMITH, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 189, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, the nomination of ROBERT VALENCIA SR., term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 190, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of DAWN DUENSING, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of VICTORIA N. KNEUBUHL, term to expire June 30, 2006, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of MICHIKO KODAMA-NISHIMOTO, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of PETER R. MILLS, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 194, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of ROY SEIYEI AKAMINE, term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 195, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of THOMAS S. VENDETTA, term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 196, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of WAYNETTE K. Y. CABRAL, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 197, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of PINA LEMUSU, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 198, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of CECILIA K. AKIM, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 199, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of PONI ELLIOT KAMAUI, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 200, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of CASINA K. WATERMAN, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 201, submitting for consideration and confirmation to the Land Use Commission, the nomination of MICHAEL D. FORMBY, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Land Use Commission, the nomination of LISA M. JUDGE, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of ROBERT L. SIMMONS MD, term to expire June 30, 2008,

was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 204, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of M. PIERRE K. W. PANG MD, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 205, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of FEREDOUN DON PARSA MD, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 206, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of G. MARKUS POLIVKA, 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 Mental Health and Substance Abuse, Hawai'i Service Area Board, the nomination of ROSE P. ATKINS, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 208, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawai'i Service Area Board, the nomination of ALEX B. WALTER PHD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 209, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of ROY A. ASHER, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 210, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of CANDACE M. SANDAL, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kaua'i Service Area Board, the nomination of BRENDA K. VIADO, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 212, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of ALAN BUFFENSTEIN MD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 213, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of LONIA BURROUGHS, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 214, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of LIESJE CATTANEO, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 215, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of RITA GOROSPE, term to expire June 30, 2006, was referred to the Committee on Health.



Gov. Msg. No. 216, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of RANDOLPH C. HACK, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 217, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of JAMES M. MIHALKE, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 218, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of CANDACE M. SANDAL, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 219, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of PAULINE SCHICK, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 220, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of WAYNE SUNAHARA, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 221, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of SHARON P. YOKOTE, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of THOMAS D. DECOURCY, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of ADOLPH M. HELM, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of JOSEPH C. WAMPLER, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of RICHARD K. WHEELER, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of ROBERT K. TIRRELL, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of BILL W. GREEN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of RICHARD Y. MITSUMORI, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, the nomination of RICHARD HENDERSON, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of MICHAEL TRAUB ND, DHANP, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of TIMOTHY H. MOON O.D., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Pest Control Board, the nomination of RANDALL J. BURNETT, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of JANET ASHMAN, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of DON R. GERBIG, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of CALVIN H. ODA, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 236, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of SEAN O'KEEFE, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 237, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of WESLEY OTANI, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of JANET M. WILLIAMS, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 239, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of CHRISTINA BAXENDALE, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 240, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of GRACE BLODGETT, term to expire June 30, 2008, was referred to the Committee on Higher Education.

Gov. Msg. No. 241, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of DIANE KOMENAKA, term to

expire June 30, 2008, was referred to the Committee on Higher Education.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of ROBERT K. KANOA JR., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of RANDALL W. MACK III, CPP, CFE, CHS, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 244, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of LAWRENCE K. MAHUNA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 245, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of THOMAS PHILLIPS, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 246, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of PATRICK W. SOUZA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 247, submitting for consideration and confirmation to the Procurement Policy Board, the nomination of GREG KING, term to expire June 30, 2008, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 248, submitting for consideration and confirmation to the Procurement Policy Board, the nomination of RICHARD G. TOTTEEN, term to expire June 30, 2008, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 249, submitting for consideration and confirmation to the Board of Psychology, the nomination of STANLEY LUKE PH.D., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 250, submitting for consideration and confirmation to the Board of Psychology, the nomination of G. SUE MCCANN PSY.D., term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Board of Registration of the Island of Hawai'i, the nomination of ROBERT ARTHURS, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 252, submitting for consideration and confirmation to the Board of Registration of the Islands of Kaua'i and Ni'ihau, the nomination of PATRICK J. CHILDS, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 253, submitting for consideration and confirmation to the Board of Registration of the Islands of Kaua'i and Ni'ihau, the nomination of CAROLYN S.

POMPILIO, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 254, submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kaho'olawe, the nomination of THOMAS A. HUGHES III, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 255, submitting for consideration and confirmation to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kaho'olawe, the nomination of STEVE PFISTER, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 256, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of DEBRA T. FARMER, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 257, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of GERALDINE M. FERGE, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 258, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of LARRY GELLER, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 259, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of PRISCILLA B. HAVRE M.ED. CRC, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 260, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of KATIE KEIM, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 261, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of GAIL LERCH, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 262, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of JULIE K. SMITH, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 263, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of DELROY M. THOMPSON, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 264, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of VIRGINIA G. TOMPKINS, term to expire June 30, 2007, was referred to the Committee on Human Services.

Gov. Msg. No. 265, submitting for consideration and confirmation to the Rental Housing Trust Fund Advisory Commission, the nomination of BECKY L. HAYASHIDA CHOI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 266, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of DONALD DYMOND, term to expire June 30, 2008, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 267, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of GEORGE J. HANDGIS, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 268, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of NOELANI WHITTINGTON, term to expire June 30, 2006, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 269, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of MICHAEL C. L. YEE, term to expire June 30, 2008, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 270, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology the nomination of JOYCE M. ALLEN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing

Gov. Msg. No. 271, submitting for consideration and confirmation to the Stadium Authority, the nomination of MARVIN A. FONG, term to expire June 30, 2008, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 272, submitting for consideration and confirmation to the Stadium Authority, the nomination of ALEXANDER C. KANE JR., term to expire June 30, 2008, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 273, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Strategic Development Corporation, the nomination of EDWARD H. W. YOUNG, term to expire June 30, 2007, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Board of Taxation Review, 1<sup>st</sup> Taxation District (Oahu), the nomination of MICHAEL J. CHOI, term to expire June 30, 2008, was referred to the Committee on Ways and Means.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Board of Taxation Review, 2<sup>nd</sup> Taxation District (Maui), the nomination of ALAN K. BERNALDO, term to expire June 30, 2008, was referred to the Committee on Ways and Means.

Gov. Msg. No. 276, submitting for consideration and confirmation to the Board of Taxation Review, 3rd Taxation District (Hawai'i), the nomination of DWAYNE STEPHEN LERMA, term to expire June 30, 2008, was referred to the Committee on Ways and Means.

Gov. Msg. No. 277, submitting for consideration and confirmation to the Board of Taxation Review, 3rd Taxation District (Hawai'i), the nomination of CAROL P. WEIR, term to expire June 30, 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Board of Taxation Review, 4th Taxation District (Kaua'i), the nomination of SANDRA L. DAY MBA, CPA, term to expire June 30, 2008, was referred to the Committee on Ways and Means.

Gov. Msg. No. 279, submitting for consideration and confirmation to the Board of Taxation Review, 4th Taxation District (Kaua'i), the nomination of ALBERT W. STIGLMEIER, term to expire June 30, 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of JONATHAN GILLENLINE, term to expire June 30, 2007, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of CAROL SEIELSTAD, term to expire June 30, 2007, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 282, submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, the nomination of JULIE K. TOMOMITSU, term to expire June 30, 2007, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 283, submitting for consideration and confirmation to the Hawai'i Television and Film Development Board, the nomination of HEATHER HAUNANI GIUGNI, term to expire June 30, 2008, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 284, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of DOUGLAS KAHIKINA CHANG, term to expire June 30, 2008, was referred to the Committee on Tourism.

Gov. Msg. No. 285, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Tourism Authority, the nomination of CHERYL A. WILLIAMS, term to expire June 30, 2008, was referred to the Committee on Tourism.

Gov. Msg. No. 286, submitting for consideration and confirmation to the Commission on Transportation, the nomination of WILLIAM LINDEMANN, term to expire June 30, 2008, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 287, submitting for consideration and confirmation to the Commission on Transportation, the nomination of KUUHAKU PARK, term to expire June 30, 2008, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 288, submitting for consideration and confirmation to the Commission on Transportation, the nomination of GAIL YUH, term to expire June 30, 2008, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 289, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of RAMON S. DE LA PENA PH.D., term to expire June 30, 2008, was referred to the Committee on Higher Education.

Gov. Msg. No. 290, submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, the nomination of JOHN K. KAI, term to expire June 30, 2007, was referred to the Committee on Higher Education.

Gov. Msg. No. 291, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of RONALD J. HAYS USN (RET.), term to expire June 30, 2008, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 292, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of LLYOD K. SODETANI, term to expire June 30, 2008, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 293, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of LAWRENCE H. MIKE MD, JD, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 294, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of PAUL K. FERREIRA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of COURTNEY HARRINGTON, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of ROY K. IREI, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of JOHN PETER JAEGER, term to expire December 31, 2005, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of JOEL K. MATSUNAGA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 299, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of MILTON M. MATSUOKA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of RICHIE NAKASHIMA, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of DEXTER TAKASHIMA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of JEFF YAMANE, term to expire December 31, 2005, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of GLADYS C. BAISA, term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 304, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of JEFFREY BLOOM, term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of JONATHAN J. CHUN, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of ALAN L. GARSON ED.D., term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 307, submitting for consideration and confirmation to the Hawai'i Workforce Development Council, the nomination of DENIS MACTAGONE, term to expire June 30, 2006, was referred to the Committee on Labor.

#### DEPARTMENTAL COMMUNICATION

Dept. Com. No. 31, from the Department of Health dated January 25, 2005, transmitting their Annual Indicators of Environmental Quality Report, was read by the Clerk and was placed on file.

Senator Fukunaga, Chair of the Committee on Media, Arts, Science and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 541;  
S.B. No. 651;  
S.B. No. 716;  
S.B. No. 819; and  
S.B. No. 821,

and the Chair granted the waiver.

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1561.

Senator Kanno noted:

"Mr. President, this bill raises the minimum wage."

The Chair then granted the waiver.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

#### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Monday, January 24, 2005; Wednesday, January 26, 2005; and Thursday, January 27, 2005:

Senate Bill	Referred to:
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No. 856	Jointly to the Committee on Higher Education and the Committee on Labor, then to the Committee on Ways and Means	No. 875	Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 857	Committee on Higher Education, then to the Committee on Ways and Means	No. 876	Jointly to the Committee on Higher Education and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 858	Committee on Higher Education	No. 877	Committee on Judiciary and Hawaiian Affairs
No. 859	Committee on Health, then to the Committee on Ways and Means	No. 878	Committee on Judiciary and Hawaiian Affairs
No. 860	Jointly to the Committee on Education and Military Affairs and the Committee on Health, then to the Committee on Ways and Means	No. 879	Committee on Business and Economic Development, then to the Committee on Ways and Means
No. 861	Committee on Health, then to the Committee on Ways and Means	No. 880	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 862	Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 881	Committee on Judiciary and Hawaiian Affairs
No. 863	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs	No. 882	Committee on Judiciary and Hawaiian Affairs
No. 864	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 883	Committee on Judiciary and Hawaiian Affairs
No. 865	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 884	Committee on Judiciary and Hawaiian Affairs
No. 866	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 885	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation and Government Operations
No. 867	Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 886	Committee on Judiciary and Hawaiian Affairs
No. 868	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means	No. 887	Committee on Judiciary and Hawaiian Affairs
No. 869	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 888	Committee on Education and Military Affairs, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 870	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 889	Committee on Health, then to the Committee on Ways and Means
No. 871	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 890	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
No. 872	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 891	Committee on Ways and Means
No. 873	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 892	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 874	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 893	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
		No. 894	Committee on Judiciary and Hawaiian Affairs
		No. 895	Committee on Water, Land, and Agriculture

- No. 896 Committee on Judiciary and Hawaiian Affairs
- No. 897 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 898 Committee on Higher Education, then to the Committee on Ways and Means
- No. 899 Jointly to the Committee on Higher Education and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 900 Jointly to the Committee on Higher Education and the Committee on Labor, then to the Committee on Ways and Means
- No. 901 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 902 Committee on Higher Education, then to the Committee on Ways and Means
- No. 903 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 904 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 905 Committee on Higher Education, then to the Committee on Ways and Means
- No. 906 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 907 Jointly to the Committee on Higher Education and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 908 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 909 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 910 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 911 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 912 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs
- No. 913 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. 914 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 915 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 916 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 917 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 918 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 919 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 920 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 921 Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 922 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 923 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 924 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 925 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 926 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 927 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 928 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 929 Committee on Judiciary and Hawaiian Affairs
- No. 930 Committee on Health, then to the Committee on Ways and Means
- No. 931 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 932 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 933 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 934 Committee on Commerce, Consumer Protection and Housing

- No. 935 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 936 Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
- No. 937 Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
- No. 938 Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
- No. 939 Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
- No. 940 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 941 Committee on Commerce, Consumer Protection and Housing
- No. 942 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 943 Committee on Labor, then to the Committee on Ways and Means
- No. 944 Committee on Labor, then to the Committee on Ways and Means
- No. 945 Committee on Labor, then to the Committee on Ways and Means
- No. 946 Committee on Labor, then to the Committee on Ways and Means
- No. 947 Committee on Labor, then to the Committee on Ways and Means
- No. 948 Committee on Higher Education, then to the Committee on Ways and Means
- No. 949 Committee on Ways and Means
- No. 950 Jointly to the Committee on Education and Military Affairs, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 951 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 952 Committee on Health, then to the Committee on Ways and Means
- No. 953 Committee on Water, Land, and Agriculture, then to the Committee on Commerce, Consumer Protection and Housing
- No. 954 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 955 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 956 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs
- No. 957 Committee on Judiciary and Hawaiian Affairs
- No. 958 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 959 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 960 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 961 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 962 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 963 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
- No. 964 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 965 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 966 Jointly to the Committee on Business and Economic Development, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 967 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Tourism, then to the Committee on Ways and Means
- No. 968 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 969 Committee on Judiciary and Hawaiian Affairs
- No. 970 Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 971 Committee on Tourism, then to the Committee on Commerce, Consumer Protection and Housing
- No. 972 Jointly to the Committee on Education and Military Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 973 Jointly to the Committee on Education and Military Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

- No. 974 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 975 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 976 Committee on Judiciary and Hawaiian Affairs
- No. 977 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 978 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Commerce, Consumer Protection and Housing
- No. 979 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 980 Committee on Judiciary and Hawaiian Affairs
- No. 981 Jointly to the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 982 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 983 Committee on Commerce, Consumer Protection and Housing
- No. 984 Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 985 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 986 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 987 Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 988 Committee on Transportation and Government Operations
- No. 989 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 990 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 991 Committee on Higher Education, then to the Committee on Ways and Means
- No. 992 Committee on Judiciary and Hawaiian Affairs
- No. 993 Committee on Judiciary and Hawaiian Affairs
- No. 994 Committee on Judiciary and Hawaiian Affairs
- No. 995 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 996 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 997 Committee on Higher Education, then to the Committee on Ways and Means
- No. 998 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 999 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1000 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1001 Committee on Judiciary and Hawaiian Affairs
- No. 1002 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1003 Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1004 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
- No. 1005 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1006 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 1007 Committee on Judiciary and Hawaiian Affairs
- No. 1008 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1009 Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 1010 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1011 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1012 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment,



and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1013 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1014 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1015 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing

No. 1016 Jointly to the Committee on Transportation and Government Operations, the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1017 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1018 Jointly to the Committee on Human Services and the Committee on Education and Military Affairs

No. 1019 Jointly to the Committee on Transportation and Government Operations and the Committee on Labor, then to the Committee on Ways and Means

No. 1020 Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1021 Committee on Human Services, then to the Committee on Ways and Means

No. 1022 Committee on Human Services, then to the Committee on Ways and Means

No. 1023 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1024 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1025 Committee on Judiciary and Hawaiian Affairs

No. 1026 Committee on Judiciary and Hawaiian Affairs

No. 1027 Committee on Higher Education, then to the Committee on Ways and Means

No. 1028 Committee on Health, then to the Committee on Ways and Means

No. 1029 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1030 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1031 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1032 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1033 Committee on Human Services, then to the Committee on Ways and Means

No. 1034 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1035 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1036 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1037 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1038 Jointly to the Committee on Transportation and Government Operations and the Committee on Higher Education, then to the Committee on Ways and Means

No. 1039 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1040 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1041 Committee on Health, then to the Committee on Ways and Means

No. 1042 Committee on Judiciary and Hawaiian Affairs

No. 1043 Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1044 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs

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. 1048 Committee on Labor, then to the Committee on Ways and Means

No. 1049 Committee on Labor, then to the Committee on Ways and Means

No. 1050 Committee on Labor, then to the Committee on Ways and Means

No. 1051 Committee on Human Services, then to the Committee on Ways and Means

No. 1052	Committee on Labor, then to the Committee on Ways and Means	No. 1074	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1053	Committee on Labor, then to the Committee on Ways and Means	No. 1075	Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs
No. 1054	Jointly to the Committee on Labor and the Committee on Business and Economic Development, then to the Committee on Ways and Means	No. 1076	Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1055	Committee on Judiciary and Hawaiian Affairs	No. 1077	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Health
No. 1056	Committee on Judiciary and Hawaiian Affairs	No. 1078	Committee on Judiciary and Hawaiian Affairs
No. 1057	Committee on Judiciary and Hawaiian Affairs	No. 1079	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 1058	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1080	Jointly to the Committee on Energy, Environment, and International Affairs, the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1059	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1081	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1060	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1082	Committee on Health, then to the Committee on Ways and Means
No. 1061	Committee on Judiciary and Hawaiian Affairs	No. 1083	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection and Housing
No. 1062	Committee on Judiciary and Hawaiian Affairs	No. 1084	Committee on Labor, then to the Committee on Ways and Means
No. 1063	Committee on Higher Education, then to the Committee on Ways and Means	No. 1085	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1064	Committee on Higher Education, then to the Committee on Ways and Means	No. 1086	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1065	Jointly to the Committee on Higher Education and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1087	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1066	Committee on Commerce, Consumer Protection and Housing	No. 1088	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1067	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1089	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1068	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1090	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1069	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1091	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1070	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1092	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1071	Jointly to the Committee on Higher Education and the Committee on Education and Military Affairs, then to the Committee on Ways and Means		
No. 1072	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means		
No. 1073	Committee on Judiciary and Hawaiian Affairs		

- No. 1093 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1094 Committee on Health, then to the Committee on Ways and Means
- No. 1095 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1096 Committee on Health, then to the Committee on Ways and Means
- No. 1097 Committee on Health, then to the Committee on Ways and Means
- No. 1098 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1099 Jointly to the Committee on Labor and the Committee on Health, then to the Committee on Ways and Means
- No. 1100 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1101 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. 1102 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1103 Committee on Human Services, then to the Committee on Ways and Means
- No. 1104 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1105 Committee on Transportation and Government Operations
- No. 1106 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Health
- No. 1107 Committee on Labor, then to the Committee on Ways and Means
- No. 1108 Jointly to the Committee on Labor and the Committee on Health, then to the Committee on Ways and Means
- No. 1109 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1110 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1111 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 1112 Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 1113 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1114 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 1115 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1116 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1117 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1118 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1119 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1120 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1121 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1122 Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1123 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1124 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1125 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1126 Jointly to the Committee on Transportation and Government Operations and the Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 1127 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1128 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1129 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1130 Jointly to the Committee on Transportation and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1131 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1132	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1152	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1133	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1153	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1134	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1154	Committee on Water, Land, and Agriculture
No. 1135	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 1155	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1136	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1156	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
No. 1137	Committee on Commerce, Consumer Protection and Housing	No. 1157	Committee on Higher Education, then to the Committee on Ways and Means
No. 1138	Committee on Commerce, Consumer Protection and Housing	No. 1158	Jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1139	Committee on Commerce, Consumer Protection and Housing	No. 1159	Committee on Higher Education, then to the Committee on Ways and Means
No. 1140	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1160	Committee on Higher Education, then to the Committee on Ways and Means
No. 1141	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Tourism	No. 1161	Jointly to the Committee on Transportation and Government Operations, the Committee on Intergovernmental Affairs and the Committee on Media, Arts, Science and Technology
No. 1142	Committee on Health, then to the Committee on Ways and Means	No. 1162	Committee on Ways and Means
No. 1143	Committee on Health, then to the Committee on Ways and Means	No. 1163	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1144	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means	No. 1164	Committee on Higher Education, then to the Committee on Ways and Means
No. 1145	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1165	Jointly to the Committee on Transportation and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1146	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1166	Committee on Judiciary and Hawaiian Affairs
No. 1147	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1167	Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 1148	Committee on Judiciary and Hawaiian Affairs	No. 1168	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 1149	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1169	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1150	Committee on Water, Land, and Agriculture	No. 1170	Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs
No. 1151	Jointly to the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing	No. 1171	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

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No. 1172	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1193	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1173	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1194	Committee on Labor, then to the Committee on Ways and Means
No. 1174	Committee on Judiciary and Hawaiian Affairs	No. 1195	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1175	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1196	Committee on Human Services, then to the Committee on Ways and Means
No. 1176	Committee on Judiciary and Hawaiian Affairs	No. 1197	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 1177	Committee on Judiciary and Hawaiian Affairs	No. 1198	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. 1178	Committee on Judiciary and Hawaiian Affairs	No. 1199	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1179	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1200	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 1180	Committee on Labor, then to the Committee on Ways and Means	No. 1201	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1181	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1202	Committee on Human Services, then to the Committee on Ways and Means
No. 1182	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1203	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1183	Committee on Judiciary and Hawaiian Affairs	No. 1204	Committee on Judiciary and Hawaiian Affairs
No. 1184	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1205	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Ways and Means
No. 1185	Committee on Ways and Means	No. 1206	Committee on Human Services, then to the Committee on Ways and Means
No. 1186	Jointly to the Committee on Tourism and the Committee on Business and Economic Development, then to the Committee on Ways and Means	No. 1207	Committee on Judiciary and Hawaiian Affairs
No. 1187	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1208	Committee on Human Services, then to the Committee on Ways and Means
No. 1188	Committee on Higher Education, then to the Committee on Ways and Means	No. 1209	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 1189	Committee on Higher Education, then to the Committee on Ways and Means	No. 1210	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 1190	Committee on Labor, then to the Committee on Ways and Means	No. 1211	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 1191	Committee on Judiciary and Hawaiian Affairs	No. 1212	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1192	Committee on Labor, then to the Committee on Ways and Means	No. 1213	Committee on Human Services, then to the Committee on Ways and Means
		No. 1214	Committee on Human Services, then to the Committee on Ways and Means

- No. 1215 Committee on Ways and Means
- No. 1216 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1217 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1218 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1219 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1220 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1221 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1222 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1223 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1224 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1225 Committee on Health
- No. 1226 Committee on Health, then to the Committee on Ways and Means
- No. 1227 Committee on Health, then to the Committee on Ways and Means
- No. 1228 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1229 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1230 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1231 Committee on Judiciary and Hawaiian Affairs
- No. 1232 Committee on Health, then to the Committee on Ways and Means
- No. 1233 Jointly to the Committee on Human Services and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1234 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1235 Committee on Human Services, then to the Committee on Ways and Means
- No. 1236 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 1237 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1238 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1239 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1240 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1241 Committee on Commerce, Consumer Protection and Housing
- No. 1242 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1243 Committee on Ways and Means
- No. 1244 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1245 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1246 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1247 Committee on Human Services, then to the Committee on Ways and Means
- No. 1248 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1249 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1250 Committee on Labor, then to the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1251 Committee on Labor, then to the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1252 Jointly to the Committee on Education and Military Affairs, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1253 Committee on Education and Military Affairs
- No. 1254 Jointly to the Committee on Education and Military Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1255 Committee on Education and Military Affairs, then to the Committee on Ways and Means

- No. 1256 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1257 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1258 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1259 Committee on Ways and Means
- No. 1260 Jointly to the Committee on Human Services and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1261 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1262 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 1263 Committee on Health, then to the Committee on Ways and Means
- No. 1264 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 1265 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1266 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1267 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1268 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1269 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Business and Economic Development and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1270 Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1271 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 1272 Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1273 Committee on Labor, then to the Committee on Ways and Means
- No. 1274 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1275 Committee on Ways and Means
- No. 1276 Committee on Labor, then to the Committee on Ways and Means
- No. 1277 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1278 Committee on Health, then to the Committee on Ways and Means
- No. 1279 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
- No. 1280 Committee on Ways and Means
- No. 1281 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health, then to the Committee on Ways and Means
- No. 1282 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1283 Jointly to the Committee on Labor and the Committee on Health, then jointly to the Committee on Ways and Means and the Committee on Judiciary and Hawaiian Affairs
- No. 1284 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1285 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1286 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1287 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1288 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 1289 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1290 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1291 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1292 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1293 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1294 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1295 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1296 Jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1297 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1298	Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1319	Committee on Judiciary and Hawaiian Affairs
No. 1299	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1320	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs
No. 1300	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1321	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1301	Committee on Business and Economic Development, then to the Committee on Water, Land, and Agriculture	No. 1322	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1302	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 1323	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1303	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs	No. 1324	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1304	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means	No. 1325	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1305	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1326	Committee on Judiciary and Hawaiian Affairs
No. 1306	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1327	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1307	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1328	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1308	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1329	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1309	Committee on Judiciary and Hawaiian Affairs	No. 1330	Committee on Judiciary and Hawaiian Affairs
No. 1310	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1331	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1311	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1332	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1312	Committee on Judiciary and Hawaiian Affairs	No. 1333	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1313	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1334	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1314	Committee on Judiciary and Hawaiian Affairs	No. 1335	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1315	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1336	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1316	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1337	Committee on Commerce, Consumer Protection and Housing
No. 1317	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1338	Jointly to the Committee on Higher Education and the Committee on Labor
No. 1318	Committee on Judiciary and Hawaiian Affairs	No. 1339	Committee on Education and Military Affairs, then to the Committee on Ways and Means



No. 1340	Committee on Education and Military Affairs, then to the Committee on Ways and Means	on Intergovernmental Affairs, then to the Committee on Tourism
No. 1341	Committee on Business and Economic Development	No. 1361 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1342	Committee on Business and Economic Development	No. 1362 Committee on Transportation and Government Operations
No. 1343	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1363 Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 1344	Committee on Commerce, Consumer Protection and Housing	No. 1364 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1345	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 1365 Jointly to the Committee on Transportation and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1346	Committee on Commerce, Consumer Protection and Housing	No. 1366 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1347	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1367 Committee on Higher Education, then to the Committee on Ways and Means
No. 1348	Committee on Commerce, Consumer Protection and Housing	No. 1368 Jointly to the Committee on Higher Education and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1349	Committee on Commerce, Consumer Protection and Housing	No. 1369 Jointly to the Committee on Higher Education and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1350	Committee on Commerce, Consumer Protection and Housing	No. 1370 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. 1351	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1371 Committee on Commerce, Consumer Protection and Housing
No. 1352	Committee on Labor, then to the Committee on Ways and Means	No. 1372 Committee on Judiciary and Hawaiian Affairs
No. 1353	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1373 Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture
No. 1354	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs	No. 1374 Jointly to the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs
No. 1355	Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing	No. 1375 Committee on Ways and Means
No. 1356	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means	No. 1376 Jointly to the Committee on Transportation and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1357	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 1377 Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1358	Jointly to the Committee on Health, the Committee on Human Services and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means	
No. 1359	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs	
No. 1360	Jointly to the Committee on Transportation and Government Operations and the Committee	

No. 1378	Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means	No. 1398	Jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1379	Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs	No. 1399	Committee on Higher Education, then to the Committee on Ways and Means
No. 1380	Committee on Business and Economic Development, then to the Committee on Commerce, Consumer Protection and Housing	No. 1400	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1381	Jointly to the Committee on Business and Economic Development, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1401	Committee on Health, then to the Committee on Ways and Means
No. 1382	Committee on Health, then to the Committee on Ways and Means	No. 1402	Jointly to the Committee on Higher Education and the Committee on Labor, then to the Committee on Ways and Means
No. 1383	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing	No. 1403	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1384	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1404	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1385	Committee on Judiciary and Hawaiian Affairs	No. 1405	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1386	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1406	Committee on Higher Education, then to the Committee on Ways and Means
No. 1387	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1407	Committee on Higher Education, then to the Committee on Ways and Means
No. 1388	Committee on Judiciary and Hawaiian Affairs	No. 1408	Jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1389	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1409	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 1390	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1410	Committee on Ways and Means
No. 1391	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1411	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1392	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1412	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1393	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1413	Committee on Commerce, Consumer Protection and Housing
No. 1394	Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education, then to the Committee on Ways and Means	No. 1414	Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1395	Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1415	Committee on Ways and Means
No. 1396	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1416	Jointly to the Committee on Labor and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1397	Jointly to the Committee on Labor and the Committee on Education and Military Affairs	No. 1417	Jointly to the Committee on Transportation and Government Operations and the Committee on Health, then to the Committee on Ways and Means
		No. 1418	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1419 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1420 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1421 Committee on Ways and Means

No. 1422 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1423 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1424 Committee on Judiciary and Hawaiian Affairs

No. 1425 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1426 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Commerce, Consumer Protection and Housing

No. 1427 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1428 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1429 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1430 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1431 Committee on Commerce, Consumer Protection and Housing

No. 1432 Committee on Education and Military Affairs

No. 1433 Committee on Education and Military Affairs

No. 1434 Committee on Labor

No. 1435 Committee on Intergovernmental Affairs

No. 1436 Committee on Transportation and Government Operations

No. 1437 Committee on Ways and Means

No. 1438 Committee on Media, Arts, Science and Technology

No. 1439 Committee on Labor

No. 1440 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Commerce, Consumer Protection and Housing

No. 1441 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1442 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1443 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1444 Committee on Health, then to the Committee on Ways and Means

No. 1445 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1446 Committee on Health, then to the Committee on Ways and Means

No. 1447 Committee on Health, then to the Committee on Ways and Means

No. 1448 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs

No. 1449 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing

No. 1450 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means

No. 1451 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1452 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection and Housing

No. 1453 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1454 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1455 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1456 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means

No. 1457 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1458 Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

- No. 1459 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1460 Committee on Labor, then to the Committee on Ways and Means
- No. 1461 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1462 Committee on Labor, then to the Committee on Ways and Means
- No. 1463 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1464 Committee on Human Services, then to the Committee on Ways and Means
- No. 1465 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1466 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1467 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1468 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1469 Committee on Health, then to the Committee on Ways and Means
- No. 1470 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1471 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1472 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
- No. 1473 Committee on Health, then to the Committee on Water, Land, and Agriculture
- No. 1474 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 1475 Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1476 Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1477 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1478 Jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1479 Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1480 Jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1481 Committee on Ways and Means
- No. 1482 Committee on Health, then to the Committee on Ways and Means
- No. 1483 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1484 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1485 Committee on Ways and Means
- No. 1486 Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1487 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1488 Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1489 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1490 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1491 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1492 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1493 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1494 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1495 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1496 Committee on Ways and Means
- No. 1497 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means
- No. 1498 Jointly to the Committee on Transportation and Government Operations and the Committee

on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1499 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1500 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1501 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1502 Committee on Ways and Means

No. 1503 Jointly to the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs, then to the Committee on Tourism

No. 1504 Committee on Ways and Means

No. 1505 Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1506 Jointly to the Committee on Higher Education and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1507 Committee on Labor, then to the Committee on Ways and Means

No. 1508 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1509 Committee on Labor, then to the Committee on Ways and Means

No. 1510 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1511 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1512 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 1513 Committee on Human Services, then to the Committee on Ways and Means

No. 1514 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1515 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1516 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1517 Jointly to the Committee on Education and Military Affairs and the Committee on Health, then to the Committee on Ways and Means

No. 1518 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1519 Committee on Human Services, then to the Committee on Ways and Means

No. 1520 Committee on Judiciary and Hawaiian Affairs

No. 1521 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1522 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1523 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1524 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1525 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1526 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1527 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1528 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1529 Committee on Judiciary and Hawaiian Affairs

No. 1530 Committee on Human Services

No. 1531 Committee on Ways and Means

No. 1532 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1533 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1534 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1535 Committee on Health, then to the Committee on Ways and Means

No. 1536 Committee on Ways and Means

No. 1537 Committee on Health, then to the Committee on Ways and Means

No. 1538 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 1539	Committee on Higher Education	No. 1558	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1540	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 1559	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1541	Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means	No. 1560	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1542	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1561	Committee on Labor, then to the Committee on Ways and Means
No. 1543	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1562	Committee on Labor, then to the Committee on Ways and Means
No. 1544	Jointly to the Committee on Tourism and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means	No. 1563	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1545	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1564	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1546	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1565	Committee on Commerce, Consumer Protection and Housing
No. 1547	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs	No. 1566	Committee on Labor, then to the Committee on Ways and Means
No. 1548	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1567	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1549	Committee on Judiciary and Hawaiian Affairs	No. 1568	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1550	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1569	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1551	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1570	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1552	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1571	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 1553	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing	No. 1572	Committee on Labor, then to the Committee on Ways and Means
No. 1554	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Higher Education, then to the Committee on Ways and Means	No. 1573	Committee on Labor, then to the Committee on Ways and Means
No. 1555	Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 1574	Committee on Labor, then to the Committee on Ways and Means
No. 1556	Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 1575	Committee on Labor, then to the Committee on Ways and Means
No. 1557	Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 1576	Committee on Labor, then to the Committee on Ways and Means
		No. 1577	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs
		No. 1578	Committee on Labor, then to the Committee on Ways and Means
		No. 1579	Committee on Labor, then to the Committee on Ways and Means

No. 1580	Committee on Labor, then to the Committee on Ways and Means	No. 1600	Committee on Ways and Means
No. 1581	Committee on Labor, then to the Committee on Ways and Means	No. 1601	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1582	Committee on Labor, then to the Committee on Ways and Means	No. 1602	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1583	Committee on Labor, then to the Committee on Ways and Means	No. 1603	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 1584	Committee on Labor, then to the Committee on Ways and Means	No. 1604	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 1585	Committee on Labor, then to the Committee on Ways and Means	No. 1605	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
No. 1586	Jointly to the Committee on Intergovernmental Affairs and the Committee on Water, Land, and Agriculture	No. 1606	Committee on Judiciary and Hawaiian Affairs
No. 1587	Jointly to the Committee on Intergovernmental Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1607	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means
No. 1588	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1608	Jointly to the Committee on Transportation and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1589	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1609	Committee on Judiciary and Hawaiian Affairs
No. 1590	Jointly to the Committee on Transportation and Government Operations and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means	No. 1610	Committee on Water, Land, and Agriculture, then to the Committee on Transportation and Government Operations
No. 1591	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1611	Committee on Labor, then to the Committee on Ways and Means
No. 1592	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1612	Committee on Ways and Means
No. 1593	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1613	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1594	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1614	Committee on Human Services, then to the Committee on Ways and Means
No. 1595	Jointly to the Committee on Transportation and Government Operations, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1615	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1596	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1616	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1597	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1617	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1598	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1618	Committee on Tourism, then to the Committee on Ways and Means
No. 1599	Committee on Ways and Means	No. 1619	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1620 Committee on Human Services, then to the Committee on Ways and Means

No. 1621 Jointly to the Committee on Health 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. 1 Jointly to the Committee on Labor and the Committee on Higher Education, then to the Committee on Ways and Means

No. 31 Committee on Energy, Environment, and International Affairs, then to the Committee on Transportation and Government Operations

No. 53 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Intergovernmental Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 142 Committee on Labor

No. 668 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 670 Committee on Water, Land, and Agriculture, then to the Committee on Energy, Environment, and International Affairs

No. 671 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 672 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology

No. 680 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Health

No. 682 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 684 Committee on Judiciary and Hawaiian Affairs

No. 706 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 709 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 710 Committee on Business and Economic Development, then to the Committee on Commerce, Consumer Protection and Housing

No. 711 Committee on Business and Economic Development, then to the Committee on Commerce, Consumer Protection and Housing

No. 712 Jointly to the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 715 Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing

No. 717 Jointly to the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 721 Jointly to the Committee on Business and Economic Development and the Committee on Tourism, then to the Committee on Ways and Means

No. 734 Committee on Ways and Means, then to the Committee on Judiciary and Hawaiian Affairs

No. 735 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 737 Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing

No. 739 Committee on Ways and Means, then to the Committee on Judiciary and Hawaiian Affairs

No. 747 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 749 Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs

No. 750 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 751 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 752 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means

No. 753 Committee on Commerce, Consumer Protection and Housing

No. 754 Committee on Commerce, Consumer Protection and Housing

No. 755 Committee on Commerce, Consumer Protection and Housing

No. 756 Committee on Commerce, Consumer Protection and Housing

No. 760 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means

No. 761 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing



- No. 762 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 768 Committee on Commerce, Consumer Protection and Housing
- No. 770 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 774 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 775 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 779 Committee on Judiciary and Hawaiian Affairs
- No. 782 Jointly to the Committee on Health and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 783 Jointly to the Committee on Health and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 784 Committee on Health, then to the Committee on Ways and Means
- No. 787 Jointly to the Committee on Labor and the Committee on Health, then to the Committee on Ways and Means
- No. 789 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 790 Jointly to the Committee on Human Services 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 Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 795 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 796 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 802 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 807 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 811 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 812 Committee on Labor, then to the Committee on Ways and Means
- No. 817 Committee on Labor, then to the Committee on Ways and Means
- No. 818 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 821 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 824 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 827 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 828 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, then to the Committee on Ways and Means
- No. 829 Committee on Judiciary and Hawaiian Affairs
- No. 830 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 831 Committee on Judiciary and Hawaiian Affairs
- No. 837 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 841 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
- No. 842 Committee on Ways and Means
- No. 844 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 845 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 846 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 848 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 852 Jointly to the Committee on Higher Education and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 853 Committee on Higher Education, then to the Committee on Ways and Means

**ADJOURNMENT**

At 11:58 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 1:00 o'clock p.m., Wednesday, February 2, 2005.

NINTH DAY

Wednesday, February 2, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 1:12 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Fred Hemmings, 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 Eighth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 308 to 313) were read by the Clerk and were placed on file:

Gov. Msg. No. 308, dated January 21, 2005, transmitting a Report to Identify Issues and Solutions Regarding Individuals with Developmental Disabilities, prepared by the Department of Health, State Council on Developmental Disabilities pursuant to S.C.R. No. 79 (2004).

Gov. Msg. No. 309, dated January 24, 2005, transmitting the Comprehensive Annual Financial Report of the State of Hawaii for Fiscal Year Ended June 30, 2004, prepared by the Comptroller pursuant to Section 40-5, HRS.

Gov. Msg. No. 310, dated January 27, 2005, transmitting the Annual Report that Outlines the Receipt of, and Expenditures from, the Special Fund for Additional Emergency Ambulance Services and Training of Emergency Medical Personnel, prepared by the Department of Health pursuant to Act 158, SLH 2004.

Gov. Msg. No. 311, dated January 27, 2005, transmitting the Annual Report on Initiatives and Improvements in Kalaupapa Settlement and to Track Patient and Non-Patient Costs Separately, Whenever Appropriate and Possible, prepared by the Department of Health pursuant to Act 232, SLH 2004.

Gov. Msg. No. 312, dated January 27, 2005, transmitting a report prepared by the Department of Health pursuant to H.C.R. No. 156 (2004), requesting the Department of Health to convene a working group to evaluate and recommend possible statutory and other changes to streamline and expedite mental health treatment to persons committed to state-operated or -contracted facilities.

Gov. Msg. No. 313, dated January 28, 2005, transmitting the Department of Agriculture's Transfer of Revolving Fund Monies Annual Report for Calendar Year Ending December 31, 2004, pursuant to Sections 155-14 and 219-4, HRS.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Thursday, January 27, 2005:

Senate Bill Referred to:

No. 1622 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1623 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1624 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1625 Jointly to the Committee on Health and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1626 Committee on Judiciary and Hawaiian Affairs

No. 1627 Committee on Judiciary and Hawaiian Affairs

No. 1628 Committee on Judiciary and Hawaiian Affairs

No. 1629 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1630 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1631 Committee on Energy, Environment, and International Affairs

No. 1632 Committee on Energy, Environment, and International Affairs

No. 1633 Committee on Judiciary and Hawaiian Affairs

No. 1634 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means

No. 1635 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1636 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

No. 1637 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1638 Committee on Higher Education, then to the Committee on Ways and Means

No. 1639 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

No. 1640 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1641 Jointly to the Committee on Higher Education and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1642 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

No. 1643	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1663	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1644	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1664	Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means
No. 1645	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1665	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1646	Committee on Education and Military Affairs, then to the Committee on Commerce, Consumer Protection and Housing	No. 1666	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1647	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1667	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1648	Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education, then to the Committee on Ways and Means	No. 1668	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1649	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1669	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1650	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1670	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
No. 1651	Committee on Labor, then to the Committee on Ways and Means	No. 1671	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1652	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 1672	Committee on Ways and Means
No. 1653	Committee on Labor, then to the Committee on Ways and Means	No. 1673	Committee on Ways and Means
No. 1654	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 1674	Committee on Ways and Means
No. 1655	Committee on Higher Education, then to the Committee on Ways and Means	No. 1675	Committee on Judiciary and Hawaiian Affairs
No. 1656	Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1676	Committee on Ways and Means
No. 1657	Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1677	Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 1658	Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means	No. 1678	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 1659	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1679	Committee on Ways and Means
No. 1660	Jointly to the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1680	Committee on Water, Land, and Agriculture
No. 1661	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1681	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1662	Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means	No. 1682	Committee on Education and Military Affairs, then to the Committee on Ways and Means
		No. 1683	Committee on Ways and Means
		No. 1684	Committee on Education and Military Affairs, then to the Committee on Ways and Means
		No. 1685	Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
		No. 1686	Jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means
		No. 1687	Committee on Health, then to the Committee on Ways and Means

No. 1688 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1689 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1690 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1691 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection and Housing

No. 1692 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1693 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1694 Committee on Labor, then to the Committee on Ways and Means

No. 1695 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1696 Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1697 Jointly to the Committee on Business and Economic Development and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1698 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1699 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1700 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1701 Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1702 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1703 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1704 Committee on Health, then to the Committee on Ways and Means

No. 1705 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1706 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on

Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1707 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1708 Committee on Health, then to the Committee on Ways and Means

No. 1709 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1710 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 1711 Committee on Health, then to the Committee on Ways and Means

No. 1712 Committee on Human Services, then to the Committee on Ways and Means

No. 1713 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1714 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1715 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1716 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1717 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. 1718 Committee on Ways and Means

No. 1719 Committee on Ways and Means

No. 1720 Committee on Ways and Means

No. 1721 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1722 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1723 Committee on Energy, Environment, and International Affairs

No. 1724 Committee on Ways and Means

No. 1725 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

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No. 1726	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1749	Committee on Ways and Means
No. 1727	Committee on Tourism	No. 1750	Committee on Human Services, then to the Committee on Ways and Means
No. 1728	Committee on Tourism, then to the Committee on Judiciary and Hawaiian Affairs	No. 1751	Committee on Ways and Means
No. 1729	Committee on Tourism, then to the Committee on Ways and Means	No. 1752	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1730	Committee on Tourism, then to the Committee on Ways and Means	No. 1753	Committee on Higher Education, then to the Committee on Ways and Means
No. 1731	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1754	Committee on Judiciary and Hawaiian Affairs
No. 1732	Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1755	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1733	Committee on Human Services, then to the Committee on Ways and Means	No. 1756	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1734	Jointly to the Committee on Business and Economic Development and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means	No. 1757	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 1735	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs	No. 1758	Committee on Energy, Environment, and International Affairs, then to the Committee on Education and Military Affairs
No. 1736	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1759	Committee on Energy, Environment, and International Affairs, then to the Committee on Water, Land, and Agriculture
No. 1737	Committee on Health, then to the Committee on Ways and Means	No. 1760	Committee on Energy, Environment, and International Affairs, then jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development
No. 1738	Committee on Ways and Means	No. 1761	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Water, Land, and Agriculture
No. 1739	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1762	Jointly to the Committee on Higher Education, the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 1740	Committee on Ways and Means	No. 1763	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Energy, Environment, and International Affairs, then to the Committee on Water, Land, and Agriculture
No. 1741	Committee on Judiciary and Hawaiian Affairs	No. 1764	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Energy, Environment, and International Affairs, then to the Committee on Water, Land, and Agriculture
No. 1742	Committee on Judiciary and Hawaiian Affairs	No. 1765	Committee on Energy, Environment, and International Affairs, then to the Committee on Water, Land, and Agriculture
No. 1743	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means	No. 1766	Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means
No. 1744	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means	No. 1767	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1745	Committee on Ways and Means		
No. 1746	Committee on Ways and Means		
No. 1747	Committee on Higher Education, then to the Committee on Ways and Means		
No. 1748	Committee on Ways and Means		

No. 1768 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1769 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 1770 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1771 Committee on Labor, then to the Committee on Ways and Means

No. 1772 Committee on Human Services, then to the Committee on Ways and Means

No. 1773 Jointly to the Committee on Labor and the Committee on Human Services, then to the Committee on Ways and Means

No. 1774 Jointly to the Committee on Higher Education and the Committee on Human Services, then to the Committee on Ways and Means

No. 1775 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services, then to the Committee on Ways and Means

No. 1776 Committee on Ways and Means

No. 1777 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1778 Committee on Commerce, Consumer Protection and Housing

No. 1779 Committee on Commerce, Consumer Protection and Housing

No. 1780 Committee on Human Services, then to the Committee on Ways and Means

No. 1781 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1782 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

No. 1783 Committee on Labor, then to the Committee on Ways and Means

No. 1784 Committee on Labor, then to the Committee on Ways and Means

No. 1785 Committee on Energy, Environment, and International Affairs, then to the Committee on Transportation and Government Operations

No. 1786 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1787 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 1788 Committee on Higher Education

No. 1789 Committee on Ways and Means

No. 1790 Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education, then to the Committee on Ways and Means

No. 1791 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1792 Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1793 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1794 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1795 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1796 Committee on Judiciary and Hawaiian Affairs

No. 1797 Committee on Commerce, Consumer Protection and Housing

No. 1798 Committee on Commerce, Consumer Protection and Housing

No. 1799 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 1800 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1801 Committee on Ways and Means

No. 1802 Committee on Commerce, Consumer Protection and Housing

No. 1803 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1804 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1805 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1806 Committee on Higher Education, then to the Committee on Ways and Means

No. 1807 Committee on Labor, then to the Committee on Ways and Means

No. 1808 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing

No. 1809 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

- No. 1810 Jointly to the Committee on Intergovernmental Affairs and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1811 Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1812 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1813 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1814 Jointly to the Committee on Education and Military Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 1815 Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1816 Jointly to the Committee on Education and Military Affairs and the Committee on Health, then to the Committee on Ways and Means
- No. 1817 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1818 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1819 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1820 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1821 Committee on Judiciary and Hawaiian Affairs
- No. 1822 Committee on Judiciary and Hawaiian Affairs
- No. 1823 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1824 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1825 Jointly to the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1826 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1827 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1828 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1829 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1830 Jointly to the Committee on Education and Military Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1831 Committee on Ways and Means
- No. 1832 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
- No. 1833 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1834 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1835 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1836 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1837 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1838 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1839 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 1840 Jointly to the Committee on Transportation and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1841 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1842 Committee on Labor, then to the Committee on Ways and Means
- No. 1843 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 1844 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1845 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1846 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 1847 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
- No. 1848 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1849	Committee on Human Services, then to the Committee on Ways and Means	No. 1867	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1850	Jointly to the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing	No. 1868	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1851	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1869	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 1852	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1870	Committee on Ways and Means
No. 1853	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1871	Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1854	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. 1872	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 1855	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 1873	Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1856	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture	No. 1874	Committee on Ways and Means
No. 1857	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Energy, Environment, and International Affairs, then to the Committee on Water, Land, and Agriculture	No. 1875	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 1858	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1876	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 1859	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1877	Committee on Water, Land, and Agriculture, then to the Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs
No. 1860	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs	No. 1878	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1861	Committee on Transportation and Government Operations	No. 1879	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1862	Committee on Tourism, then to the Committee on Ways and Means	No. 1880	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1863	Committee on Tourism, then to the Committee on Ways and Means	No. 1881	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1864	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1882	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1865	Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1883	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1866	Committee on Education and Military Affairs, then to the Committee on Ways and Means	No. 1884	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
		No. 1885	Committee on Education and Military Affairs, then to the Committee on Ways and Means
		No. 1886	Committee on Education and Military Affairs, then to the Committee on Ways and Means
		No. 1887	Committee on Transportation and Government Operations, then to the Committee on Ways and Means



No. 1888 Committee on Labor, then to the Committee on Ways and Means

No. 1889 Jointly to the Committee on Labor and the Committee on Higher Education, then to the Committee on Commerce, Consumer Protection and Housing

No. 1890 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1891 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1892 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1893 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1894 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1895 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1896 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1897 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1898 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 1899 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1900 Committee on Ways and Means

No. 1901 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1902 Committee on Ways and Means

No. 1903 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing

No. 1904 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

**RE-REFERRAL OF GOVERNOR'S MESSAGES**

The Chair re-referred the following governor's messages that were received:

Governor's Message Referred to:

No. 273 Committee on Media, Arts, Science and Technology

No. 283 Committee on Media, Arts, Science and Technology

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

Senate Bill Referred to:

No. 72 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 422 Jointly to the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing

No. 431 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

No. 455 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 478 Jointly to the Committee on Labor and the Committee on Human Services, then to the Committee on Ways and Means

No. 493 Jointly to the Committee on Health and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 668 Committee on Business and Economic Development, then jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means

No. 710 Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 713 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 721 Jointly to the Committee on Business and Economic Development and the Committee on Tourism, then jointly to the Committee on Water, Land, and Agriculture and the Committee on Ways and Means

No. 783 Committee on Health, then jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means

No. 788 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 791 Committee on Health, then to the Committee on Ways and Means

No. 845 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

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**HOUSE COMMUNICATION**

Hse. Com. No. 4, returning S.B. No. 543, which passed Third Reading in the House of Representatives on February 2, 2005, was read by the Clerk and was placed on file.

Senator Sakamoto, Chair of the Committee on Education and Military Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 434;  
S.B. No. 1248;  
S.B. No. 1249;  
S.B. No. 1253;  
S.B. No. 1255;  
S.B. No. 1659;  
S.B. No. 1661; and  
S.B. No. 1817,

and the Chair granted the waiver.

Senator Fukunaga, Chair of the Committee on Media, Arts, Science and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 1168;  
S.B. No. 1304;  
S.B. No. 1699; and  
S.B. No. 1794,

and the Chair granted the waiver.

**ADJOURNMENT**

At 1:17 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 3, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TENTH DAY

Thursday, February 3, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:37 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 Ihara who was excused.

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

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.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. 91      | Committee on Health, then to the Committee on Ways and Means  |
| No. 525     | Jointly to the Committee on Health and the Committee on Transportation and Government Operations, then to the Committee on Intergovernmental Affairs                                    |
| No. 623     | Committee on Judiciary and Hawaiian Affairs   |
| No. 635     | Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means   |
| No. 1140    | Committee on Commerce, Consumer Protection and Housing  |
| No. 1151    | Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs  |
| No. 1170    | Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs |
| No. 1375    | Committee on Business and Economic Development, then to the Committee on Ways and Means   |
| No. 1378    | Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means                         |
| No. 1504    | Committee on Business and Economic Development, then to the Committee on Ways and Means   |
| No. 1505    | Committee on Education and Military Affairs, then to the Committee on Ways and Means  |

No. 1709 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1877 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 4, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## ELEVENTH DAY

Friday, February 4, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.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 with the exception of Senator Kim who was 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. 314 to 320) were read by the Clerk and were placed on file:

Gov. Msg. No. 314, dated January 12, 2005, transmitting a Report on the Progress of the Division of Boating and Ocean Recreation in Addressing the Auditor's Concern in the 1998 and 2001 Audits of the Management of State Boating Facilities, prepared by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, pursuant to S.C.R. No. 168 (2004).

Gov. Msg. No. 315, dated January 14, 2005, transmitting the Annual Report on the Special Fund for Rabies Quarantine, prepared by the Department of Agriculture.

Gov. Msg. No. 316, dated January 20, 2005, transmitting the Department of Taxation's Report Regarding the Department's Goals and Objectives, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 317, dated January 27, 2005, transmitting the Annual Report that Outlines the Status of the Special Fund, Including the Amount of Monies Deposited Into and Expended From the Fund, and Sources of Receipts and Uses of Expenditures, prepared by the Department of Health pursuant to Section 321-1.4, HRS.

Gov. Msg. No. 318, dated January 31, 2005, transmitting the Department of Land and Natural Resources' Status Report Relating to the Task Force on Beach and Water Safety, pursuant to Act 190, SLH 1996, as amended by Act 101, SLH 1999, as amended by Act 170, SLH 2002.

Gov. Msg. No. 319, dated February 2, 2005, transmitting a Report on 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. 320, letter dated February 4, 2005, informing the Senate that she appointed D. Mele Carroll to fill the vacancy for the unexpired term created by the resignation of Sol Kahoohalahala, as the member from the Thirteenth District, House of Representatives, Twenty-Third Legislature, State of Hawaii, in accordance with the provisions of Title II, Chapter 17, Section 4 of the Hawaii Revised Statutes.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 36 and 37) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR COLORECTAL CANCER SCREENING BY COLONOSCOPY."

Offered by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa.

No. 37 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR A NEW PUBLIC HIGH SCHOOL IN KIHEI, MAUI TO BE FUNDED BY THE ISSUANCE OF CERTIFICATES OF PARTICIPATION."

Offered by: Senators Baker, Sakamoto, Hooser, English, Tsutsui.

## 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. 96 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

No. 134 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 452 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. 454 Jointly to the Committee on Transportation and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 455 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 470 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 491 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 503 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 504 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. 506 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 507 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 516 Jointly to the Committee on Transportation and Government Operations and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 539 Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 550 Jointly to the Committee on Transportation and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 749 Jointly to the Committee on Higher Education and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 759 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. 769 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 782 Committee on Health, then to the Committee on Ways and Means

No. 870 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

No. 871 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 906 Jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 928 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 963 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 992 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1008 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. 1077 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Health, then to the Committee on Ways and Means

No. 1111 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1141 Jointly to the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing

No. 1209 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1247 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1249 Committee on Education and Military Affairs

No. 1250 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1251 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1265 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1284 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1326 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1351 Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs

No. 1374 Jointly to the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1383 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1425 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Media, Arts, Science and Technology and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 1441 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1482 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1505 Jointly to the Committee on Education and Military Affairs and the Committee on Media, Arts,

Science and Technology, then to the Committee on Ways and Means

No. 1516 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. 1533 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1547 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

No. 1554 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1565 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1610 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1677 Jointly to the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1692 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Media, Arts, Science and Technology and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1701 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1721 Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 1727 Committee on Tourism, then to the Committee on Ways and Means

No. 1778 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1787 Committee on Higher Education, then to the Committee on Ways and Means

No. 1792 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 1799 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. 1856 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1877 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

**MISCELLANEOUS COMMUNICATION**

Misc. Com. No. 8, from the Hawaii Tourism Authority dated February 1, 2005, transmitting the Hawaii Tourism Strategic Plan 2005-2015, was read by the Clerk and was placed on file.

**ADJOURNMENT**

At 11:47 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 7, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

TWELFTH DAY

Monday, February 7, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ai Hironaka, Aiea Hongwanji, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Menor who were excused.

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

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 321, letter dated January 26, 2005, 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. 1864, which increases the appropriation of the Judiciary Computer System special fund by \$1,500,000 in order to allow the Judiciary to pay for unanticipated hardware and infrastructure expenses for the Judiciary information management system project, as well as unanticipated expenses involved in converting data from the antiquated TRAVIS case management system to the Judiciary information management system, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2) recommending that S.B. No. 244, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Human Services.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second Reading and was recommitted to the Committee on Human Services.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3) recommending that S.B. No. 162, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Business and Economic Development.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," passed Second Reading and was recommitted to the Committee on Business and Economic Development.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No. 123 pass Second Reading and be referred to the Committee on Transportation and Government Operations.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 123, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Transportation and Government Operations.

ORDER OF THE DAY

RE-REFERRAL OF GOVERNOR'S MESSAGES

The Chair re-referred the following governor's messages that were received:

Governor's Message	Referred to:
No. 150	Committee on Health
No. 151	Committee on Health
No. 152	Committee on Health
No. 153	Committee on Health
No. 154	Committee on Health
No. 155	Committee on Health
No. 156	Committee on Health
No. 157	Committee on Health
No. 158	Committee on Health
No. 159	Committee on Health
No. 160	Committee on Health
No. 169	Committee on Energy, Environment, and International Affairs
No. 170	Committee on Energy, Environment, and International Affairs
No. 171	Committee on Energy, Environment, and International Affairs
No. 172	Committee on Energy, Environment, and International Affairs

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 162, S.D. 1	Jointly to the Committee on Business and Economic Development and the Committee on Tourism, then to the Committee on Ways and Means
No. 244, S.D. 1	Jointly to the Committee on Human Services and the Committee on Higher Education, then to the Committee on Ways and Means
No. 525	Jointly to the Committee on Transportation and Government Operations and the Committee on Health, then to the Committee on Intergovernmental Affairs
No. 554	Committee on Health, then to the Committee on Ways and Means

No. 567 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

and the Chair granted the waiver.

**ADJOURNMENT**

No. 574 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

At 11:45 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 8, 2005.

No. 789 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

Respectfully submitted,

No. 841 Jointly to the Committee on Human Services, the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

Clerk of the Senate

No. 864 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

Approved:

No. 869 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

President of the Senate

No. 1024 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1193 Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1211 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1228 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1233 Jointly to the Committee on Health and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1235 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1464 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means

No. 1468 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

No. 1512 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs

Senator Kokubun, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

- S.B. No. 917;
- S.B. No. 918;
- S.B. No. 919;
- S.B. No. 924;
- S.B. No. 925; and
- S.B. No. 1897,



## THIRTEENTH DAY

## Tuesday, February 8, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Lorraine R. Inouye, 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 Twelfth 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.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 322 to 342) were read by the Clerk and were placed on file:

Gov. Msg. No. 322, dated January 31, 2005, transmitting the Small Business Regulatory Review Board Annual Report, prepared by the Department of Business, Economic Development, and Tourism, Business Assistance Branch, pursuant to Chapter 201M, HRS.

Gov. Msg. No. 323, dated January 31, 2005, transmitting the Small Business Regulatory Review Board Final Review of Agency Submitted Administrative Rules, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201M-7, HRS.

Gov. Msg. No. 324, dated February 2, 2005, transmitting the Annual Report Regarding School-Level Minor Repair and Maintenance, prepared by the Department of Education pursuant to Section 302A-1504, HRS.

Gov. Msg. No. 325, dated February 2, 2005, transmitting a Report on Carryover of Funds, prepared by the Department of Education pursuant to Section 37-41.5, HRS

Gov. Msg. No. 326, dated February 2, 2005, transmitting a Report on the Philippine Student Exchange Program, prepared by the Department of Education pursuant to S.C.R. No. 164 (2004).

Gov. Msg. No. 327, dated February 2, 2005, transmitting a 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. 328, dated February 2, 2005, transmitting a Report on the Two-Tier Junior Kindergarten and Kindergarten Program, prepared by the Department of Education pursuant to Act 219, SLH 2004.

Gov. Msg. No. 329, dated February 2, 2005, transmitting a Report on Hawaii 3R's School Repair and Maintenance Fund, prepared by the Department of Education pursuant to Acts 213, 41 and 51, SLH 2004.

Gov. Msg. No. 330, dated February 2, 2005, transmitting a Report on Robotics Education in Hawaii, prepared by the Department of Education pursuant to S.C.R. No. 131 (2004).

Gov. Msg. No. 331, dated February 2, 2005, transmitting the Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities, prepared by the Department of Health pursuant to Section 340B-12, HRS.

Gov. Msg. No. 332, dated February 2, 2005, transmitting the Annual Evaluation Report on Elder Programs, prepared by the Department of Health, Executive Office on Aging, pursuant to Section 349-5, HRS.

Gov. Msg. No. 333, dated February 2, 2005, transmitting the Annual Report on the Activities Under the Neurotrauma Special Fund, prepared by the Department of Health pursuant to Section 321H-4, HRS.

Gov. Msg. No. 334, dated February 2, 2005, transmitting the Annual Financial Report for the Domestic Violence Prevention Special Fund, prepared by the Department of Health pursuant to Section 321-1.3, HRS.

Gov. Msg. No. 335, dated February 2, 2005, transmitting a Report on Hawaii's Family Caregivers and the Older Adults to Whom They Provide Assistance, prepared by the Department of Health pursuant to H.C.R. No. 154 (2004).

Gov. Msg. No. 336, dated February 2, 2005, transmitting reports on the Environmental Response Law and Hawaii Community Right to Know Act Financial and Environmental Site Information; and the Revenues and Expenditures of the Environmental Response Revolving Fund for Fiscal Year 2004, prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS; and Act 200, Section 18, SLH 2003.

Gov. Msg. No. 337, dated January 27, 2005, transmitting a Report Relating to the State Water Pollution Control Revolving Fund of the Department of Health, prepared by the Department of Health pursuant to Section 342D-82.

Gov. Msg. No. 338, dated January 31, 2005, 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. 339, dated January 28, 2005, transmitting the Department of Transportation's Annual Report for Fiscal Year ending June 30, 2003.

Gov. Msg. No. 340, dated January 28, 2005, transmitting four reports prepared by the Department of Transportation: Relating to Government Operations, pursuant to Act 100, Section 7, SLH 1999; Requesting the Director of Transportation to Study the Advisability of Transferring the Vanpool Program to the Counties, pursuant to H.C.R. No. 171 (2004); Requesting the Department of Transportation to Study the Feasibility of, and Provide Cost Estimates for, the Installation of an Access Road on the Southern End of Kawaihae Harbor to Increase Access to the Small Boat Harbor and Beach Area, and for Other Harbor Improvements, pursuant to H.C.R. No. 179 (2004); and Special Maintenance Reports, pursuant to Act 200, SLH 2003 as amended by Act 41, SLH 2004.

Gov. Msg. No. 341, dated January 31, 2005, transmitting the Annual Report Relating to Invasive Species, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Act 41, SLH 2004.

Gov. Msg. No. 342, informing the Senate that on February 7, 2005, she signed into law Senate Bill No. 543 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 5 to 7) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 5, transmitting H.B. No. 161, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed First Reading by title and was deferred.

Hse. Com. No. 6, transmitting H.B. No. 214, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 214, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed First Reading by title and was deferred.

Hse. Com. No. 7, transmitting H.B. No. 644, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 644, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POOLED INSURANCE," passed First Reading by title and was deferred.

#### SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 38) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE ACTIONS AND POLICIES OF THE DEPARTMENT OF THE ATTORNEY GENERAL WITH REGARD TO ITS INVESTIGATION AND PROSECUTION OF PUBLIC BENEFIT CORPORATIONS UNDER THE HAWAII NONPROFIT CORPORATIONS ACT."

Offered by: Senator Bunda, by request.

#### STANDING COMMITTEE REPORTS

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 332, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Media, Arts, Science and Technology.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 332, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was recommitted to the Committee on Media, Arts, Science and Technology.

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. 6) recommending that S.B. No. 128 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 128, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Ways and Means.

#### 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. 332, S.D. 1	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 522	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 531	Jointly to the Committee on Intergovernmental Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 665	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 710	Jointly to the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 803	Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 966	Jointly to the Committee on Business and Economic Development, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1031	Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1374	Jointly to the Committee on Business and Economic Development, the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means
No. 1440	Jointly to the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1587 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1713 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 1751 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1817 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

**MISCELLANEOUS COMMUNICATION**

Misc. Com. No. 9, from Honolulu Seawater Air Conditioning, LLC, dated February 2, 2005, transmitting the Feasibility Analysis of Using Seawater Air Conditioning in State of Hawaii Buildings, pursuant to S.C.R. No. 169 (2004), was read by the Clerk and was placed on file.

Senator Fukunaga, Chair of the Committee on Media, Arts, Science and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 332 and 785.

Senator Fukunaga noted:

“Mr. President, S.B. No. 332 proposes to exempt the High Tech Development Corporation and Natural Energy Laboratory of Hawaii Authority from the State Procurement Code and S.B. No. 785 allows public meetings by video teleconference to continue.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 11:51 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 9, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FOURTEENTH DAY

Wednesday, February 9, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mrs. Lee Ann Bowman, Senate Clerk's Office, after which the Roll was called showing all Senators present with the exception of Senators Espero and Kokubun who were excused.

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

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. 8, transmitting H.B. No. 515, which passed Third Reading in the House of Representatives on February 8, 2005, was read by the Clerk and was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 515, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed First Reading by title and was deferred.

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.

## STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 7) recommending that the Senate consent to the nomination of ELIZABETH ANN STRANCE to the office of Judge, Circuit Court of the Third Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 78.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 7 and Gov. Msg. No. 78 was deferred until Thursday, February 10, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 50, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 50, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, January 26, 2005 and Monday, January 31, 2005:

Senate Concurrent Resolution	Referred to:
No. 2	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 3	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Media, Arts, Science and Technology
No. 4	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Ways and Means
No. 5	Committee on Labor, then to the Committee on Ways and Means
No. 6	Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 7	Committee on Health
No. 8	Jointly to the Committee on Education and Military Affairs and the Committee on Health
No. 9	Jointly to the Committee on Education and Military Affairs, the Committee on Health and the Committee on Higher Education
No. 10	Jointly to the Committee on Education and Military Affairs and the Committee on Health
No. 11	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 12	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means
No. 13	Committee on Human Services, then to the Committee on Ways and Means
No. 14	Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs
No. 15	Committee on Energy, Environment, and International Affairs, then to the Committee on Transportation and Government Operations
No. 16	Jointly to the Committee on Human Services and the Committee on Health

- No. 17 Jointly to the Committee on Business and Economic Development and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 18 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Business and Economic Development
- No. 19 Jointly to the Committee on Business and Economic Development and the Committee on Higher Education, then to the Committee on Commerce, Consumer Protection and Housing
- No. 20 Committee on Health
- No. 21 Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection and Housing
- No. 22 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 23 Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 24 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 25 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 26 Committee on Human Services
- No. 27 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 28 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 29 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 30 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 31 Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 32 Committee on Health
- No. 33 Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
- No. 34 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
- No. 35 Committee on Judiciary and Hawaiian Affairs, 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 Wednesday, January 26, 2005 and Monday, January 31, 2005:

- | Senate Resolution | Referred to:   |
|-------------------|--|
| No. 3             | Committee on Labor, then to the Committee on Ways and Means  |
| No. 4             | Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs   |
| No. 5             | Jointly to the Committee on Education and Military Affairs and the Committee on Health   |
| No. 6             | Jointly to the Committee on Education and Military Affairs, the Committee on Health and the Committee on Higher Education                          |
| No. 7             | Jointly to the Committee on Education and Military Affairs and the Committee on Health   |
| No. 8             | Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means                                    |
| No. 9             | Committee on Human Services, then to the Committee on Ways and Means   |
| No. 10            | Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs   |
| No. 11            | Jointly to the Committee on Education and Military Affairs and the Committee on Health   |
| No. 12            | Committee on Education and Military Affairs  |
| No. 13            | Committee on Education and Military Affairs  |
| No. 14            | Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means |
| No. 15            | Jointly to the Committee on Tourism and the Committee on Business and Economic Development   |
| No. 16            | Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs                                     |
| No. 17            | Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs                                |
| No. 18            | Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means   |
| No. 19            | Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations                      |

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 26	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 56	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 496	Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 527	Jointly to the Committee on Health, the Committee on Human Services and the Committee on Intergovernmental Affairs, then jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means
No. 786	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1016	Jointly to the Committee on Transportation and Government Operations, the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means
No. 1066	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1269	Jointly to the Committee on Water, Land, and Agriculture, the Committee on Business and Economic Development and the Committee on Intergovernmental Affairs, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 1360	Jointly to the Committee on Transportation and Government Operations, the Committee on Intergovernmental Affairs and the Committee on Tourism, then to the Committee on Ways and Means
No. 1380	Jointly to the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1552	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1613	Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1715	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1885 Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

**HOUSE COMMUNICATIONS****MATTERS DEFERRED FROM TUESDAY, FEBRUARY 8, 2005**

H.B. No. 161, H.D. 1 (Hse. Com. No. 5):

By unanimous consent, action on H.B. No. 161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was deferred until Thursday, February 10, 2005.

H.B. No. 214, H.D. 1 (Hse. Com. No. 6):

By unanimous consent, action on H.B. No. 214, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," was deferred until Thursday, February 10, 2005.

H.B. No. 644, H.D. 1 (Hse. Com. No. 7):

By unanimous consent, action on H.B. No. 644, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POOLED INSURANCE," was deferred until Thursday, February 10, 2005.

Senator Trimble rose on a point of personal privilege as follows:

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

"Colleagues, you may remember that last year I rose and spoke in opposition of a constitutional amendment because I believed that my testimony mattered. I am consistent. I believe that when we hear bills in Committee it is important that we are there in person so we can hear what the testifiers have to say so I can hear the dialog between my colleagues and the testifiers and among ourselves.

"I had a problem yesterday, so I personally would like to apologize to the Chairman of the Human Services Committee because I could not attend her hearing. As for the Economic Development Committee, I could not attend his hearing because all three Committees that I chose to belong to had a hearing that went on at the same time.

"On the positive side, I would like to publicly recognize and personally thank the Chairman of the Higher Education Committee. I thank him for the way he conducted the hearing in showing respect to the people that testified and consideration of his colleagues by having decision-making at the end of each bill.

"Thank you, Mr. President, I hope we can work for having fewer conflicts in the hearings of bills."

Senator Fukunaga, Chair of the Committee on Media, Arts, Science and Technology, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following Senate Bills:

S.B. No. 713;  
S.B. No. 720;  
S.B. No. 1695; and  
S.B. No. 1701.

Senator Fukunaga noted:

“Mr. President, these bills were previously heard on Tuesday, February 8, 2005, and scheduled for decision making on Tuesday, February 15, 2005.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 11:54 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 10, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTEENTH DAY

**Thursday, February 10, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Adwin Meekins, The Way of Truth Church, Waipahu, after which the Roll was called showing all Senators present.

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

At 11:47 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.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 9) 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 14, 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 majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 10) 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 24, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," 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. 11) recommending that S.B. No. 112, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 112, 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. 12) recommending that S.B. No. 27 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 27, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK

EVALUATION 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. 13) recommending that S.B. No. 742 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 742, entitled: "A BILL FOR AN ACT RELATING TO FEES," 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. 14) recommending that S.B. No. 1135 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 INTEREST AND USURY," 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. 15) recommending that S.B. No. 792 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 792, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

REFERRAL OF  
SENATE CONCURRENT RESOLUTION

The President made the following committee assignment of a concurrent resolution that was offered on Friday, February 4, 2005:

Senate Concurrent Resolution	Referred to:
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No. 36	Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing
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## RE-REFERRAL OF SENATE BILL

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

Senate Bill	Referred to:
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No. 1861	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
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## ADVISE AND CONSENT

Stand. Com. Rep. No. 7 (Gov. Msg. No. 78):

Senator Hanabusa moved that Stand. Com. Rep. No. 7 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of ELIZABETH ANN STRANCE to the office of Judge, Circuit Court of the Third Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Hee.

Senator Hanabusa rose in support of the nominee and said:

“Mr. President, I rise in support of Gov. Msg. No. 78.

“Mr. President, Gov. Msg. No. 78 submits to this Body for consideration and consent the gubernatorial nominee Elizabeth Ann Strance for a term of 10 years. This is of course to the Circuit Court of the Third Circuit of the State of Hawaii.

“Mr. President, Ms. Strance comes with very high recommendations. She actually came through the State Bar Association with flying colors, having found her ‘highly qualified.’ Mr. President, if I may just digress here a little, I’d like the Body to realize that in the three years that I have chaired Judiciary and Hawaiian Affairs, this is only the second time that a woman has been ‘highly qualified’ by the Hawaii Bar Association.

“Ms. Strance received her Bachelor of Science degree from Willamette University and she earned her Juris Doctorate degree from Northwestern School of Law which is part of the Lewis and Clark College in Portland, Oregon. She’s been licensed in the State of Hawaii since 1988 and she has been an associate in many of the firms in town, including the very large firm of Goodwill, Anderson, Quinn and Stifel. In addition to that, she now sits as a per diem judge in the Third Circuit in the Family Court and she is a partner in the firm of Strance and Nakoia. Her practice, Mr. President, has run the whole gamut. She’s done civil, traffic, divorce and so forth, and of course her experience as a per diem judge gives her all the other necessary experiences that she would have. She has the experience of representing both large and small clients.

“Mr. President, it is very rare that I would defer to someone else’s words in describing themselves, but she said it so well that I’d like to read this into the record. She said, ‘I have also worked for large and small law firms, represented large and small clients, and represented plaintiffs and defendants. This varied background has been particularly helpful as a per diem judge. In my experience, there were times when knowledge of the rules of court has been less valuable than the understanding of the context of the dispute or the understanding of the pressures on the participants. Although my background has not affected the substantive outcome of any legal matter, it has instilled in me a level of empathy. In addition, it has assisted me to resolve matters in a dispassionate manner and on occasion offer observations for resolution that parties involved in the heart of the dispute were unable to see.’ Mr. President, this is the basic sentiment that we had throughout our hearing from those who testified on her behalf. It really came down to her compassion, yet her legal skill and her ability, her real ability to see the true issues and to bring people together.

“There were people who came and they all said the same thing about Ms. Strance – she is respectful of defendants, their attorneys, and anyone that comes before her.

“She has an interesting statement here that also tells a lot about Ms. Strance. She said, ‘I am curious about the law. I want to fully understand the disputes before me. That natural curiosity has kept me motivated and engaged in my cases.’ Mr. President, there are some of us who believe, and this is not to sound sexist, this just explains it, law is an extremely jealous mistress – you can never turn your back on it. I think what Ms. Strance is saying here is exactly that. She is saying that you have to stay engaged, you have to stay just fascinated by the process, and that’s how I believe she ranks as one of the best lawyers that we do have and we’ve seen come before us.

“On another note, Mr. President, and this is because this just caught everyone’s attention and I would like to read this primarily because the person who is the subject of this is here with her mother. This was submitted by Collette Miura Matsunaga. She says, ‘I’m in the eighth grade, 13-years old at Konawaena Middle School in Kealahou, Hawaii. I have known Betsy Strance, I call her Auntie Betsy, ever since I was a little girl. She is a good lawyer. She is dedicated and honest. By the way her son Keawe acts, I can tell you she is disciplined but kind. Keawe is more well-behaved than my three-year old sister Janna. They live close to our house in Captain Cook.’ And then she said, ‘I don’t have school tomorrow. If my mom can get a reservation for me (not too expensive) she said I can testify at her hearing.’ The problem then was that we were told that Collette did not want to come because she didn’t want to be questioned by the good Senator from Kahaluu. (Laughter.) But we can all understand that and empathize with her.

“Mr. President, the other persons who should be recognized who came were people like Craig Kahui who submitted testimony and he is the bailiff of the Third Circuit Court. When people like bailiffs bring it upon themselves to come forward, because they watch us in all our glory and all our misery and everything else, and when they come out singing praises of this nominee, you know that this nominee is someone that we should be proud to confirm. As I stated earlier, she is ‘highly-qualified’ and there is no question in my mind that she will be an excellent judge for the Third Circuit.

“Mr. President, I ask you and my colleagues in joining me in confirming Elizabeth Ann Strance for the Third Circuit of the Circuit Court of the State of Hawaii. Thank you very much.”

Senator Inouye rose to speak in support of the nominee as follows:

“Mr. President, I speak in strong support of Gov. Msg. No. 68, Ms. Elizabeth Ann Strance, the judicial nominee to the Circuit Court of the Big Island based in Kona.

“As you all know by now, I have expressed by opinions loud and clear to the Governor, as well as in the Ways and Means hearings to the CJ about parity in the court system particularly on the Big Island. As you know, we lost the only two women judges several years ago which was very controversial and I’m really thankful that the Governor and the CJ have seen fit, but only because Ms. Strance has already proven herself, as our Chair of our Judiciary Committee has said.

“And so, I urge my colleagues as well to strongly support our nominee here, Ms. Elizabeth Strance. Thank you very much.”

Senator Hee rose in support of the nominee and stated:

“Mr. President, I stand in support of the nominee with a few remarks.

"I had the privilege 16 years ago to Chair the Judiciary Committee, and I realize how difficult a job it can be during the confirmation process. In fact, it's no secret that we, as the Senate, and the Committee in particular are going through a protracted discussion at the moment with Mr. Bissen.

"I want to say that the process is such a difficult one because when a person becomes a judge, society recognizes that person as distinctly different from all others. Besides the physical presence of having a black robe, sitting at an elevated level, and having attorneys refer to that person as 'your honor' and asking the questions even to approach the bench, clearly society has looked upon this person as one that we can rely on to dispense fairness and equity to all people. And when you look at the nominee's resume and listen to her testify, there's no question in my mind that she epitomizes fairness.

"When you look at her community service, what caught my eye was her volunteer work for Hospice Hawaii, her volunteer work for the AIDS Foundation, her volunteer work for the various community organizations, and these are the things that in my opinion round off this individual.

"You know, Betsy Strance is the kind of person that makes the Hawaii Bar Association look good, frankly. I think she is the kind of person that the bar association can look to and say this is the kind of person or this person is one that is highly recommended. That's to the bar's advantage. It's really not to Betsy Strance's advantage, because as we're finding out and as we'll go on further with other nominees to the bench, the qualification and the process of qualifying or putting a qualification on a person is dependent by this Body on institutions like the Hawaii Bar Association. There's no doubt in my mind that a complete overhaul is necessary. There's no doubt in my mind that new leadership is necessary. There is no doubt in my mind that whatever procedures, as secret as they may be, need to be revisited so that we as the Senate and all others can view and evaluate their recommendation in a more transparent and a more fair and open proceeding.

"Circling the wagons does nothing, Mr. President, by the bar to protect one of their own. What it does is call into question the integrity not only of the person that they circle their wagons around but the integrity of the process by which they have rendered a decision.

"Betsy Strance has come through this process. She makes the bar look good, and I am pleased and would encourage the members to adopt her as the next judge.

"On one final note, Mr. President, I want to state for the record, clarity – and that is, Collette Matsunaga asked me by e-mail, if she came, could she testify? And I said by e-mail, I am absolutely certain that if you asked the Chair, she will allow you to testify.

"Thank you, Mr. President."

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

"Mr. President, I rise in favor of the motion.

"I'm not as articulate as our good Chair of the Judiciary or the Vice Chair, but I think I have the rare honor of anyone here of actually being before Ms. Strance in a couple of minor matters. And I'm happy to say as a resident of Kona, one of my constituents, that the community in mass came out in support for her. I don't recall anything negative or even the slightest hint of any sort of doubt about her ability. In fact, it was overwhelmingly in support and everyone to the person praised

her in her ability to do a good job, to be prepared, to know what she's talking about, and when those issues arise that are unfamiliar, she does her homework and gets it done. And that's what we need in our judges – that desire and the commitment to find out about an issue, to learn what needs to be learned so that they can make a fair and just decision.

"I rise to encourage my colleagues, which I'm sure there will be a unanimous vote, not to vote for her because she is a woman or because she is the only one left or because she is from the Big Island, but because of her as a person that she has done such a wonderful job as a per diem judge and representing her clients that she is more than capable of doing this job. I would ask everyone again to cast your vote in favor of this nominee.

"One last point. I spoke with some of the people in the interview process. What impressed them about her was not just the fairness, but the balanced approach that there has to be consequences. And for a drug court judge, that is such an essential element for people to realize that the choices they make have consequences to them. I don't think I'm spilling any beans here or anything, but of her many qualifications, that was one that really showed out for those people who choose her, that she has that deep-rooted belief or commitment to the fact that when we make choices there are consequences and you have to live them out to learn and improve and to go forward from there. And for this position, that is extremely essential to the job. Again, I just want to say congratulations and look forward to many years of having you on the bench."

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 Strance to the members of the Senate. (Judge Strance, who was seated in the gallery with members of her family, rose to be recognized.)

At 12:07 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.

## REFERRAL OF HOUSE BILLS

### MATTERS DEFERRED FROM WEDNESDAY, FEBRUARY 9, 2005

The President made the following committee assignments of House bills received on Tuesday, February 8, 2005 and Wednesday, February 9, 2005:

House Bill	Referred to:
No. 161, H.D. 1	Committee on Commerce, Consumer Protection and Housing
No. 214, H.D. 1	Committee on Commerce, Consumer Protection and Housing
No. 515	Jointly to the Committee on Transportation and Government Operations, the Committee on Intergovernmental Affairs and the Committee on Media, Arts, Science and Technology
No. 644, H.D. 1	Committee on Commerce, Consumer Protection and Housing

Senator Trimble rose on a point of personal privilege and said:

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

“Yesterday when I rose to apologize to some Committee Chairs, I inadvertently perhaps created a misimpression. I did not want to imply that the reason why I attended Higher Education was because it was more dynamic and exciting than the other two Committees. (Laughter.)

“Last year I talked about the strength of this Body being its diversity and that we took advantage of our diversity through collective collaboration and discussion. Today, unfortunately, I again have to report that yesterday while I did make two of my three committee hearings, there was not a sufficient number of members at the end of the hearing to have decision-making.

“The reason why I’m bringing this to our collective attention is that there were people that waited and waited and waited to either testify or to listen for some words in terms of what direction the Committee was going. Not only when scheduling problems do not allow us to collaborate, perhaps we are paying disrespect to the public that takes off from employment giving up of their time to come down and give us the benefit of their thoughts only to address one or two members of the Committee, they may be left with the impression that somehow their voice doesn’t matter. I hope this is not the impression we are intending to convey.

“Thank you, Mr. President.”

#### ADJOURNMENT

At 12:16 o’clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Friday, February 11, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## SIXTEENTH DAY

Friday, February 11, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Cass Bailey, St. Christopher's Episcopal Church, Kailua, 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 Fifteenth Day.

## STANDING COMMITTEE REPORTS

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 999, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 999, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HANA WHARF AND SMALL BOAT HARBOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 1680, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 1680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATIONS OF BOARD MEMBERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 14, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 895, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMU MANAGEMENT AREA," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 14, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 952 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 952, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RURAL DENTAL SERVICES," 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. 20) recommending that S.B. No. 179, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was recommitted 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. 21) recommending that S.B. No. 746, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," 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. 22) 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 Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," 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. 23) recommending that S.B. No. 744, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 744, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," 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. 24) recommending that S.B. No. 568 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 568, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," 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. 25) recommending that S.B. No. 1229 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 1229, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF DENTAL HYGIENISTS," 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. 26) recommending that S.B. No. 118, 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 Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS," 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. 27) recommending that S.B. No. 1263, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 1263, 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. 28) recommending that S.B. No. 459, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 459, S.D. 1, 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 English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 212, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Energy, Environment, and International Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.B. No. 212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was recommitted to the Committee on Energy, Environment, and International Affairs.

**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. 96 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and

Housing, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 179, S.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 212, S.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 547 Committee on Judiciary and Hawaiian Affairs

No. 759 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

No. 1300 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. 1332 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

No. 1333 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 1384 Committee on Ways and Means

No. 1799 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTION**

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

Senate Concurrent Resolution Referred to:  
 No. 29 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

**ADJOURNMENT**

At 11:45 o'clock a.m., on motion by Senator Hee, seconded by Senator Trimble and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 14, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## SEVENTEENTH DAY

**Monday, February 14, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bob Nakata, Kahaluu United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senator Hee who was excused.

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 11:49 o'clock a.m.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 343 to 355) were read by the Clerk and were placed on file:

Gov. Msg. No. 343, dated February 1, 2005, transmitting a Report Regarding the Hawaii Family Leave Law, prepared by the Department of Labor and Industrial Relations pursuant to H.C.R. No. 77 (2004).

Gov. Msg. No. 344, dated February 8, 2005, transmitting a report prepared by the Department of Health, Health Resources Administration, Family Health Services Division, Maternal and Child Health Branch, pursuant to H.C.R. No. 141 (2004), requesting the Department of Health to establish a coordinated statewide effort to address fetal alcohol spectrum disorder.

Gov. Msg. No. 345, dated February 10, 2005, transmitting a Report on the Classification/Compensation Appeals Board, prepared by the Department of Education pursuant to Section 302A-620, HRS.

Gov. Msg. No. 346, dated February 10, 2005, transmitting a Report on Federal and Trust Funds, prepared by the Department of Education pursuant to Section 29-25, HRS.

Gov. Msg. No. 347, letter dated February 9, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation (DOT) in the amount of \$1,807,500, pursuant to Act 200, Section 129, SLH 2003, as amended by Act 41, SLH 2004.

Gov. Msg. No. 348, dated February 10, 2005, transmitting the Annual Report on the School Priority Program, prepared by the Department of Education pursuant to Section 302A-1309, HRS.

Gov. Msg. No. 349, dated February 10, 2005, transmitting a Report on the Education System, prepared by the Department of Education pursuant to Act 51, SLH 2004.

Gov. Msg. No. 350, dated February 10, 2005, 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. 351, dated February 10, 2005, transmitting a Report on the Transfer of Federal Funds for After School A+

Programs, prepared by the Department of Education pursuant to Act 200, SLH 2003.

Gov. Msg. No. 352, dated February 10, 2005, transmitting a Report on No Child Left Behind (NCLB), prepared by the Department of Education pursuant to Act 200, SLH 2003.

Gov. Msg. No. 353, dated February 10, 2005, transmitting a Report on Services to Children with Autism Spectrum Disorder, prepared by the Department of Education pursuant to Act 200, SLH 2003.

Gov. Msg. No. 354, dated February 10, 2005, 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. 355, dated February 11, 2005, transmitting the Annual Report on Educational Assessment and Accountability, prepared by the Department of Education pursuant to Section 302A-1004, HRS; and the Superintendent's Annual Report on School Performance and Improvement in Hawaii 2003, prepared by the Office of the Superintendent/Planning and Evaluation Office.

**STANDING COMMITTEE REPORTS**

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 758 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," 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. 31) recommending that S.B. No. 751, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 751, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 386, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Water, Land, and Agriculture.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 386, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was recommitted to the Committee on Water, Land, and Agriculture.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 361, as amended in S.D. 1, pass

Second Reading and be recommitted to the Committee on Water, Land, and Agriculture.

On motion by Senator Baker, 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 AGRICULTURE," passed Second Reading and was recommitted to the Committee on Water, Land, and Agriculture.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 1428 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1428, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SUSTAINABLE PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 1298 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1298, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," 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. 36) recommending that S.B. No. 290, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was recommitted to the Committee on Labor.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 1150 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, 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 DAIRY PRODUCTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 16, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 1878, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1878, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND ALONG THE SOUTH KONA-KA`U COASTLINE ON THE ISLAND OF HAWAII," 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. 1796, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1796, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 16, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 40) recommending that S.B. No. 522, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG REHABILITATION HOMES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 41) recommending that the Senate consent to the nomination of RICHARD THOMAS BISSEN, JR., to the office of Judge, Circuit Court of the Second Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 77.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 41 and Gov. Msg. No. 77 was deferred until Tuesday, February 15, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 42) recommending that S.B. No. 1249 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1249, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 16, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 43) 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 Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1661, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 44) recommending that S.B. No. 451, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 451, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 45) recommending that S.B. No. 778 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 778, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 46) recommending that S.B. No. 874 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 874, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 47) recommending that S.B. No. 1253, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, 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 EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 16, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 48) recommending that S.B. No. 1637 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1637, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

**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. 290, S.D. 1 | Committee on Labor, then to the Committee on Ways and Means                        |
| No. 361, S.D. 1 | Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means |

No. 386, S.D. 1 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 544 Committee on Judiciary and Hawaiian Affairs

No. 546 Committee on Judiciary and Hawaiian Affairs

No. 608 Committee on Transportation and Government Operations, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs

No. 1321 Committee on Judiciary and Hawaiian Affairs

No. 1817 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1875 Committee on Judiciary and Hawaiian Affairs

**THIRD READING**

At 11:50 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.

S.B. No. 1680, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Hooser and carried, S.B. No. 1680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATIONS OF BOARD MEMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 11:52 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.

S.B. No. 895, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Hooser and carried, S.B. No. 895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMU MANAGEMENT AREA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senator English, Chair of the Committee on Energy, Environment, and International Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1554.

Senator English noted:

"Mr. President, this bill establishes the emergency environmental workforce program."

The Chair then granted the waiver.

Senator Menor, Chair of the Committee on Commerce, Consumer Protection and Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1170.



Senator Menor noted:

“Mr. President, this bill establishes the crime of abuse of commercial and electronic mail and provides penalties and civil remedies. The bill was previously heard on Wednesday, February 9, 2005. The committee will reconsider its action taken on said bill.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 11:56 o'clock a.m., on motion by Senator Baker, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 15, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## EIGHTEENTH DAY

**Tuesday, February 15, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:53 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor O.W. "Dub" Efurud, Mililani Baptist Church, 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.

## STANDING COMMITTEE REPORTS

Senator Ige, for the majority of the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 49) recommending that S.B. No. 584, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 584, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 50) recommending that S.B. No. 637, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 637, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 51) recommending that S.B. No. 1060 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 52) recommending that S.B. No. 1548 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1548, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the majority of the Committee on Transportation and Government Operations, presented a report

(Stand. Com. Rep. No. 53) recommending that S.B. No. 20, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 20, 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 Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 54) recommending that S.B. No. 73 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 17, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 55) recommending that S.B. No. 74 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 74, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 56) recommending that S.B. No. 76 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 76, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 57) recommending that S.B. No. 77, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 77, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 58) recommending that S.B. No. 80 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 80, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 59) recommending that S.B. No. 664 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 664, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 60) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF VEHICLES, VESSELS, AND AIRCRAFT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 61) 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 Hee, 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 INTERFERENCE WITH TRAFFIC-CONTROL DEVICES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 62) recommending that S.B. No. 845, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 845, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 63) recommending that S.B. No. 846, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 846, S.D. 1, entitled: "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the majority of the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 64) recommending that S.B. No. 850, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 850, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 65) recommending that S.B. No. 851, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 851, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY DEVELOPMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Hee, for the Committee on Transportation and Government Operations and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 66) recommending that S.B. No. 1038, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 67) recommending that S.B. No. 1876, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1876, 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.

Senators Ige and Inouye, for the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 68) recommending that S.B. No. 449, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Ige and Inouye, for the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 69) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1478, S.D. 1, 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.

Senators Ige and Hanabusa, for the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 70) recommending that S.B. No. 604 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 71) recommending that S.B. No. 426 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 426, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INSTALL A SECOND ACCESS ROAD TO LEEWARD COMMUNITY COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 72) recommending that S.B. No. 903 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 903, entitled: "A BILL FOR AN ACT RELATING TO KAHEKILI HIGHWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 73) recommending that S.B. No. 988 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 17, 2005.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 74) recommending that S.B. No. 1366, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1366, 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.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 75) recommending that S.B. No. 1400 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 76) recommending that S.B. No. 1731, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1731, 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.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 77) recommending that S.B. No. 1732 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1732, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 78) recommending that S.B. No. 1887 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1887, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGHWAY ACCESS IMPROVEMENT IN PUNA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kim, for the Committee on Media, Arts, Science and Technology and the Committee on Tourism, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 79) recommending that S.B. No. 575 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 575, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kim, for the Committee on Media, Arts, Science and Technology and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 80) recommending that S.B. No. 967, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," 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. 81) recommending that S.B. No. 1132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 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. 82) recommending that S.B. No. 1117, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," 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. 83) recommending that S.B. No. 1345, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 CONDOMINIUMS," 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. 84) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1347, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," 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. 85) recommending that S.B. No. 1778, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1778, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," 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. 86) recommending that S.B. No. 1412, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1412, 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 English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 87) recommending that S.B. No. 1262, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 88) recommending that S.B. No. 1003, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1003, 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, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 89) recommending that S.B. No. 1556, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1556, 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 Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 90) recommending that S.B. No. 294, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was recommitted to the Committee on Labor.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 91) recommending that S.B. No. 48 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 48, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SAFETY HELMETS BY MINORS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 92) recommending that S.B. No. 427, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 427, 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 Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 93) recommending that S.B. No. 428, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 428, 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 Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 94) recommending that S.B. No. 453, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 453, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 95) recommending that S.B. No. 614 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 96) recommending that S.B. No. 844, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 97) recommending that S.B. No. 1040, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 98) recommending that S.B. No. 1224 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1224, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 99) recommending that S.B. No. 1240 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1240, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 100) recommending that S.B. No. 591, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 591, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

## 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. 294, S.D. 1                  Committee on Labor, then to the Committee on Ways and Means

### ADVISE AND CONSENT

Stand. Com. Rep. No. 41 (Gov. Msg. No. 77):

Senator Hanabusa moved that Stand. Com. Rep. No. 41 be received and placed on file, seconded by Senator English and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RICHARD THOMAS BISSEN, JR. to the office of Judge, Circuit Court of the Second Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator English.

Senator English rose in support of the nominee as follows:

"Mr. President, on behalf of the Committee on Judiciary and Hawaiian Affairs, I rise in support of the nomination of Richard Thomas Bissen, Jr., to the Second Circuit Court in Maui County.

"Since his graduation from the William S. Richardson School of Law, Mr. Bissen has served as interim Director of the Department of Public Safety, as First Deputy Attorney General for the State of Hawaii, as Prosecuting Attorney for the County of Maui, and as an attorney in private practice. This kind of experience is very important for a judicial candidate.

"Mr. Bissen has been active in community service, Mr. President. He is a member of the Royal Order of Kamehameha I, Kahekili Chapter, which is on Maui; the Maui Drug Court Policy Committee; the Domestic Violence Clearinghouse Maui Advisory Committee; and numerous other organizations dedicated to improving the quality of life in Maui County. The Maui County Bar Association honored him as its Lawyer of the Year in 2001.

"Mr. President, I rise in support of the candidate and ask other members to support him also. Thank you."

Senator Hanabusa rose in support of the nominee with reservations and stated:

"Mr. President, I rise in support of Gov. Msg. No. 77, but 'with reservations.'

"Mr. President, first, I beg your indulgence and the indulgence of my colleagues. I would like to begin by thanking the Committee on Judiciary and Hawaiian Affairs, in particular the good Senator from Maui, Lanai, and Molokai, who has assumed the usual chores of the Chair in making the introduction. Unfortunately, because the Chair has reservations on this candidate, I did not believe it was appropriate for me to assume that duty at this time.

"Mr. President, colleagues, as we have come before you before on nominations who have caused this Body to sit and ponder about what our obligations are, this is nothing new for us. We have, as you know, last year gone through the confirmation of or the ultimate rejection of Mr. Hong as a Circuit Court Judge as well. In this particular case, I would like to say at the outset that the Chair has very strong reservations. However, in deference to my Maui colleagues and the Maui Senators, as well as the people of Maui, I have decided that I will rise in support, albeit 'with reservations.' I ask you, Mr. President, as well as my colleagues, for some indulgence in explaining why I feel that my statements here must become part of the record.

"First of all, colleagues, what we have here is a situation where I believe we have had, unfortunately, a matter of words. And let me explain this. What we are dealing with is really one page of the application to the Judicial Selection Commission. On this one page, page 16, there are seven questions. Of the seven questions, really two are at issue. The words that are making it difficult for this Chair to support a candidate without any reservations are the words admonished, disciplined, criticized, and admonished in a written decision. Permit me to explain that further. As a practicing attorney, there are certain things that occur in one's life that one never forgets. One is any complaint to the Disciplinary Counsel, because it can mean your career and your years of education coming to a screeching halt if they find that you have violated our disciplinary rules. So whether or not the Disciplinary Counsel finds against you or basically says you're okay, you never forget that process. Secondly, you never forget when you are criticized by the court. I can tell you candidly, I won't forget when a judge scolded me

from the court, although he actually ruled in my favor, because I never again made that mistake – that mistake in which he said I failed to address a particular argument though the rest of my arguments carried it. I don't forget those things and neither do attorneys. This brings us now to Mr. Bissen and the reason why I'm having the difficulty.

"The first question on page 16 is: Have you ever been admonished or disciplined for (a) breach of code of professional responsibility; (b) professional misconduct; or (c) professional negligence? Mr. Bissen's response was, 'According to the ODC the answer is no. However, please read further.' He then actually gives us a case called *State v Abraham Aki*. We read that case, Mr. President. *State v Abraham Aki* involves the failure to file an answering brief basically on time. So Mr. Bissen, as the head of the Prosecutor's Office, along with some of these other colleagues were really the ones responsible for this particular action.

"However, what was not mentioned is the case of *State v Sanchez*, and to some it may seem like that's not a big deal. *State v Sanchez* is a case that was very similar to Aki in that it had a written decision by the Appellate Courts, and this particular case resulted with a reversal based upon prosecutorial misconduct. In addition to that, it had a complaint with the Office of Disciplinary Counsel, which like Aki resulted with a dismissal, but a caution, a caution. And as I stated earlier, Mr. President, you don't forget even a complaint. You just don't, because every time something like that comes forward, it means that it's at your core. Someone is challenging your integrity, your ethics.

"When I looked at this question – Have you ever been admonished or disciplined? – admonished seems to me, anything – caution, any kind of scolding short of a discipline. Mr. Bissen said in his confirmation hearing that now he looked up the word admonished in the dictionary and he realizes that it is caution, that caution falls within admonished, and that he still didn't believe that he was required to reveal *State v Sanchez* because the Disciplinary Counsel said he did not have to. Mr. President, I called the ODC. They would not admit or deny whether or not they even give this kind of advice orally, in writing or whatever, because their proceedings, unlike ours, are confidential.

"But it still begs the major issue, and the major issue here is – why Aki and why not Sanchez? When you compare the two cases, as an attorney I would remember that which was directed at me, not directed at my colleagues where I can be magnanimous and say I am the head and therefore I should be held responsible. Sanchez is directed at me. Why would I not put Sanchez in my application if I felt compelled enough to put Aki in that response?"

"The difference also is, Mr. President, in 2002 Mr. Bissen applied for a judgeship, and I would like to say that Mr. Bissen, when I requested all of his applications, had it sent over immediately. In 2002 this questionnaire ended at number four. Number five, six and seven was something new in the 2004 application for the present circuit courtship. Number five says, 'Has your behavior or conduct ever been criticized or have you been admonished in a written decision by any court?' Mr. Bissen's response is, 'not that I can recall.' Again, Mr. President, I have a difficulty with that.

"Sanchez, in terms of an ICA decision, a published opinion, has eight separate counts which were basically sustained, and cumulatively, cumulatively, the court unanimously found that those actions, they could not find – it's sort of a strange way of putting it – but they could not find beyond a reasonable doubt

that this defendant was given a fair trial. As a result, it was reversed.

“Now, to me that’s a major sanction. That’s a major sanction, a major criticism by any court to reverse, because reversals based on prosecutorial misconduct are very rare, and that’s something else that you do not forget.

“We had a very interesting situation in these confirmation hearings and that was a very active role of the Attorney General. I would say he was almost acting like the attorney for Mr. Bissen during these proceedings. Believe it or not, in his zealotness of defending Mr. Bissen, he actually came up with the case that put it all together for me. Knowing Mark Bennett, he must have stayed up and gone through West Law until he found a case that he could bring before us, and he did. It was called *McGuire v United States*. It’s a 1991 case. This is way before Sanchez or any of the other cases. It’s by the District Court of Appeals for the District of Columbia. What he was telling us then was the real issue in prosecutorial misconduct, and this is a quote, ‘It’s not whether the prosecutor engaged in some kind of misconduct but whether the trial judge should have intervened if and when the prosecutor went beyond the limits of permissible argument.’ Now, I’m sure and I believe that Mr. Bennett was proposing this to us as a rationalization as to why we should not hold Sanchez as anything definitive. But what he did not realize is that by showing us this case or showing me this case it made it very clear to me what we’re talking about.

“Mr. President and my colleagues, we are here to determine if someone should serve as a judge – not a prosecutor, not an advocate, but a judge – for 10 years in the Second Circuit. That’s what we are tasked with here today. When you read this – that prosecutorial misconduct according to this court is whether the trial judge should have intervened – then the question then becomes, what do we know about Mr. Bissen that addresses this?

“During the hearing, Mr. President, we asked questions about why wasn’t Sanchez there. And we had a variety of reasons why, and I’m sure my colleagues who may have asked that question had responses. One of them was that he had forgotten – it wasn’t part of his file, he had forgotten. The next question was, what about the holding in Sanchez? How do you feel about that? The court said, basically, reversal on prosecutorial misconduct, not something that occurs on a regular basis. And his response was that he disagreed. He disagreed with the court. And then I asked him specifically, but this is the case. This is the case that’s cited on issues of prosecutorial misconduct, and he said, ‘well, yes it is.’ I said, ‘well wouldn’t this be something that you would remember because it is something on you? It is a case decided on your conduct.’ And Mr. President, quite honestly, I did not have a response to that question that I felt was satisfactory.

“To the people of Maui, Mr. President, they see someone who’s been an active participant in their community. They see someone who’s been a great prosecutor for them, and that weighs into my decision as well. But I am looking at what we have to do, which is to decide – can that advocate put it aside. Can he then, as a trial judge, when he himself has pushed the envelope too far in Sanchez, can he then take on the role as someone who is supposed to ensure a defendant’s civil rights? And that’s what we have come down to. That’s the role of the judge. Irrespective of the public defender or the defense counsel or the prosecutor, the role of the judge is to ensure that justice is done, and it is not justice as one sees it, it is justice as the law is written.

“And then we come back to what I have had problems with – the respect for the law; the respect for the disciplinary proceeding; the respect for our codes of ethics. Let there be no mistake, Mr. President, the reason why prosecutors have a higher code of ethics is because they speak with authority. They are the State. Criminal cases are State v whoever. You are speaking for the State. That is a high obligation that you have to fulfill. It is not there to simply say, ‘lock them up or throw away the key,’ or anything like that. That’s not what it’s about. It’s justice – this concept called justice. That is why we hold prosecutors to a higher level when we are talking about them in terms of professional responsibility or when the courts look upon them in their conduct, because they speak for the State. It’s no different than us. When we have ethical problems or when we are under scrutiny, it is because we are looked upon as people who have special positions. Prosecutors are the same.

“Now we must switch back again. This is somebody who wants to be a judge for 10 years. And the question that each and every one of us must deal with is, can that person meet out justice when we have had less than satisfactory answers as to disciplinary cautions, or just the fact that it had occurred, or *State v Sanchez*, prosecutorial misconduct, not to mention the fact that there had been another case, *State v Schmidt*, though not reversed, one count sustained as to prosecutorial misconduct.

“I have said from the beginning that this is not an issue so much about prosecutorial misconduct. For me it has been an issue of disclosure, because remember, Sanchez came out in 2002, was not listed in 2004’s application, but in December of 2004, Sanchez is brought to the attention of Mr. Bissen and he forwards to the Judicial Section Committee Sanchez, saying that it was not actually Mr. Bissen but Mr. Edmonds who remembered from 2002 that there was this case, and in response to that, it’s forwarded. Mr. President, I will tell you it was never mentioned to me. And in my conversations with colleagues, it was never mentioned until we raised it.

“Now the Hawaii State Bar Association came before us and took the position that they were not aware of Sanchez as well. Whether that’s true or not, they kind of went wishy-washy on it and they said, well maybe it was mentioned. But let there be no mistake – it was never mentioned at that hearing the first time by name. And for lawyers, cases are everything. And it’s by name because then we can go in and we can read it for ourselves.

“Mr. President, the question that you may have and others may have is why then do I stand here, albeit ‘with reservations,’ saying we can move this candidate forward? And to that I must credit our colleagues from Maui who believe so strongly that Mr. Bissen will make a good judge and, in addition, their constituents who have come forward for them.

“I cannot, however, set aside the fact that I have grave concerns. Mr. President, your Judiciary Committee, like with Mr. Hong, I think they went beyond the call. We have these marathon-like sessions where we believe that everything there is to be asked will be asked and the candidate, the nominee is given full opportunity to respond, which I believe he did. And to Mr. Bissen’s credit, I believe that when we asked for things, we got it. My problem of course is the fact that in certain situations we asked for them versus it coming forward voluntarily.

“Even the bar association, Mr. President, I would like to say that since Mr. Hong and Ms. Pollack, the Maui judge, during the interim your Judiciary Chair worked with not only the bar association, but the judiciary on issues regarding confirmation and the appropriate roles of every entity in our process. And



it's still ongoing. I sit with the American Judicature Society now on trying to determine what are the respective roles and what should we do as a body in terms of recommendations that come forward and how well thought out these recommendations are. The bar association has come very far, but I will tell you, in this particular situation I personally had many reports about whether it was said, it wasn't said, or whatever.

"But we are at a point where we have to decide. We've got only one more day under the Constitution to decide on Mr. Bissen. And that is why I stand before you and the rest of this Body to say that I am recommending and asking that my colleagues vote for Mr. Bissen. But I'd also like to ask that they vote 'with reservations' because I think we do have an obligation to ensure that these questions and how it arrived are part of this record and that Mr. Bissen remember what the concerns were that we had throughout these proceedings.

"Thank you, Mr. President."

Senator Tsutsui rose in support of the nominee as follows:

"Mr. President, I rise in support of Gov. Msg. No. 77, the confirmation of Richard T. Bissen to the Circuit Court of the Second Circuit.

"Mr. President, before I begin I would like to request that the words of the good Senator from the 6<sup>th</sup> District, my colleague from Maui, be inserted into the Journal as if they were my own. (The Chair so ordered.)

"In addition, Mr. President, over the past few weeks we've heard from many Maui individuals who have come to testify in support of Mr. Bissen – a former Maui Mayor, we've heard from judges, prosecutors, public defenders, concerned citizens, people who knew Mr. Bissen on a professional level, and others who know him on a personal level – all of which have come and testified with many, many good things to say about Mr. Bissen.

"And as all of you know, Mr. Bissen has served as a prosecutor on Maui for many years and as a First Deputy Attorney General for the past two. Over those years, I believe that he has acquired the knowledge that is necessary to preside over a courtroom. There is no doubt that Mr. Bissen will serve the people of Maui and the State of Hawaii very well. There is no doubt in my mind that he will be fair and impartial and he will do what is right.

"Today, colleagues, I strongly urge your support for Gov. Msg. No. 77, the confirmation of Richard T. Bissen to the Circuit Court of the Second Circuit, State of Hawaii.

"Thank you, Mr. President."

Senator Hee rose in opposition to the nomination and said:

"Mr. President and colleagues, I rise to vote 'no.'

"Let me state at the onset, I am not under any grand illusion that this nominee will not be confirmed by an overwhelming majority. That is not my point. It has never been my point. Unlike others, I have not taken any straw votes nor have I asked anyone to join me in voting 'no.' To do so would trivialize the seriousness of our job of consenting to a judicial nominee. To do so would place this nominee as an object as opposed to a person who has worked exceedingly hard to earn the confidence of the Governor and the opportunity to be evaluated by the Senate. To do so would place winning above all else. This nominee does not deserve that kind of invidious treatment.

"My friends, the Hawaii State Constitution demands us as Senators to consent to judicial nominees. It is our duty to do so. It is the single biggest difference between our colleagues in the House of Representatives and us.

"The late Charles L. Black, Jr., in a published article in the Yale Law Journal in 1970 spoke about the serious differences between the confirmation process between cabinet officers and judges. Using the federal system as the example, Black said that 'after arguing that a Senator should let the President have wide latitude in filling Executive Branch posts,' he said that, 'just the reverse, just exactly the reverse is true of the judiciary. The judges are not the President's people. God forbid. They are not to work with him or for him. They are to be as independent of him as they are of the Senate, neither more nor less.' As numerous legal scholars have shown, it is the judicial nominee that carries the burden of convincing the Senate that he should be confirmed, and doubts should be resolved in favor of protecting the public.

"Law professor Chemerinsky wrote, quote, 'Under the Constitution there is no reason why a President's nominees for Supreme Court are entitled to any presumption of confirmation. The Constitution simply says that the President shall appoint federal court judges with the advice and consent of the Senate. The Senate is fully entitled to begin with a presumption against the nominee and confirm only if persuaded that the individual is worthy of a lifelong seat on the Supreme Court.'

"Some say that this is the toughest job of being a Senator, and in some ways it can be. It should come as no surprise that many of us have been lobbied to vote one way or the other regarding this nominee. But really, friends, for many of us this confirmation is easy. Some of you will vote for this nominee because, like the Governor, who made the appointment, you are a Republican and that's easy. There are others who will vote for this nominee primarily because, like the nominee, you are from the island of Maui and that's easy too. And then there are some who will vote for this nominee because you have developed political friendships since your election or you see this as an opportunity to do just that. Even that's easy, although less transparent. Several of you may justify your vote for the nominee by the Hawaii Bar Association's, quote, 'qualified,' end quote, rating or the Judicial Selection Commission's recommendation, regardless that you haven't a clue how the mysticism of either shrouded rating system operates. But even that is easy because you can lay off your constitutional responsibility to some other organization's dereliction.

"We know it is true that both organizations discussed the nominee's first admonishment of prosecutorial misconduct, which resulted in a reversal of a lower court verdict in a case dated August 5, 1996. This case is known as *State v Sanchez*. But what is also true, and more important for our purposes, is that the nominee failed to disclose the Sanchez case in both his 2002 and 2004 judicial applications to both organizations in writing. And but for a single, solo practitioner, Maui lawyer who brought the case to the Chair of the Committee, no one would have known about it. To prove the point, and to my disappointment, only when asked did the nominee disclose to us the Sanchez case. The Senate would never have known about Sanchez because it was never volunteered to us ever.

"The sad fact of the matter is it is also true that both the Judicial Selection Commission and the Hawaii Bar Association to this very moment are evidently unaware of a second written admonishment of the nominee. Why is this, and how could this happen? Because as far as the Judiciary Committee can conclude, the nominee never disclosed the second admonishment to either organization verbally or in writing. And how do we know that? Question five on page 16 of the

nominee's 2004 application asks, quote, 'Has your behavior or conduct ever been criticized or have you been admonished in a written decision by any court?' end quote. The nominee's answer is, quote, 'Not that I can recall,' end quote.

"This second case is known as *State v Schmidt*, dated January 17, 1997. The Intermediate Court of Appeals in its written decision admonished and criticized the nominee for improper behavior in his statements involving a theft case. Again, had it not been for one single lawyer familiar with the case coming forward, the Senate would not have known about this second admonishment. When asked about the case five days ago on February 10<sup>th</sup> he said, quote, 'Senator, I do not recall.' The Sanchez opinion was written on August 5, 1996; the Schmidt opinion was written on January 17, 1997. Both opinions were written by Supreme Court Justice Simeon Acoba, who at the time was a judge of the Intermediate Court of Appeals, and both opinions were concurred by a unanimous vote of the other judges who preside on the ICA.

"The fact remains that the nominee should have disclosed both admonishments in both his applications in 2004 and 2002. What I find most troubling is that even after explaining to the Committee he should have disclosed Sanchez to us, the nominee could not recall Schmidt. That, for me, is problematic. Only after being informed about Schmidt did he agree that Schmidt should also have been disclosed to us as well. To this extent, I agree with the Chair of the Judiciary Committee because this speaks to the elements of character and integrity.

"Mr. President and colleagues, every lawyer and judge that I have spoken to has said to me that it is very difficult to understand how someone could forget a written court admonishment, sanction, or other violation. In fact, to a person, every lawyer and judge has said that it is precisely those criticisms that are most often remembered as opposed to victories and wins. Such criticisms are personal. They strike to the heart of one's professional conduct as improper and unacceptable. The nominee's apparent inability to remember these cases is baffling to me and suggest to me that either the nominee has difficulty recalling serious admonishments or there maybe have been a belief the Senate would never have found out.

"Prosecutorial misconduct is a serious offense. It oftentimes indicates a zeal to convict at any cost, rather than following longstanding rules of court governing a prosecutor's ethical conduct to ensure that a fair trial will occur for the accused. It is so serious that less than one-half of 1 percent of all cases brought to the courts by Attorney Generals, County Prosecutors, and Federal Prosecutors end up in situations where an Appellate Court opines that the prosecutor's behavior was so improper that the defendant was denied a fair trial. Cases like Sanchez are even rarer because in this case the Appellate Court actually reversed the decision of the lower court.

"Canon number one of the Code of Judicial Conduct says in part 'An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing and should himself observe high standards of conduct so that the integrity and independence of the judiciary may be preserved.' Some of you may argue that he is not yet a judge and therefore should not be held to that standard. The preamble of the Code of Professional Responsibility of the Hawaii Court Rules says in part, quote: 'Lawyers, as guardians of the law, play a vital role in the preservation of society. A consequent obligation of lawyers is to maintain the highest standards of ethical conduct. Not every situation which he may encounter can be foreseen, but fundamental ethical principles are always present to guide him,' end quote.

"Mr. President and colleagues, it was reported by both newspapers that the administrator of the State Water Commission resigned last week for refusing to support legislation she believes would kill the agency that environmentalists see as a guardian against over-development. Her name is Yvonne Izu. She is a lawyer and a former Deputy Attorney General. Ms. Izu said in part, quote, 'I did not feel it was fair to ask the Water Commission staff to prepare testimony that would dismantle the agency that they work for,' end quote. Regardless of whether you agree or not with Ms. Izu, we should all agree that she stood up for her principles. She relied on her belief in fairness to guide her in her decision. She stood up for the commission upon which she was hired to represent. She stood up for her employees against the State Department. She stood up for the people of Hawaii against legislation supported by the Governor. She held that accountability to her job and the people of Hawaii was more important to her than keeping her job. She did her job. She followed her ethical principles. She followed her heart, and she stands alone.

"Too often we make the mistake of placing a priority of trying to keep our job over doing our job. My friends, there are others here who can tell you that we merely occupy these seats. None of us will be here forever, not a single one of us, and these are the times when we are called upon to do our jobs. Ask Yvonne Izu.

"Some of you, like me, may have received veiled threats and unfair criticism because of an uncompromising belief held by some that we need a, quote, 'Hawaiian,' end quote, on the court, or that the nominee is really a popular, quote, 'Maui Boy,' end quote, or that what we don't need is another 'a'ama crab in the pakini holding a Hawaiian down because of, quote, 'one minor incident,' end quote. And who can blame this critic? After all, his conclusions are primarily based on a three-second sound byte that ran on the Channel 2 News. And he is not alone – a former Supreme Court Justice has weighed in on this matter. He is joined by former judges as well as lawyers, as well friends. Four labor leaders that I know of have weighed in on this discussion, but they certainly don't know what has been presented to the Senate. And there have been others who have also appealed to us to deny confirmation. Like the other side, they have shared their opinions on the fitness of this individual to stand in judgement over one's property and one's liberty. And like the other side, they certainly don't know what has been presented to the Senate in its totality.

"Difficulty is merely a part of this process. Difficulty isn't convenient. It isn't easy. It wasn't meant to be easy. It will never be easy – ask Yvonne Izu.

"Let me conclude by noting that in last Saturday's Honolulu Advertiser the nominee said in part he felt vindicated and that he answered the questions, quote, 'straight up,' end quote. Moreover, he said he didn't understand why reservations still remained.

"Here's why I voted 'with reservations' last Friday. Throughout the difficult process, I've tried to give the nominee the benefit of the doubt if nothing else. If nothing else, he has always availed himself to discuss his nomination, and I aloha that. Unlike others, this nominee never once said he wouldn't be available. In fact, we have each other's cell phone numbers, and I aloha that. In our initial office interview, which that lasted 90 minutes or so, he was exceedingly pleasant and open. Frankly, I enjoyed our conversation. One of the last questions I asked was, quote, 'Is there anything you think I should know that I haven't asked?' end quote. His answer was, quote, 'no, Senator,' end quote.

"After the first judicial hearing when the Sanchez case was discovered, I met with Justice Acoba who wrote the Sanchez opinion for approximately 45 minutes. He came to my office at the Capitol. I then met with Attorney General Bennett and Prosecutor Carlisle for approximately one hour, and following that meeting I met with the nominee again for an additional two hours. Each explained their views on the Sanchez case. No one, not one, brought up the Schmidt case. This much is certain – Justice Acoba knew about the Schmidt case because he was its author, and the nominee knew about the case because he was the prosecutor in the case. Schmidt was brought to me after I met with all of these people. Only then did doubt and questions of credibility arise. After all, as I stated earlier, I believe it's prudent to give someone the benefit of the doubt.

"That the nominee feels vindicated and he cannot understand why reservations still exist demonstrates to me an inability to fully appreciate the seriousness and gravity of the confirmation proceedings. I understand there are several of you who will cast your vote 'with reservations' as opposed to straight up. That suggests that you continue to have some doubt about the fitness of this nominee to sit in judgement over others accused of crimes including rape, assault, and murder.

"My friends, no person is entitled to a seat on the Circuit Court. This is not a reward. And if a nominee cannot clearly satisfy the Senate without any reservations whatsoever that he or she meets all the criteria for confirmation, the people of Hawaii should not be asked to bear the risk of entrusting this individual with the reins of judicial power.

"U.S. Senator Robert Byrd said in a debate over the elevation of Justice Rehnquist to Chief Justice, quote, 'The benefit of any doubt should be resolved in the favor of the people of the United States. If there is a cloud of doubt, this is the last chance. If there is a doubt, I say resolve it in the interest of our country and its future, and in the interest of the court,' end quote. Senator Byrd is right. This is the last chance. Once the nominee is confirmed, 10 years will pass before any evaluation by the people will occur. Because the cloud of doubt still remains on this nominee's courtroom indiscretions, the court's admonishments in two separate cases, and the nominee's inability to recall and voluntarily disclose the admonishments candidly to the State Senate of Hawaii, it is with great regret that I shall vote 'no.'

"Mr. President, this basket of flowers is from my Auntie. Her name is Johanna Bissen. She is the nominee's cousin, Lehua. The nominee and I are Hawaiian. I admire this nominee. He grew up the hard way and I admire that. He grew up pulling taro in Kahakuloa – I admire that. He went to school in California – I admire that. He came back and went to the Richardson School of Law – I aloha that. He worked for the interest of his people on Maui as its prosecutor – I aloha that. He is a winner. He doesn't quit, but that is not why we are here today. We are here because of the duty of evaluating a nominee in his totality.

"Let me be the first to congratulate Rick Bissen. Let me be the one, because I know how its going down and I'm okay with that because we're all called to do our duty.

"Mr. President and friends, if there is doubt, let doubt rest on the shoulders of those who elected you. Mahalo, Mr. President."

Senator Baker rose in support of the nominee as follows:

"Mr. President, I rise in strong support of Gov. Msg. No. 77, Richard T. Bissen, Jr., to the Circuit Court, Second District, my home island and my home County of Maui.

"I have no reservations about supporting this nominee, but I will not cast aspersions on any other who may look at the evidence as I have and reach different conclusions.

"One of the people who testified at Rick's confirmation hearing noted that a person ought not to be measured by an incident viewed in isolation but rather by the person's full life. I firmly believe that Rick's life as a whole, both personally and professionally, demonstrates his overwhelming fitness for judicial office. I've known Rick for many years. I served in county government with him for four years. Today I want to represent the people and the overwhelming support from his home county where he seeks to be a judge.

"In his letter to the Judiciary Chair he noted: 'I wish to be a Circuit Court judge because I feel I am ready to continue to serve my community in this new capacity. As a judge, not an advocate, I will be called upon to make decisions that will have tremendous impact on the lives of my fellow community members. I am fully aware of the awesome power and corresponding responsibility that comes with it. I do not take this charge lightly. I wish to be a Circuit Court judge particularly in the Second Circuit because it is where I grew up, where most of my family and friends live, and where I spent most of my legal career. Maui is my home. The judge should, as allowed by the law, be an impartial problem solver that assists citizens in finding resolutions without the need to litigate whenever possible.' I think that Mr. Bissen presented a very favorable judicial philosophy in that particular statement.

"To say that this nominee has been thoroughly scrutinized would certainly be an understatement, Mr. President. During two days of grueling questioning by the Committee on Judiciary and Hawaiian Affairs – grueling, but fair I believe – Rick never lost his cool, never lost his temper or his calm demeanor. Despite the nature of some of the questions, Rick approached each as a professional. He took none of the questioning personally and withstood the questions, I think, with honor and dignity. The Committee heard much testimony with regard to the significance of Rick's conduct in *State v Sanchez*, and of course we had that recounted this morning on the Floor. I don't think any prosecutor is ever happy to learn that a court has described conduct as prosecutorial misconduct, but maybe it's appropriate to note some words from a court decision that our Judiciary Chair cited earlier, *Maguire v United States*, to note that the words 'prosecutorial misconduct' perhaps are not as sinister as they sound. In that case, the court noted: 'We think that the word misconduct is overused and that some less sinister name should be given to the rhetorical excesses of attorneys who say what they should not say when engaged in forensic combat.'

"Now moving forward, the Judicial Selection Commission that named Rick to their list of qualified individuals knew every fact that the Committee knew because Rick had appeared before the commission twice. In 2002 he discussed the Sanchez case with the commission, and in 2004 he not only discussed it orally with the commission but also supplemented his application in writing. This commission, established by our Constitution to find qualified judicial candidates, concluded, I think quite clearly, that Rick had been honest and forthright in his discussions with them. The commission even took the extraordinary step of sending a letter to your Senate Committee on February 10, 2005, specifically stating that Rick had discussed Sanchez in both 2002 and 2004. If the commission had believed that Rick was in any way dishonest, it would never have placed his name on the list of qualified candidates.

"In one last word on that particular case, I'd like to quote from the testimony presented by retired Judge Walter Heen,

President of Na'A'ahuhiwa, the organization of Retired Native Hawaiian State Court Judges, who wrote to strongly urge Rick's confirmation. He noted that Rick's qualifications were undisputed and said, 'It should be eminently clear that Mr. Bissen's conduct during the Sanchez trial was not considered a serious matter by the disciplinary counsel.' With regard to Mr. Bissen's actual application to the Judicial Selection Commission, Judge Heen noted that because the disciplinary counsel did not sanction him, Mr. Bissen can be excused for not considering that he had been admonished. Judge Heen further wrote, 'If the disciplinary counsel had found Rick's conduct to be demanding of admonition, it would have used much harsher language than it did.'

"In addition, the bar also reaffirmed its support for Rick Bissen when it wrote to the Committee about his disclosure of the Sanchez case. The Maui County Bar Association also voted Rick 'highly qualified.' For the record, Mr. President, I'd like to have the statement of the Hawaii Bar Association regarding the nomination of Richard T. Bissen, Jr., dated February 10, 2005, included in the record. (The Chair so ordered.)

"The Honorable Marie Milks, who is both a retired judge and one of the most respected members of the Hawaii legal community, wrote to the Committee with her views as to the nature of Rick Bissen's conduct in Sanchez. Judge Milk's wrote, 'There is nothing in the appellate decision that causes me to conclude that Mr. Bissen conducted himself in an unethical manner or to suggest that he lacks the competence and integrity to serve as a judge.'

"I'd like to continue to cite a few of the examples among the scores of letters that were written in support of Rick Bissen. The Office of Hawaiian Affairs wrote that it supported Mr. Bissen's nomination and confirmation. The Administrative Director of the Courts, Mr. Thomas R. Keller, wrote in his personal capacity of his support for Mr. Bissen noting, 'Mr. Bissen inherited his family's values for hard work, public service, and courage.' Retired Judge Boyd P. Mossman, currently an OHA Trustee, who has observed Rick for many years on Maui, noted, 'I can attest to his good character, his integrity, his legal competence, his trustworthiness, and reliability, as well as his keen mind. Rick has been a fine example of a Native Hawaiian who has demonstrated leadership in the community and has been willing to fight for all that he believes in – that being justice for all, fairness for all, and service most of all.'

"A member of the Royal Order of Kamehameha I with the title of Alii Nui wrote on behalf of the Order supporting Rick's nomination with these words: 'No finer person could have been selected.' Former Attorney General Earl Anzai wrote, 'I know Mr. Bissen to be a man of conviction. He is both strong but fair.' Former Attorney General Anzai gave Rick his highest recommendation. My former boss, as well as Rick's boss, former Mayor James 'Kimo' Apana, wrote in support of Mr. Bissen and testified orally. Former Mayor Apana testified that when he took office after a series of Republican Mayors, he fully expected to name a new prosecuting attorney. Mr. Apana testified, however, that after doing his due diligence, he came to the easy conclusion that there was no finer person than Rick to serve as Prosecuting Attorney for the County of Maui, and thus, Mayor Apana kept Rick on for his entire term. Mr. Apana wrote, 'Rick is also an outstanding member of the community. He's a great friend, honest, compassionate, talented, and a person that you can count on.'

"But even more important for me than these words from former judges and former mayors are the words from Stacey Moniz, the Executive Director of Women Helping Women on Maui, an organization that I have great respect and admiration

for because this organization stands up for women who are victims of domestic violence, particularly, and also sex abuse. Stacey writes: 'I've known Mr. Bissen for many years and have appreciated his balanced sense of fairness and broad range of vision. He's a stellar leader in our community.' She went on to talk about Rick's work with children and his efforts to stop domestic violence and help them get grants and come up with win-win solutions for ways that the shelter could stay open. She noted that he was naturally open-minded and willing to find win-win solutions in many challenging situations.

"Every one of Hawaii's Prosecuting Attorneys and Police Chiefs wrote in support of Rick, and perhaps that's what is to be expected, but I think a letter from his successor Davelynn Tengan also is appropriate to note at this particular time. She says he's a well loved, well respected, well received individual who she believes will do great things for Maui as a judge and will personify the best qualities of a judge, irrespective of one's place of origin. Meyer Ueoka, longtime Democrat on Maui, longtime attorney – I guess he's the oldest practicing attorney on Maui – started by saying that he'd seen judges come and go, but he had known Rick for many years and he knows him to be fair, honest, intelligent, and a man with integrity beyond reproach who grew up in the community, comes from a good religious background, has all of the fine attributes of becoming an outstanding judge, and if confirmed would bring credit not only to his family and the state but to the judiciary as well.

"I got an e-mail from a gentleman that I don't know, Robert Alakai, in support of Rick Bissen. He says he's known Rick for many years as a member of our Hawaiian cultural group Na Koa O Hale Mua O Kualii, the men's house on Oahu, and Hale Mua O Maui. The purpose of Kane O Hale Mua is to build a strong sense of caring and values for family, culture, and the environment as we become practitioners of our culture. He said, 'Rick served as a leader. As we look to our ancestors for the knowledge to help us live in today's world, we want strong Hawaiian men for our generation and generations to come. We learn as we walk in the footsteps of our ancestors. The people of Maui will benefit from Rick's strong sense of value and purpose as he serves on the Circuit Court bench.'

"Just to conclude from the remarks that Mr. Ueoka shared with the Committee, it was this personal perspective about the nominee that he wanted to read, and that was that Rick had in fact come from such humble beginnings. Mr. Ueoka felt that because of this – his hard work and his effort – he would have empathy with all who would come before him and be able to be that fair and impartial judge that would be a role model for others striving to enter government service.

"I guess the question that was raised needs to be answered – can this zealous advocate transition from that role to judge? I believe that the folks that have shared with us his background, his passion, his commitment, his sense of fair play, believe that he can. I've seen him in action. I, too, believe that he can, and I think because of the kind of support and testimony that has come before us, there are others who share that belief.

"The testimonials that I read and alluded to are but a small sampling of the support that came forward in support of Rick Bissen to be Maui's newest judge. They were lawyers, former judges, regular folk, community leaders, Democrats and Republicans. The testimony I think of all of these individuals speaks to the values of the man – his integrity, his background, his competence to serve, his commitment to youth and families, helping others, his support for our society's most vulnerable, especially women who've been the victims of domestic violence, sexual harassment, or sexual assault.

"In fact, when I told Rick that I wanted to say a few words on the Floor on his behalf, I asked him, was there anything in his background that he wanted me to highlight in my remarks. Well, he mentioned that he was very proud of being a father. He and his wife just celebrated their wedding anniversary yesterday on Valentine's Day. And I said, 'No, something in your professional career or something else that you're proud of aside from your family.' And he mentioned two awards that made him proud because I think it speaks of the kind of concern and commitment that he has. One goes to his professional accomplishments where he was selected by the Maui County Bar Association as Lawyer of the Year in 2001, but the one that really stood out for him was to receive the Distinguished Citizen Award from the Men's March Against Violence in Oahu in 1999.

"It should also be remembered that Rick was one of the founders of Drug Court, and those programs owe much of its successful start to him. As was noted in a Maui News article, 'Much of what Rick's background has touched on are issues of youth and families that this new judge is expected to handle. The year after he was appointed head Prosecutor, Bissen began delivering parenting talks, aimed at strengthening families, to parent-teacher associations. He drew on his experiences as the father of three girls. As prosecutor, he also developed a series of crime prevention videos aimed at youth.' He's worked in our correctional facilities. He has that perspective that perhaps no other judge has, but I think it's the breadth and the experience that he brings to this position that really enables us to vote with confidence that he has the requisite background to be a judge.

"Mr. President, this nominee has been scrutinized to the nth degree and I think he's stood the test.

"I'd just like to conclude with these final words – throughout his career in professional, in personal, in community capacities, Richard T. Bissen, Jr., has demonstrated that he has all of the judicial qualifications and attributes that will make him a fine judge for the Second Circuit, Maui County. I strongly support his confirmation and ask my colleagues to join with those us from Maui to vote to consent to this nomination. Mahalo."

The Chair having so ordered, the Statement of the Hawaii State Bar Association dated February 10, 2005 reads as follows:

"Testimony of the  
HAWAII STATE BAR ASSOCIATION  
Relating to the nomination of

RICHARD T. BISSEN, JR.  
Judge, Circuit Court of the Second Circuit

To: Senate Committee on Judiciary and Hawaiian Affairs  
Honorable Colleen Hanabusa, Chair  
Honorable Clayton Hee, Vice-Chair,  
and members

Hearing: Thursday, February 10, 2005, 9:00 a.m.  
Conference Room 229  
State Capitol

At the request of Hawaii State Bar Association President Richard Turbin, a special meeting of the Board of Directors was convened on February 5, 2005 on the nomination of attorney Richard Bissen for the position of circuit court judge of the Second Judicial Circuit.

Following further interview of the candidate and discussion, the HSBA Board reaffirmed its finding that attorney Richard Bissen is qualified to be a circuit court judge of the Second Judicial

Circuit. The HSBA Board further concluded that Mr. Bissen provided the HSBA Board with sufficient disclosure of all relevant issues."

Senator Sakamoto rose in support of the nominee as follows:

"Mr. President, I rise in support of this nomination, but not because of party, not because of geography, not because of ethnicity, not because there is a lack of substance to the issues raised. No one likes to be wrong. No one likes to be criticized. Everyone likes to put their best foot forward, but we all need to balance our ego and our pride with humility.

"I think nominators, whether it's committees or individuals, need to ask the hard questions and ferret out issues so they need not be brought out in this Body. Nominators need to do their job. They need to do their job so these issues don't dangle here. There are very eloquent remarks on both sides of this issue, but it's not about what people have done; it's about what people are today.

"I hope nominees will be willing to disclose their faults and say 'I've learned from them.' The nominees don't feel they have to hide certain things to feel that they can't be viewed fairly and honestly by the nominator, by whatever committees they come before, because in this world, we all have faults and we learn from the mistakes we make. It's those who are not willing to say we've made mistakes and do not learn from them that are in an unreal world. Only God is perfect, and we are all frail and we all make mistakes. So I ask future nominees to be willing to disclose things, but still be humble yet confident, because there is a place for each person to do an excellent job in this world.

"I hope and pray that Mr. Bissen will be an excellent judge, and I pray that those who support him will help him be an excellent judge. I hope as he sits as judge, should he be confirmed, that he will be able to see things from everyone else's point of view. Just as here, should he be confirmed, it doesn't vindicate that there was no evidence or no reason for concern, because there is. But I hope as he sits as judge, he will truly look at other people's point of views within the context of the law and grow to become the best judge he can be.

"Thank you."

Senator Inouye rose to speak in support of the nominee and stated:

"Mr. President, I speak in support of Gov. Msg. No. 77.

"Mr. President and colleagues, I have given my favorable approval to Mr. Bissen personally, as well as to the Governor.

"However, Mr. President, I have been deeply concerned in the last hour of information we received here on the Floor, particularly for those of us not sitting on the Judiciary Committee. But I wish to make it known here and in the Journal that those concerns raised by members of the Committee is a concern of mine. And the concerns also include the appointee's responsibilities sitting as a Circuit Court Judge, not as a District Court Judge.

"The nominee will be hearing cases on rapes, heavy crimes, murders, and many other issues. He will be making decisions that will affect many lives on his island. He will be making decisions of the people, for the people of Maui. But I will give Mr. Bissen the benefit of the doubt that he will uphold the oath of the office to support and defend the Constitution of the United States and the Constitution of the State of Hawaii.

"I will support my colleagues from Maui who feel that Mr. Bissen will make a good judge for their community, for their people. I pray that Mr. Bissen will fulfill his full term of 10 years and not forget today's deliberations and that the Senate of the 23<sup>rd</sup> Session has given him the opportunity to erase all doubts of his capabilities to do a fine job.

"Thank you, Mr. President."

Senator Ihara rose in support of the nominee with reservations as follows:

"Mr. President, I rise in support of the nomination of Richard Bissen for Second Circuit Judge, 'with reservations.'

"Mr. President, I want to outline my reservations of this nomination. I do not believe any of my reservations, even when taken together, warrant a 'no' vote on my part. The nominee did not disclose the Sanchez case until seven weeks after filing his application for nomination, which is submitted to the Judicial Selection Commission, and he did so only because a member of that commission asked specifically about that case.

"At last week's hearing, the nominee said that he would not have disclosed the Sanchez case if it wasn't raised in that interview. The nominee indicated that he did not recall the Sanchez case when asked if a court has ever criticized or admonished him in writing because, and I'll paraphrase my understanding of what he said, because he did not initially consider that case as criticizing him, but it was more of a disagreement with the higher court that he respected.

"Mr. President, when considering these reservations in light of all the facts and testimony, I am satisfied that the nominee is qualified to serve as a Circuit Court Judge for 10 years, and I am satisfied that the nominee has the integrity and the judicial temperament to be a fair judge. I have noted my reservations and I will vote to confirm the nominee.

"Thank you."

Senator Hemmings rose to speak in favor of the nominee

"Mr. President, I rise to speak in favor of the nominee.

"Mr. President, I want the record to note that this Body once again is serving this State well by debating an issue not only with our hearts, but also with our minds. I respect those who dissent as much as I respect those who affirm, but there are some issues from our perspective that need to be reiterated.

"It was inferred by a previous speaker that some of us may be voting for our political considerations in the party we may or may not be a member of. It was inferred that some of us may be voting for the nominee because of the island we're on. I can assure you that I don't believe that at all. This Body on many occasions has gone against conventional wisdom on certain issues. On many occasions I was so proud of how we had voted on issues based on the merits of the issues rather than extraneous considerations.

"It was said, regarding this debate, that those who supported the nominee may have done so based on what they know or do not know. That's a fair statement. But in defense of this process and in recognition of the Chairman of the Judiciary Committee, all the issues that are being discussed on today's advise and consent discussion were known many days prior to today. Most people from the law enforcement agencies, the bar associations, the neighborhood organizations, the civic clubs, the leaders of the judiciary from both political parties where their roots may be, had an opportunity after hearing these issues

to come forward and change their testimony or come back to the Committee. So, after further consideration and after finding out what we felt we don't know, it's salient they could have changed. None of them did because they recognized that this is a good man that can do a good job.

"So it comes down to a very interesting aspect of the law that my not being a lawyer made me have a little different perspective on. It seems that the defendant, as a prosecutor, had a case reversed. As it says here in the committee report, on one of the grounds the reversal was that it was viewed with various instances of prosecutorial misconduct. Well, I would suggest to this Body that once someone is confirmed a judge, they do not automatically disavow their convictions of who they are. There are judges because the law is not absolute to the extent that it has to be judged. Therefore, the judge that reversed the decision's perceptions of what is allowed or what the tolerances of allowances are in the judicial process for the defendant may differ from one judge to another. That's why we have judges who have reputations as being very strict when it comes to administering justice and others who could be considered as very liberal.

"So the debate between the Appeals Court Judge and the judge that rendered the decisions in the process may differ because of their differing judicial temperament. Nevertheless, it says in the committee report that the Sanchez case did go over to the disciplinary counsel and the ODC concluded there was insufficient evidence to clearly support the findings of disciplinary violations by the nominee. So once again, after further consideration on these issues, there was not a problem.

"So what it gets down to, really, is considering what we as humans are doing here for the benefit of the people of Hawaii. I honestly believe that we have done our duty – that we have considered the evidence before us in making our decision to support this nominee, and we have looked at the pros and cons and are rendering a just and fair decision on behalf of the process. Quite frankly, I am very supportive of the nominee, as all his testifiers have been, but I am also very confident in the process that we've gone through here today and that this Senate will indeed give advice and consent in support of the nominee, Richard Bissen, to the State Court.

"Thank you, Mr. President."

Senator Hanabusa rose and said:

"Mr. President, Roll Call vote."

The Chair so ordered.

Senator Taniguchi rose to speak with reservations on the measure and said:

"Mr. President, I'd just like to note for the record my 'reservations,' but I'll be voting in support of this nominee."

The Chair so ordered.

Senators Chun Oakland, Espero, Kokubun and Bunda requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hee).

At this time, Senator Hanabusa introduced Judge Bissen to the members of the Senate. (Judge Bissen, who was seated in the gallery with members of his family, rose to be recognized.)

At 1:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:25 o'clock p.m.

Senator Inouye, Chair of the Committee on Transportation and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1595.

Senator Inouye noted:

"Mr. President, this bill repeals the provisions for automatic permit approvals."

The Chair then granted the waiver.

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 294.

Senator Kanno noted:

"Mr. President, the bill makes adjustments to the minimum wage and also makes adjustments to the amount employers contribute for unemployment insurance."

The Chair then granted the waiver.

**ADJOURNMENT**

At 1:28 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 16, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## NINETEENTH DAY

## Wednesday, February 16, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:47 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Clarence K. Nishihara, 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 Eighteenth Day.

## STANDING COMMITTEE REPORTS

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 101) recommending that S.B. No. 1587 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1587, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE," 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. 102) recommending that S.B. No. 469, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR MEDICAL STUDENT LOANS," 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. 103) recommending that S.B. No. 1230 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1230, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," 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. 104) recommending that S.B. No. 861, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 861, 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 Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 105) recommending that S.B. No. 1227, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1227, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIV/AIDS ASSISTANCE," 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. 106) recommending that S.B. No. 560 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," 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. 107) recommending that S.B. No. 561 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 561, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER COORDINATOR POSITION," 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. 108) recommending that S.B. No. 826 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 826, 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. 109) recommending that S.B. No. 1021 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1021, 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 majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 110) recommending that S.B. No. 1022 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1022, 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. 111) recommending that S.B. No. 1103, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.



On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1103, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE 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. 112) recommending that S.B. No. 1202 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1202, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SENIOR CENTERS," 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. 113) recommending that S.B. No. 1213 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1213, 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 majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 114) recommending that S.B. No. 1208, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AT-HOME INFANT CHILD CARE PROGRAM," 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. 115) 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE HOMES," 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. 116) recommending that S.B. No. 1750, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1750, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND FUNDING EXPENDITURES," passed

Second Reading and was referred 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. 527	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

**THIRD READING**

S.B. No. 1150:

Senator Kokubun moved that S.B. No. 1150, having been read throughout, pass Third Reading, seconded by Senator Hooser.

Senator Baker rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Mr. President, this bill only went to Water, Land, and Agriculture. It did not come to the Health Committee, and yet in testimony by the Department of Agriculture, they noted that there have been a number of outbreaks of food-borne illness traceable to raw milk.

"I don't think that the health impacts of this particular measure have been thoroughly explored and discussed, and I think there are definitely consumer damages that could result from the sale of raw milk for human consumption. Therefore, I rise to oppose this measure.

"Thank you."

Senator Kokubun rose in support of the measure and said:

"Mr. President, I rise in support of S.B. No. 1150.

"Mr. President, as the previous speaker indicated, yes there was opposition from the Department of Agriculture, but I think they could not really document the exact incidences of food poisoning or ill effects caused by the consumption of raw milk.

"I would also point out, Mr. President, that this measure was supported by many, many individuals here in Hawaii, and in fact other organizations as well. The fact of the matter is that over half, I think in 26 states in the country, raw milk and raw milk products are allowed to be sold.

"I would also like to point out, colleagues, that the Department of Agriculture is charged in this bill to develop rules and regulations to guide the sale of raw milk products. So I think at that point in time, through the Administrative Rule process, they will be able to provide the necessary safeguards with respect to the sale of raw milk and raw milk products.

"Thank you, Mr. President."

Senator Ihara rose and said:

"Mr. President, please note my 'reservations' for the reasons stated by the Health Chair."

The Chair so ordered.

Senators Chun Oakland, Kim and Ige 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. 1150, entitled: "A BILL FOR AN ACT RELATING TO DAIRY PRODUCTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Baker).

S.B. No. 1796, S.D. 1:

Senator Hanabusa moved that S.B. No. 1796, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"While I support drug treatment programs and while we have passed numerous measures in this behalf in past years, one of the problems that we have which was brought out by the prosecuting attorney and law enforcement officials is the fact that if we keep expunging records, there is a difference between arrest and conviction records. While this bill with its S.D. 1 adds additional requirements for a drug-free individual, it talks about convictions but it doesn't talk about arrests. And in the communities that I'm involved with, people are concerned, because whenever someone is arrested, they find that there were prior arrests – 30, 50, 70, 100 prior arrests. They may not have resulted in convictions or they may still be going through the pipeline, but that has not occurred. And so, again I think that we are over balancing treatment versus punishment or at least standing up for the law.

"The other problem that I have with this bill is that it affords to defendants the same rights that were passed in our legislation prior to that time, but there is no starting time. So in other words, it could have been for convictions or incidences two years before the legislation was passed or five years or ten years or twenty years. There is no part of that.

"So I have a problem with the date. I have a problem with the position that's been taken by law enforcement that we're not supporting, and I have a problem with adding additional people that we're expunging the records. So I'll be voting 'no.'

"Thank you."

Senator Nishihara 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. 1796, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS," 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. 1249:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, S.B. No. 1249, 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.

S.B. No. 1253, S.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, S.B. No. 1253, 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.

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 527.

Senator Baker noted:

"Mr. President, the purpose of the proposed S.D. is to appropriate funds for statewide human service and health programs."

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. 803.

Senator Chun Oakland noted:

"Mr. President, this bill allows the Office of Youth Services to obtain criminal history and child abuse record information on employees and volunteers."

The Chair then granted the waiver.

Senator Menor, Chair of the Committee on Commerce, Consumer Protection and Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1223.

Senator Menor noted:

"Mr. President, the bill relates to the imposition of a service charge for dishonored checks."

The Chair then 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 just would like to point out Rule 21 and encourage my colleagues to follow the Rule. I understand that a lot of these waivers have or all of them have good reasons. I'm not doubting them. In our Rule it says that these notice requirements may be waived with approval of the President upon good cause shown, and I'm certain that there are good causes for each of these bills, and I would like to request that the future waivers give some indication of the reason for the request for waiver.

"Thank you."

#### ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 17, 2005.

## TWENTIETH DAY

## Thursday, February 17, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Guy Kapeliela, Hope Chapel Olomana, after which the Roll was called showing all Senators present with the exception of Senators Ihara and Trimble who were excused.

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

At 11:47 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.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 9 to 18) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 9, transmitting H.B. No. 155, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 155, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading by title and was deferred.

Hse. Com. No. 10, transmitting H.B. No. 313, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," passed First Reading by title and was deferred.

Hse. Com. No. 11, transmitting H.B. No. 433, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 433, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed First Reading by title and was deferred.

Hse. Com. No. 12, transmitting H.B. No. 437, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," passed First Reading by title and was deferred.

Hse. Com. No. 13, transmitting H.B. No. 494, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 494, entitled: "A BILL FOR AN ACT

RELATING TO TRAFFIC INFRACTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 14, transmitting H.B. No. 496, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 496, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," passed First Reading by title and was deferred.

Hse. Com. No. 15, transmitting H.B. No. 502, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 502, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," passed First Reading by title and was deferred.

Hse. Com. No. 16, transmitting H.B. No. 582, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 17, transmitting H.B. No. 1221, which passed Third Reading in the House of Representatives on February 14, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1221, 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 deferred.

Hse. Com. No. 18, transmitting H.B. No. 477, H.D. 1, which passed Third Reading in the House of Representatives on February 16, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 477, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," passed First Reading by title and was deferred.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 39 and 40) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH

## INSURERS TO OFFER COVERAGE FOR COGNITIVE REHABILITATION.”

Offered by: Senators Baker, Chun Oakland, Whalen, Espero, Tsutsui.

No. 40 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM, AND THE HAWAII TOURISM AUTHORITY TO CONDUCT A CARRYING CAPACITY STUDY.”

Offered by: Senators Hemmings, Kim.

**STANDING COMMITTEE REPORTS**

Senators Hanabusa and English, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 117) recommending that S.B. No. 1288 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1288, entitled: “A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOO LAWE,” 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. 118) recommending that S.B. No. 1334, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1334, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIABILITY,” 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. 119) recommending that S.B. No. 761, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 761, S.D. 1, 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 Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 120) recommending that S.B. No. 781 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 781, entitled: “A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE,” 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. 121) recommending that S.B. No. 782, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 782, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES,” 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. 122) 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 Hee, 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 CABLE TELEVISION,” 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. 123) recommending that S.B. No. 1129, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1129, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE,” 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. 124) recommending that S.B. No. 458 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 458, 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. 125) recommending that S.B. No. 592 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 592, 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. 126) recommending that S.B. No. 612, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 612, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BAIL,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 127) recommending that S.B. No. 613, as amended in S.D. 1,

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 615, S.D. 1, 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. 128) recommending that S.B. No. 615, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 129) recommending that S.B. No. 618 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," 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. 130) recommending that S.B. No. 620, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 131) recommending that S.B. No. 621 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 621, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 132) recommending that S.B. No. 673, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 673, 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. 133) recommending that S.B. No. 696 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 696, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," 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. 134) recommending that S.B. No. 929 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 929, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 135) recommending that S.B. No. 979, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 979, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," 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. 136) recommending that S.B. No. 1317 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1317, 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 Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 137) recommending that S.B. No. 1537, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1537, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ON-CALL EMERGENCY CARE SERVICES AT THE QUEEN'S MEDICAL 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. 138) recommending that S.B. No. 1232 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1232, 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. 139) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1446, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AIR AMBULANCE HELICOPTER PAD FOR MAUI MEMORIAL MEDICAL 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. 140) recommending that S.B. No. 1094 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1094, 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 Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 141) recommending that S.B. No. 30 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 30, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HALE MAKUA-WAILUKU 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. 142) recommending that S.B. No. 1097, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1097, 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.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 143) recommending that S.B. No. 1708 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1708, entitled: "A BILL FOR AN ACT RELATING TO MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kokubun, for the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 144) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kokubun, for the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 145) recommending that S.B. No. 1430 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1430, 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 Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 146) recommending that S.B. No. 21, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and 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. 147) recommending that S.B. No. 472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," 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. 148) recommending that S.B. No. 475, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC 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. 149) recommending that S.B. No. 556, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

FAMILY COURT,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 150) 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 559, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF FOR SENIOR 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. 151) recommending that S.B. No. 1033 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1033, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR QUEST AND MEDICAID COVERAGE FOR ALIENS RESIDING IN HAWAII UNDER THE COMPACT OF FREE ASSOCIATION,” 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. 152) recommending that S.B. No. 1210 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 FAMILY CHILD CARE,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker and Kanno, for the Committee on Health and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 153) recommending that S.B. No. 793 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 793, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS,” 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 Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 154) recommending that S.B. No. 959, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 959, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CABLE TELEVISION,” passed Second Reading and was referred to the Committee on Ways and Means.

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 of the majority of the Committees (Stand. Com. Rep. No. 155) recommending that S.B. No. 913, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 913, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CEDED LANDS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 156) recommending that S.B. No. 411, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 411, S.D. 1, 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 Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 157) recommending that S.B. No. 602, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 602, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS,” passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 1272 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1272, entitled: “A BILL FOR AN ACT RELATING TO THE UTILIZATION OF FEDERAL FUNDS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 159) recommending that S.B. No. 1476, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1476, 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 Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 160) recommending that S.B. No. 1542, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1542, S.D. 1, entitled: “A BILL FOR AN ACT RELATING

TO COUNTY LIQUOR COMMISSIONS,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 161) recommending that S.B. No. 1546, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1546, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 162) recommending that S.B. No. 1685, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1685, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAX,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and English, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 163) recommending that S.B. No. 747, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 747, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 164) recommending that S.B. No. 713, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 713, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A BUSINESS-RESEARCH INSTITUTE TAX CREDIT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 165) recommending that S.B. No. 1701 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1701, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY AND INNOVATION INDUSTRIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 166) recommending that S.B. No. 1702 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1702, entitled: “A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 167) recommending that S.B. No. 1709 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1709, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 168) recommending that S.B. No. 788 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 788, entitled: “A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 169) recommending that S.B. No. 998 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 998, entitled: “A BILL FOR AN ACT RELATING TO GREEN BUILDING,” 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. 170) recommending that S.B. No. 617, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 617, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COURT INTERPRETER 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. 171) recommending that S.B. No. 1285, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1285, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING



PRACTICES,” 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 (Stand. Com. Rep. No. 172) recommending that S.B. No. 682, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 682, 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.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 173) recommending that S.B. No. 1512 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1512, entitled: “A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE FATALITY REVIEW,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 174) recommending that S.B. No. 1557, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1557, 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.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 175) recommending that S.B. No. 1893 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1893, entitled: “A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 176) recommending that S.B. No. 1006 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1006, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 177) recommending that S.B. No. 1896 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1896, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 178) recommending that S.B. No. 954 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 954, entitled: “A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 179) recommending that S.B. No. 953 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 953, entitled: “A BILL FOR AN ACT RELATING TO REAL PROPERTY DISCLOSURES,” passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No. 671 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 671, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 181) recommending that S.B. No. 1898 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1898, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 182) recommending that S.B. No. 1899 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1899, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the majority of the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 183) recommending that S.B. No. 1877 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1877, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 184) recommending that S.B. No. 1592 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1592, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," 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. 185) recommending that S.B. No. 616 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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 COURT INTERPRETERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 186) recommending that S.B. No. 619 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 619, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 187) recommending that S.B. No. 628 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 628, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 188) recommending that S.B. No. 698 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 189) recommending that S.B. No. 920 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 920, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AN OFFICE OF HAWAIIAN AFFAIRS BUILDING AND A HAWAIIAN COMMUNITY 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. 190) recommending that S.B. No. 975 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 975, entitled: "A BILL FOR AN ACT RELATING TO VOTING," 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. 1324, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 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. 192) recommending that S.B. No. 1630, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1630, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WEED AND SEED STRATEGY," 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. 193) recommending that S.B. No. 943 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 943, 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 majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 194) recommending that S.B. No. 1045 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1045, entitled: "A BILL FOR AN ACT



On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1585, 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 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. 207) recommending that S.B. No. 452, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 452, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," 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. 208) recommending that S.B. No. 1453, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1453, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY 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. 209) recommending that S.B. No. 1851, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1851, S.D. 1, entitled: "A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS," 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. 210) recommending that S.B. No. 1904, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1904, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AFFORDABLE HOUSING IN HANA, MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 211) recommending that S.B. No. 1479, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 RELATING

TO FIRE FIGHTER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 212) recommending that S.B. No. 971, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 971, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," 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. 213) recommending that S.B. No. 1727, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1727, S.D. 1, 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.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 214) recommending that S.B. No. 1728 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1728, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 215) recommending that S.B. No. 1730, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1730, S.D. 1, 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 Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 216) recommending that S.B. No. 1863, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1863, S.D. 1, 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 Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 217) recommending that S.B. No. 1838, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 218) recommending that S.B. No. 1834, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1834, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 219) recommending that S.B. No. 1827 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1827, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII MILITARY FAMILY RELIEF SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 220) recommending that S.B. No. 1664, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1664, 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.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 221) recommending that S.B. No. 1823 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1823, entitled: "A BILL FOR AN ACT RELATING TO THE OAHU VETERANS CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 222) recommending that S.B. No. 1812 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1812, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 223) recommending that S.B. No. 1650, as amended in S.D. 1, pass

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

On motion by Senator Hee, 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 THE HAWAII NATIONAL GUARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hee, for the Committee on Education and Military Affairs and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 224) recommending that S.B. No. 1790 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1790, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 225) recommending that S.B. No. 1649 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1649, entitled: "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR MEMORIAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 226) recommending that S.B. No. 1645, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1645, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 227) recommending that S.B. No. 1497, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 228) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1393, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 229) recommending that S.B. No. 1258 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 230) recommending that S.B. No. 1866 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1866, entitled: "A BILL FOR AN ACT RELATING TO STUDENT SERVICES COORDINATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the majority of the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 231) 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.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1255, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 232) recommending that S.B. No. 1248, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 233) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 528, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 234) recommending that S.B. No. 1643, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1643, 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 Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 235) recommending that S.B. No. 1698, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1698, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 236) recommending that S.B. No. 144, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 237) recommending that S.B. No. 599 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 238) recommending that S.B. No. 735 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 735, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 239) recommending that S.B. No. 848 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 SECURITY FOR CONCESSION CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 240) 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 Hee, 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 PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 241) recommending that S.B. No. 1752, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 242) recommending that S.B. No. 1843 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1843, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 73:

By unanimous consent, action on S.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Friday, February 18, 2005.

S.B. No. 988:

By unanimous consent, action on S.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Friday, February 18, 2005.

**ADJOURNMENT**

At 12:00 o'clock noon, on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 2:00 o'clock p.m., Friday, February 18, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-FIRST DAY

Friday, February 18, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 2:06 o'clock p.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 with the exception of Senators Menor and Trimble who were excused.

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

Senator Sakamoto introduced Lt. Gen. John M. Brown, III, Commanding General of the United States Army, Pacific Command. Accompanying General Brown was Janice Nielsen, Director of Governmental and Legislative Affairs for the US Army, Pacific.

At this time, the President invited General Brown to the podium to address the members of the Senate.

Lt. Gen. John Brown addressed the members of the Senate as follows:

"Senator Bunda, Senator Sakamoto, distinguished members of the Hawaii State Senate, it's truly an honor to be here with you today. Let me also add that it's an honor to be here with Mildred and her great band of social workers. What a tremendous asset you are to the community, and I congratulate you also. The sparkle in your eye tells me there are many, many more years of your contributions to our community, and God Bless you for what you do. Thank you so very much.

"I am here as the proud representative of the young men and women who make up your Army in the Pacific. They are a great team. As I stand here today, 13,000 of those young men and women are serving in 22 nations around the world. Twelve thousand of those Pacific-based soldiers are serving in Iraq and Afghanistan and they are doing a mighty deed for our country.

"In recent weeks we've been very fortunate to bring home several thousands of those soldiers from Schofield Barracks who have served for over a year in Iraq and made a tremendous contribution to the recent successful elections in that country, and we are so very proud of them. Over the next 10 to 15 days, we'll bring another couple of thousand home from Iraq and that will be the movement of Hawaii-based soldiers out of Iraq for a few more months.

"Following that, we'll bring 10,000 soldiers back to Schofield Barracks out of Afghanistan where Major General Eric Olson and the rest of the 25<sup>th</sup> Infantry Division have done just a tremendous job in that country and played also a significant role last November when Afghanistan experienced its first democratic election in its history. The success of that election was greatly due to the contribution of young Americans who sacrificed and served in that nation.

"I don't want to forget that as we celebrate bringing home thousands of America's sons and daughters from Iraq and Afghanistan back to this region, that Hawaii's sons and daughters of the 29<sup>th</sup> Brigade are moving into combat as we speak. General Joe Chaves and the great soldiers of the 29<sup>th</sup> Brigade, Hawaii's own, are moving into Balad and Mosul and Baghdad as we speak and they will make us all very proud as they serve there.

"The Army in the Pacific is growing. That is recognition of the importance of the Asia/Pacific Region, and we will see over the upcoming few years a steady increase both in the capabilities, the size, and the importance of Army organizations as part of the great joint team under U.S. Pacific Command in this region, and all of us that wear this uniform are proud to be part of that.

"I've had the honor to wear our nation's uniform for 35 years, and it has been an absolute privilege every single one of those years. In the President's recent inauguration speech, he made the comment that an observer who listened to our liberty bell ring as it tolled out the sound of freedom across our country so many years ago, that observer made the comment that it rings like it means something. And the President went on to say it means something yet today.

"I assure you that in my 35 years of having the privilege to wear this uniform, we have never had finer young men and women serving our country in uniform in the Army, Navy, Air Force, and Marines, and I am so very proud to represent them. They deserve our support. They deserve our compliments, and I assure you they will represent us well wherever they serve in the future.

"Thank you for having me here today. Mahalo."

At 2:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:38 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 356 to 365) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 356, dated December 24, 2004, transmitting the Quarterly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree Made to the United States Ninth District Court, the Felix Special Monitor, the Felix Monitoring Project, or Any Other Agent of the United States Judiciary for the Quarter Ending March 31, 2004, prepared by the Department of Health pursuant to Act 200, Section 144, SLH 2003, was placed on file.

Gov. Msg. No. 357, dated February 4, 2005, transmitting the Progress Report on the Implementation of A.R.T.S. FIRST: Hawaii's Arts Education Strategic Plan - July 1, 2003 to June 30, 2004, prepared by the State Foundation of Culture and the Arts on behalf of the ARTS FIRST PARTNERS aka Hawaii Arts Education Partners pursuant to Act 306, SLH 2001, was placed on file.

Gov. Msg. No. 358, dated February 9, 2005, transmitting a Report on Substance Abuse Treatment for Offenders, prepared by the Department of Health, Alcohol and Drug Abuse Division, pursuant to Act 200, Section 27, SLH 2003, was placed on file.

Gov. Msg. No. 359, dated February 10, 2005, transmitting the Annual Financial Report for the Newborn Metabolic Screening Special Fund, prepared by the Department of Health pursuant to Section 321-291, HRS, was placed on file.

Gov. Msg. No. 360, dated February 10, 2005, transmitting a Report on the Progress Toward Fulfilling the Strategic Plan



2003-2006 Accomplishments and Updates December 2004, prepared by the Department of Health, Child and Adolescent Mental Health Division, pursuant to Section 321-176, HRS, was placed on file.

Gov. Msg. No. 361, dated February 15, 2005, transmitting the Plan for Creating and Implementing Gender Responsive Environments at the Women's Community Correctional Center and at the Hawaii Youth Correctional Facility, prepared by the Department of Public Safety, pursuant to H.C.R. No. 265 (2004), was placed on file.

Gov. Msg. No. 362, dated February 8, 2005, transmitting a report, "Hawaii's Workforce in 2005: Addressing the Labor Shortage and Improving the Pipeline," and a Funding Summary of Hawaii's Investment of Public Funds in Workforce Development Programs, prepared by the Department of Labor and Industrial Relations, Hawaii Workforce Development Council, pursuant to H.C.R. No. 112 (2004), was placed on file.

Gov. Msg. No. 363, dated February 9, 2005, transmitting the Status Report on Open Source Software in State Government Operations, prepared by the Department of Accounting and General Services, Information and Communications Services Division, pursuant to H.C.R. No. 83 (2004), was placed on file.

Gov. Msg. No. 364, dated February 10, 2005, transmitting the Annual Report of the State Educational Facilities Improvement Special Fund for Fiscal Year 2003-2004, prepared by the Department of Accounting and General Services pursuant to Section 36-32, HRS, was placed on file.

Gov. Msg. No. 365, advising the Senate of the withdrawal of the nominations of:

WAYNE CORDEIRO to the Commission on Fatherhood, under Gov. Msg. No. 176, dated January 28, 2005; and

ROSE P. ATKINS to the Mental Health and Substance Abuse, Hawai'i Service Area Board, under Gov. Msg. No. 207, dated January 28, 2005,

was placed on file.

In compliance with Gov. Msg. No. 365, the nominations listed under Gov. Msg. Nos. 176 and 207 were returned.

#### DEPARTMENTAL COMMUNICATION

Dept. Com. No. 32, from the Department of Education dated February 14, 2005, transmitting its Operating Budget Request, Fiscal Biennium 2005-2007, dated January 2005, was read by the Clerk and was placed on file.

#### HOUSE COMMUNICATION

Hse. Com. No. 19, transmitting H.B. No. 81, which passed Third Reading in the House of Representatives on February 17, 2005, was read by the Clerk and was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was deferred.

#### SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 41) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 41 "SENATE CONCURRENT RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE."

Offered by: Senators Kim, Sakamoto, Slom, Espero, Bunda, Tsutsui, Baker, Fukunaga, Kokubun, Nishihara, Menor, Ige, Hanabusa, Chun Oakland, Hee.

#### SENATE RESOLUTION

The following resolution (S.R. No. 20) was read by the Clerk and was deferred:

Senate Resolution

No. 20 "SENATE RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE."

Offered by: Senators Kim, Sakamoto, Slom, Espero, Bunda, Tsutsui, Baker, Fukunaga, Kokubun, Menor, Ige, Hanabusa, Nishihara, Hee, Chun Oakland.

#### STANDING COMMITTEE REPORTS

Senators Espero and English, for the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 243) recommending that S.B. No. 121 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 121, entitled: "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 244) recommending that S.B. No. 668, as amended in S.D. 1, pass Second Reading and be referred jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 245) recommending that S.B. No. 711, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 246) recommending that S.B. No. 719, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 719, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 247) recommending that S.B. No. 987, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 987, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 248) recommending that S.B. No. 1301, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Agriculture.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1301, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," passed Second Reading and was referred to the Committee on Water, Land, and Agriculture.

Senators Espero and English, for the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 249) recommending that S.B. No. 1503, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Tourism.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1503, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Tourism.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 250) recommending that S.B. No. 1844, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1844, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 251) recommending that S.B. No. 1793, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1793, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 252) recommending that S.B. No. 689, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 689, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY HAZARD EVALUATION DATA," 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. 253) recommending that S.B. No. 40 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 40, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," 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 of the majority of the Committees (Stand. Com. Rep. No. 254) recommending that S.B. No. 477, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 477, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 255) recommending that S.B. No. 486, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 486, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," 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 of the majority of the Committees (Stand. Com. Rep. No. 256) 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 865, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER TAX CREDIT," 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 of the majority of the Committees (Stand. Com. Rep. No. 257) 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1422, 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 Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 258) recommending that S.B. No. 1513 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1513, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES 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. 259) recommending that S.B. No. 1614 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1614, entitled: "A BILL FOR AN ACT RELATING TO TRANSIT SERVICES FOR ELDERLY AND DISABLED," 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. 260) recommending that S.B. No. 1712 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1712, 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. 261) recommending that S.B. No. 1772 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1772, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYERS," 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. 262) recommending that S.B. No. 1872 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1872, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 263) recommending that S.B. No. 1013 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1013, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hee, for the Committee on Education and Military Affairs and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 264) recommending that S.B. No. 1648 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1648, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 265) recommending that S.B. No. 1392, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1392, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 266) recommending that S.B. No. 766, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS LICENSURE RESTORATION," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 267) recommending that S.B. No. 1837, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1837, 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 Sakamoto and Hee, for the Committee on Education and Military Affairs and the Committee on Higher Education,

presented a joint report (Stand. Com. Rep. No. 268) recommending that S.B. No. 1394, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1394, 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 Kokubun, for the Committee on Education and Military Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 269) recommending that S.B. No. 972, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 972, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 270) recommending that S.B. No. 911 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 911, 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. 271) recommending that S.B. No. 923, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 923, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 272) recommending that S.B. No. 1327 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1327, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 273) recommending that S.B. No. 1328, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION FEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kokubun, for the Committee on Education and Military Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 274) recommending that S.B. No. 1814, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1814, 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.

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. 275) recommending that S.B. No. 1331 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1331, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A NEW SUBSTANCE ABUSE TREATMENT FACILITY," 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. 276) recommending that S.B. No. 827, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 827, 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. 277) recommending that S.B. No. 1737 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1737, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO NA LEI WILI AREA HEALTH EDUCATION CENTER'S GROW OUR OWN HEALERS' 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. 278) recommending that S.B. No. 1687 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PLANS," 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. 279) recommending that S.B. No. 1228, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 280) recommending that S.B. No. 1484 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ROAD MAINTENANCE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 281) recommending that S.B. No. 1058, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 VOTING," 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. 1203 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1203, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INMATE REINTEGRATION PROGRAMS," 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. 283) recommending that S.B. No. 1325, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING REQUIREMENTS," 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. 284) recommending that S.B. No. 1570 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE

OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," 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. 285) recommending that S.B. No. 1864 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1864, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto, Kokubun and Ige, for the Committee on Education and Military Affairs, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 286) recommending that S.B. No. 950 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 950, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 287) recommending that S.B. No. 1635, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1635, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 288) recommending that S.B. No. 1389 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1389, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 289) recommending that S.B. No. 1817, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1817, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 290) recommending that S.B. No. 1659, as amended in S.D. 1, pass

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1396, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 291) recommending that S.B. No. 1396, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 292) recommending that S.B. No. 1644, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1644, 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 Sakamoto and English, for the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 293) recommending that S.B. No. 1662 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Inouye, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 294) recommending that S.B. No. 72, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Inouye, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 295) recommending that S.B. No. 982, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B.

No. 982, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 296) recommending that S.B. No. 1747, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 297) recommending that S.B. No. 1787, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1787, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO ESTABLISH UNIVERSITY OF HAWAII WEST OAHU UNIVERSITY CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 298) recommending that S.B. No. 1188, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY FACILITIES FOR THE UNIVERSITY OF HAWAII-WEST OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 299) recommending that S.B. No. 1164, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1164, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND FACULTY POSITIONS FOR ILOKANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 300) recommending that S.B. No. 1160, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1160, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR STUDENT SUPPORT SERVICES FOR NON-TRADITIONAL STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 301) recommending that S.B. No. 1159, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1159, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING AND POSITIONS TO EXPAND ETHNIC STUDIES, LABOR HISTORY, AND DIVERSITY CURRICULUM AT ALL UNIVERSITY OF HAWAII CAMPUSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 302) recommending that S.B. No. 1063, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1063, S.D. 1, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 303) recommending that S.B. No. 997 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 997, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE UNIVERSITY OF HAWAII'S WEST OAHU CAMPUS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 304) recommending that S.B. No. 948, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 948, S.D. 1, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 305) recommending that S.B. No. 581 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 306) 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 Hee, 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 MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Hanabusa, for the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 307)

recommending that S.B. No. 1158 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Hanabusa, for the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 308) recommending that S.B. No. 1398, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1398, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION SCHOLARSHIPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Hanabusa, for the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 309) recommending that S.B. No. 1408 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1408, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE BOARD OF REGENTS TO ISSUE GENERAL OBLIGATION BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 310) recommending that S.B. No. 904, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 904, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Hee and Kanno, for the Committee on Higher Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 311) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 900, S.D. 1, 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 Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 312) recommending that S.B. No. 129 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B.

No. 129, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," 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. 313) recommending that S.B. No. 869 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 869, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 314) recommending that S.B. No. 562 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT 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. 315) recommending that S.B. No. 1713, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1713, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and English, for the Committee on Health and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 316) recommending that S.B. No. 12 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 12, 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. 317) recommending that S.B. No. 675 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 675, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," 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. 318) recommending that S.B. No. 1196, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1196, 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 Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 319) recommending that S.B. No. 1199, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

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. 320) recommending that S.B. No. 1854 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1854, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," 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. 321) recommending that S.B. No. 1849 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1849, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun, Fukunaga and English, for the Committee on Water, Land, and Agriculture, the Committee on Media, Arts, Science and Technology and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 322) recommending that S.B. No. 1692, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1692, 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.

Senators Kokubun and Inouye, for the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 323) recommending that S.B. No. 1791, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1791, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," 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. 324) recommending that S.B. No. 1278, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1278, 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.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 325) recommending that S.B. No. 122, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT SAFETY," 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. 326) recommending that S.B. No. 1470, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," 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. 327) recommending that S.B. No. 707, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 707, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker, Chun Oakland and Fukunaga, for the Committee on Health, the Committee on Human Services and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 328) recommending that S.B. No. 1358 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1358, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," 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. 329) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 3, 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.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 330) recommending that S.B. No. 789 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 789, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 331) recommending that S.B. No. 1897, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1897, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 332) recommending that S.B. No. 1009, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1009, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 333) recommending that S.B. No. 1075, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 MONKEYS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and Hee, for the Committee on Water, Land, and Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 334) recommending that S.B. No. 1456, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1456, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 335) recommending that S.B. No. 1696 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1696, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 336) recommending that S.B. No. 918, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 337) 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 Hee, 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 RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 338) recommending that S.B. No. 951, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 951, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 339) recommending that S.B. No. 955, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 955, 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.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 340) recommending that S.B. No. 1095, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1095, S.D. 1, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 341) 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 Hee, 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 DROUGHT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 342) recommending that S.B. No. 1266, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 343) recommending that S.B. No. 1267, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1267, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK MONITORING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 344) recommending that S.B. No. 1268, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1268, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 345) recommending that S.B. No. 1409, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 KAHANA VALLEY STATE PARK," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 346) recommending that S.B. No. 1461, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES MANAGEMENT," passed

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

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 347) recommending that S.B. No. 1848, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1848, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAUAI STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 348) recommending that S.B. No. 1879, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 349) recommending that S.B. No. 1880, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1880, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 350) recommending that S.B. No. 1883, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1883, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILOLI'I FISHERIES MANAGEMENT AREA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 351) recommending that S.B. No. 1884, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO SHORELINES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report

(Stand. Com. Rep. No. 352) recommending that S.B. No. 1903 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1903, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Hee and Sakamoto, for the Committee on Higher Education and the Committee on Education and Military Affairs, presented a joint report (Stand. Com. Rep. No. 353) recommending that S.B. No. 1641, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1641, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Sakamoto, for the Committee on Higher Education and the Committee on Education and Military Affairs, presented a joint report (Stand. Com. Rep. No. 354) recommending that S.B. No. 876, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 876, 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 English and Inouye, for the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 355) recommending that S.B. No. 1553 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1553, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators English and Menor, for the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 356) recommending that S.B. No. 1714, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1714, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY IN STATE BUILDINGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Fukunaga, for the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 357) recommending that

S.B. No. 1004, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kokubun, for the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 358) recommending that S.B. No. 1894, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Inouye, for the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 359) recommending that S.B. No. 1710, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1710, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 360) recommending that S.B. No. 1785 pass Second Reading and be referred to the Committee on Transportation and Government Operations.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1785, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERFERRY," passed Second Reading and was referred to the Committee on Transportation and Government Operations.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 361) recommending that S.B. No. 1554 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1554, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 362) recommending that S.B. No. 1114 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1114, entitled: "A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM 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. 363) recommending that S.B. No. 130, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 364) recommending that S.B. No. 629 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 629, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 365) recommending that S.B. No. 819 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 819, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 366) recommending that S.B. No. 1699 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Inouye, for the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 367) recommending that S.B. No. 1825 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1825, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 368) recommending that S.B. No. 1671, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No.

1671, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 369) recommending that S.B. No. 638 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 638, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 370) recommending that S.B. No. 1483 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1483, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 371) recommending that S.B. No. 1093, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1093, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT PRIVATE NONSECTARIAN AND SECTARIAN ELEMENTARY SCHOOLS, SECONDARY SCHOOLS, COLLEGES, AND UNIVERSITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 372) recommending that S.B. No. 1705, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1705, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 373) recommending that S.B. No. 873, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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

EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Inouye, for the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 374) recommending that S.B. No. 1427 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Espero, for the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 375) recommending that S.B. No. 1000, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1000, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 376) recommending that S.B. No. 925, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 377) recommending that S.B. No. 669, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 378) recommending that S.B. No. 917, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 917, S.D. 1, 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 Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 379) recommending that S.B. No. 740, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 740, 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 Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 380) recommending that S.B. No. 933, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 933, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," 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 Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 381) recommending that S.B. No. 935, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," 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. 382) recommending that S.B. No. 1053 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1053, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION AND ENFORCEMENT OF THE HAWAII PREPAID HEALTH CARE ACT," 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. 383) recommending that S.B. No. 61 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 61, entitled: "A BILL FOR AN ACT RELATING TO WAGES," 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. 384) 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was

adopted and S.B. No. 579, 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. 385) recommending that S.B. No. 977 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 977, 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 Committee on Labor, presented a report (Stand. Com. Rep. No. 386) recommending that S.B. No. 1052 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 THE DEPENDENT-BENEFICIARIES OF 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. 387) recommending that S.B. No. 1044, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1044, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," 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. 388) recommending that S.B. No. 1190 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1190, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," 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. 389) recommending that S.B. No. 1192, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPT 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. 390) recommending that S.B. No. 1194 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1194, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION 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. 391) recommending that S.B. No. 1277 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1277, 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 majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 392) recommending that S.B. No. 58, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Health.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 58, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES," passed Second Reading and was referred to the Committee on Health.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 393) recommending that S.B. No. 1578 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1578, 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. 394) recommending that S.B. No. 1783, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1783, 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.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 395) recommending that S.B. No. 35, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 35, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Hanabusa, for the Committee on Education and Military Affairs and the Committee on Judiciary

and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 396) recommending that S.B. No. 1533 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1533, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO THE COMPOSITION OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 397) recommending that S.B. No. 1171, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," 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. 398) recommending that S.B. No. 424, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 424, S.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 majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 399) recommending that S.B. No. 533 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 533, 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 Committee on Labor, presented a report (Stand. Com. Rep. No. 400) recommending that S.B. No. 741 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 741, 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. 401) recommending that S.B. No. 1566, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1566, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," 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 and Military Affairs, presented a joint report (Stand. Com. Rep. No. 402) recommending that S.B. No. 1640 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO THE OVERPAYMENT OF TEACHERS," 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 and Military Affairs, presented a joint report (Stand. Com. Rep. No. 403) recommending that S.B. No. 1865, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1865, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION WORKFORCE DEVELOPMENT PIPELINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 404) recommending that S.B. No. 505 pass Second Reading and be referred to the Committee on Water, Land, and Agriculture.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 505, entitled: "A BILL FOR AN ACT RELATING TO JURISDICTION OF PIER 1 AND PIER 2," passed Second Reading and was referred to the Committee on Water, Land, and Agriculture.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 405) recommending that S.B. No. 706, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 706, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 406) recommending that S.B. No. 963, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 963, 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 Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 407) recommending that S.B. No. 1127, as amended in S.D.

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 408) recommending that S.B. No. 1222, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEARCH AND RESCUE REIMBURSEMENT ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye, Kokubun and Ige, for the Committee on Transportation and Government Operations, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 409) recommending that S.B. No. 1595, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," 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. 410) recommending that S.B. No. 784, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 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. 411) recommending that S.B. No. 1310, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1310, 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. 412) recommending that S.B. No. 115 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 115, 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. 413) recommending that S.B. No. 1469 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1469, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES," 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. 414) recommending that S.B. No. 1624 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1624, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 415) recommending that S.B. No. 33, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 33, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 416) recommending that S.B. No. 1547, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1547, 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.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 417) recommending that S.B. No. 608 pass Second Reading and be referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 608, entitled: "A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS," passed Second Reading and was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 418) recommending that S.B. No. 773 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 773, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 419) recommending that S.B. No. 1343 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1343, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 420) recommending that S.B. No. 1477 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1477, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Baker, for the Committee on Energy, Environment, and International Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 421) recommending that S.B. No. 680, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senators Hee and Baker, for the Committee on Higher Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 422) recommending that S.B. No. 116, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," 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. 423) recommending that S.B. No. 54, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 54, 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 Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 424) recommending that S.B. No. 1538 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1538, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 425) 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1399, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 426) recommending that S.B. No. 1257, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 427) recommending that S.B. No. 1256 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1256, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 428) recommending that S.B. No. 905 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 905, 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 Hee and Kanno, for the Committee on Higher Education and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 429)

recommending that S.B. No. 1402 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1402, 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 Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 430) recommending that S.B. No. 1636, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1636, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 431) recommending that S.B. No. 1634, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1634, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 432) recommending that S.B. No. 1663, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1663, 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 Chun Oakland, for the Committee on Education and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 433) recommending that S.B. No. 38, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 38, 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 Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 434) 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 Hee, 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

EXTERNAL REVIEW PANELS," 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. 770, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 770, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," 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. 436) recommending that S.B. No. 801, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 801, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS," 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. 437) recommending that S.B. No. 1198 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1198, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 438) recommending that S.B. No. 1717, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS," 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. 1805, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 440) recommending that S.B. No. 1852, as amended in S.D.

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1852, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING," 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. 441) recommending that S.B. No. 1100, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," 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 (Stand. Com. Rep. No. 442) recommending that S.B. No. 127, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 443) recommending that S.B. No. 1482, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1482, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

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. 444) recommending that S.B. No. 1237, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INSURANCE TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

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. 445) recommending that S.B. No. 131, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B.

No. 131, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 446) recommending that S.B. No. 1081, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1081, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POUHALA MARSH EDUCATION AND JOB TRAINING CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 447) recommending that S.B. No. 1891, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Kanno, for the Committee on Higher Education and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 448) 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 464, S.D. 1, 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 Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 449) recommending that S.B. No. 1379, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1379, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 450) recommending that S.B. No. 1792 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1792, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 451) recommending that S.B. No. 590 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 590, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 452) recommending that S.B. No. 1387 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS," 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. 453) recommending that S.B. No. 433, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 433, S.D. 1, 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. 454) recommending that S.B. No. 467, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 467, 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. 455) recommending that S.B. No. 824 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 824, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," 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. 456) recommending that S.B. No. 1551 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1551, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," 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. 457) recommending that S.B. No. 1781 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1781, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Espero, for the Committee on Tourism and the Committee on Business and Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 458) recommending that S.B. No. 1186, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1186, 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 Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 459) recommending that S.B. No. 1729, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1729, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," 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. 460) recommending that S.B. No. 1447, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1447, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A MEDICAL FACILITY IN WEST 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. 461) recommending that S.B. No. 1704, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS FOR MAUI MEMORIAL MEDICAL CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Inouye, for the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 462) recommending that S.B. No. 1002, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1002, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Fukunaga, for the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 463) recommending that S.B. No. 1378, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1378, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Kokubun, for the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 464) recommending that S.B. No. 1414, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Inouye, for the Committee on Business and Economic Development and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 465) 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 Hee, 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 TECHNOLOGY TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Inouye, for the Committee on Business and Economic Development and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 466) recommending that S.B. No. 1734, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1734, 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.

Senator Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 467) recommending that S.B. No. 1788, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII

BOARD OF REGENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 468) recommending that S.B. No. 1168 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1168, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE STATE ART GALLERY," 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. 469) recommending that S.B. No. 1468, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," 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. 470) recommending that S.B. No. 1535, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORAL HEALTH INSTITUTE OF THE PACIFIC," 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. 471) recommending that S.B. No. 1239, 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 Hee, 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 PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 472), recommending that S.B. No. 212, S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 473), recommending that S.B. No. 361, S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 AGRICULTURE," was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 474), recommending that S.B. No. 386, S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 386, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," was referred to the Committee on Ways and Means.

Senators Kanno and Sakamoto, for the Committee on Labor and the Committee on Education and Military Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 475) recommending that S.B. No. 1250, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1250, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS," 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. 476) recommending that S.B. No. 572 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 572, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Chun Oakland, Baker and Menor, for the Committee on Human Services, 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. 477) recommending that S.B. No. 841, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 841, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE TAX CREDIT FOR EMPLOYERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Hee, for the Committee on Labor and the Committee on Higher Education, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 478) recommending that S.B. No. 1889 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1889, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIPS," 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. 479) recommending that S.B. No. 32, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 32, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE LAW," 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. 480) recommending that S.B. No. 55, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 55, S.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.

Senators Kanno and Sakamoto, for the Committee on Labor and the Committee on Education and Military Affairs, presented a joint report (Stand. Com. Rep. No. 481) recommending that S.B. No. 87, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 87, 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. 482) recommending that S.B. No. 473, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 473, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JOB TRAINING," 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. 483) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 425, 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. 484) recommending that S.B. No. 536 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 536, entitled: "A BILL FOR AN ACT RELATING TO LABOR DISPUTES," passed Second Reading

and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 485) recommending that S.B. No. 807 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 807, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," 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. 486) recommending that S.B. No. 809, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY 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. 487) recommending that S.B. No. 812, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 812, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW," 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. 488) recommending that S.B. No. 813, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," 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. 489) recommending that S.B. No. 817, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 817, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW," 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. 490) recommending that S.B. No. 916 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 916, 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 Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 491) recommending that S.B. No. 942, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 942, 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.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 492) recommending that S.B. No. 962, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 962, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 493) recommending that S.B. No. 898 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 898, 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 Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 494) recommending that S.B. No. 1352 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1352, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," 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 and Military Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 495) recommending that S.B. No. 1395, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION CIVIL SERVICE PERSONNEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Chun Oakland, for the Committee on Labor and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No.

496) recommending that S.B. No. 1773, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1773, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," 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. 497) recommending that S.B. No. 1784, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1784, 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 Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 498) recommending that S.B. No. 1808 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1808, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," 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 and Military Affairs, presented a joint report (Stand. Com. Rep. No. 499) recommending that S.B. No. 1824, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1824, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION," 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. 500) recommending that S.B. No. 1888 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1888, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD," 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. 501) recommending that S.B. No. 551, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 551, 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. 502) recommending that S.B. No. 552, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 FAMILY COURT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Kanno, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 503) recommending that S.B. No. 825, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 825, 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 Hanabusa and Kanno, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 504) recommending that S.B. No. 828, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 828, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS,” 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. 505) recommending that S.B. No. 995 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 995, entitled: “A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION TO REMOVE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES,” 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. 506) recommending that S.B. No. 965, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 965, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE,” 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. 507) recommending that S.B. No. 1689, as amended in S.D. 1,

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1689, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Kokubun, for the Committee on Higher Education and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 508) recommending that S.B. No. 1065, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1065, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND MARKET DEVELOPMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Fukunaga, for the Committee on Higher Education and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 509) recommending that S.B. No. 1506 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1506, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOBILE PRODUCTION FACILITIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 510) recommending that S.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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1064, S.D. 1, 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 Sakamoto and Menor, for the Committee on Education and Military Affairs and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 511) recommending that S.B. No. 639, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 639, 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 Hee, for the Committee on Education and Military Affairs and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 512) recommending that S.B. No. 1811 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1811, entitled: “A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM,” passed Second

Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Sakamoto and Hanabusa, for the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 513) recommending that S.B. No. 908, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 908, 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 Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 514) recommending that S.B. No. 860, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 860, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 515) recommending that S.B. No. 434, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 434, 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.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 516) recommending that S.B. No. 527, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 527, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF 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. 517) recommending that S.B. No. 132, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 518) recommending that S.B. No. 785, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Fukunaga and Kokubun, for the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 519) recommending that S.B. No. 821 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 821, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 520) recommending that S.B. No. 1304, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEVISION AND FILM INDUSTRY DEVELOPMENT," 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. 521) recommending that S.B. No. 1226, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEPATITIS," 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. 522) recommending that S.B. No. 535, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 535, S.D. 1, 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. 523) recommending that S.B. No. 738, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 738, 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. 524), recommending that S.B. No. 290, S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," 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. 525), recommending that S.B. No. 294, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 294, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," 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. 526) recommending that S.B. No. 1193, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 527), recommending that S.B. No. 332, S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 332, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 528) recommending that S.B. No. 625, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 625, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 529) recommending that S.B. No. 1593, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 530) 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 Hee, 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 AGRICULTURAL THEFT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 531) recommending that S.B. No. 989 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 989, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 532) recommending that S.B. No. 1835 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1835, 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.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 533) recommending that S.B. No. 1833 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1833, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Chun Oakland, for the Committee on Higher Education and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 534) recommending that S.B. No. 1774 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1774, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CULTURAL EDUCATION AND INTEGRATION, LANGUAGE, EMPLOYMENT, AND LEGAL SERVICES FOR IMMIGRANTS FROM THE FREELY ASSOCIATED STATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 535) recommending that S.B. No. 1244 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1244, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS," 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. 536) recommending that S.B. No. 939, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 939, 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.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 537) 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 538) recommending that S.B. No. 1136, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 539) recommending that S.B. No. 1591, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1591, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'ROADS IN LIMBO' PROGRAM IN HAWAII COUNTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 540) recommending that S.B. No. 609 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 609, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 541) recommending that S.B. No. 1892, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1892, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 542) recommending that S.B. No. 960 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 960, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Fukunaga, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 543) recommending that S.B. No. 769, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 769, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Fukunaga, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 544) recommending that S.B. No. 1170, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," 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 Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 545), recommending that S.B. No. 179, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 179, S.D. 2, entitled: "A BILL FOR AN ACT RELATING

TO HOUSING," 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. 546) recommending that S.B. No. 1336, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS," 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. 547) recommending that S.B. No. 665, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911," 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. 548) recommending that S.B. No. 748, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 748, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 549) recommending that S.B. No. 1010, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1010, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE 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. 550) recommending that S.B. No. 1133, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1133, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE 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. 551) recommending that S.B. No. 1223, as amended in S.D.

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1223, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," 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. 552) recommending that S.B. No. 1777, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1777, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSUMER EDUCATION REGARDING REAL ESTATE LAWS," 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. 553) recommending that S.B. No. 140, 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 Hee, 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 HEALTH INSURANCE," 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. 554) recommending that S.B. No. 126, 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 Hee, 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 HEALTH INSURANCE," 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. 555) recommending that S.B. No. 757, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," 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. 556) recommending that S.B. No. 1540, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1540, 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.

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. 557) recommending that S.B. No. 1209, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," 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. 558) recommending that S.B. No. 1236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

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. 559) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker, Chun Oakland and Menor, for the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 560) recommending that S.B. No. 1440, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1440, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," 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. 561) recommending that S.B. No. 1419, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," 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. 562) recommending that S.B. No. 1201, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 563) recommending that S.B. No. 1221, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 564) recommending that S.B. No. 1423 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1423, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PULELEHUA ELEMENTARY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 565) recommending that S.B. No. 541, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 541, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Hee, for the Committee on Human Services and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 566) recommending that S.B. No. 51 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO THE EDUCATION OF FOSTER 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. 567) 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 Hee, 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 MAKING AN APPROPRIATION FOR ADULT AND YOUTH DAY CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Hee, for the Committee on Human Services and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 568), recommending that S.B. No. 244, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 244, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," 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. 569) recommending that S.B. No. 803, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE OFFICE OF YOUTH SERVICES," 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. 570) recommending that S.B. No. 921, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 921, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD EDUCATION AND CARE PLAY-AND-LEARN MORNINGS AT EVERY NATIVE HAWAIIAN HOMESTEAD COMMUNITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 571) recommending that S.B. No. 1451, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and Hee, for the Committee on Water, Land, and Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 572) recommending that S.B. No. 1474, as amended in S.D. 1, pass

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAUNA KEA SCIENCE RESERVE AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Menor, for the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 573) recommending that S.B. No. 717 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero, English and Fukunaga, for the Committee on Business and Economic Development, the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 574) recommending that S.B. No. 1374, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1374, 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 Espero and Kokubun, for the Committee on Business and Economic Development and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 575) recommending that S.B. No. 1377, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1377, 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 Espero and Menor, for the Committee on Business and Economic Development and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 576) recommending that S.B. No. 1380, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1380, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero, Kokubun and Ige, for the Committee on Business and Economic Development, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 577) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1381, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Espero and Fukunaga, for the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 578) recommending that S.B. No. 1721, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1721, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET," 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. 579) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 786, 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. 580) recommending that S.B. No. 1473, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Agriculture.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed Second Reading and was referred to the Committee on Water, Land, and Agriculture.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 581) recommending that S.B. No. 791, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 791, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kokubun, for the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 582) recommending that S.B. No. 1457 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1457, entitled: "A BILL FOR AN ACT RELATING TO

NORTH KOHALA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Menor, for the Committee on Education and Military Affairs and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 583) recommending that S.B. No. 1254, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Inouye, for the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 584) recommending that S.B. No. 1660, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1660, 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 Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 585) recommending that S.B. No. 1816, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Fukunaga, for the Committee on Education and Military Affairs and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 586) recommending that S.B. No. 1505, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER RECYCLING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Menor, for the Committee on Education and Military Affairs and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 587) recommending that S.B. No. 1830, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1830, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and



was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 588) recommending that S.B. No. 1642, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1642, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and 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. 589) recommending that S.B. No. 940, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," 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. 590) recommending that S.B. No. 1335, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1335, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," 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. 591) recommending that S.B. No. 798, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 798, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 592) 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 666, 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.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand.

Com. Rep. No. 593) recommending that S.B. No. 1695, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1695, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 594) recommending that S.B. No. 1794 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1794, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY," 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. 595) recommending that S.B. No. 1841, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1841, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," 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. 596) recommending that S.B. No. 141, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," 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. 597) recommending that S.B. No. 702, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 598) recommending that S.B. No. 1869 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1869, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," 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. 599) recommending that S.B. No. 557, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 557, 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. 600) recommending that S.B. No. 708, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 708, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 846E," 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. 601) recommending that S.B. No. 1775, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL 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. 602) recommending that S.B. No. 491, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PHYSICAL ACTIVITY AND NUTRITION COALITION TASK FORCE," 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 of the majority of the Committees (Stand. Com. Rep. No. 603) recommending that S.B. No. 790, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 790, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS," 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. 604) recommending that S.B. No. 1620, as amended in S.D. 1, pass

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

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," 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. 605) recommending that S.B. No. 145 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 145, 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 Tuesday, February 22, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 606) recommending that S.B. No. 470, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEOXYRIBONUCLEIC ACID FOR THE DNA REGISTRY," 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. 607) recommending that S.B. No. 1420, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," 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. 608) recommending that S.B. No. 466, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," 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. 609) recommending that S.B. No. 1515 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was

adopted and S.B. No. 1515, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS FROM SPECIAL FUNDS FOR CENTRAL SERVICE EXPENSES," 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. 610) recommending that S.B. No. 743, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 743, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," 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. 611) recommending that S.B. No. 25, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 25, 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 majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 612) recommending that S.B. No. 41 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 41, 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. 613) recommending that S.B. No. 45, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," 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. 614) recommending that S.B. No. 1780, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1780, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," 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. 615) recommending

that S.B. No. 834, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 834, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was recommitted to the Committee on Ways and Means.

## ORDER OF THE DAY

### THIRD READING

#### MATTERS DEFERRED FROM THURSDAY, FEBRUARY 17, 2005

S.B. No. 73:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Menor, Trimble).

S.B. No. 988:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Menor, Trimble).

## HOUSE COMMUNICATIONS

#### MATTERS DEFERRED FROM THURSDAY, FEBRUARY 17, 2005

H.B. No. 155, H.D. 1 (Hse. Com. No. 9):

By unanimous consent, action on H.B. No. 155, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred until Tuesday, February 22, 2005.

H.B. No. 313 (Hse. Com. No. 10):

By unanimous consent, action on H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," was deferred until Tuesday, February 22, 2005.

H.B. No. 433, H.D. 1 (Hse. Com. No. 11):

By unanimous consent, action on H.B. No. 433, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," was deferred until Tuesday, February 22, 2005.

H.B. No. 437 (Hse. Com. No. 12):

By unanimous consent, action on H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," was deferred until Tuesday, February 22, 2005.

H.B. No. 494 (Hse. Com. No. 13):

By unanimous consent, action on H.B. No. 494, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred until Tuesday, February 22, 2005.

No. 1445 Committee on Ways and Means

No. 1463 Committee on Ways and Means

H.B. No. 496 (Hse. Com. No. 14):

Senator Hemmings rose on a point of personal privilege as follows:

By unanimous consent, action on H.B. No. 496, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," was deferred until Tuesday, February 22, 2005.

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

H.B. No. 502, H.D. 1 (Hse. Com. No. 15):

"It was said several centuries ago that all that was necessary for evil to triumph, or words to the effect that all that's necessary for evil to triumph was for good men and good women to do nothing. We have an opportunity individually and as a Body to do something because I really feel that we have something that should be addressed publicly and expeditiously – and that is that an ill-advised group at the University of Hawaii has invited, under the guise of academic freedom and freedom of speech, a very evil person to address the people of Hawaii and using the resources of the State of Hawaii to do so, and that is the person of Ward Churchill.

By unanimous consent, action on H.B. No. 502, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," was deferred until Tuesday, February 22, 2005.

H.B. No. 582, H.D. 1 (Hse. Com. No. 16):

"This man has called the innocent victims of the World Trade Center bombing and compared some of them to Nazis – these innocent people who lost their lives at the hands of very satanic religious extremists. This man, under the guise of freedom, is an academic fraud who is currently being investigated for gaining his job through affirmative action claiming to be an Indian. He is under investigation for literary fraud, for plagiarism in his work. He's been renounced as a cultural fraud claiming to be a Keetoowah Indian and his own tribe has disavowed him and also the American Council of Indians has clearly renounced him and disavowed him as an Indian.

By unanimous consent, action on H.B. No. 582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," was deferred until Tuesday, February 22, 2005.

H.B. No. 1221 (Hse. Com. No. 17):

"He is being currently investigated by the university for threatening the life of a fellow professor for disagreeing with him. This jeopardizes the reputation and the wisdom of the University of Hawaii and those who bring him here. It also jeopardizes financial support, as many institutions in the United States are being threatened with withdrawal of support from people who support institutions of higher learning.

By unanimous consent, action on H.B. No. 1221, 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 Tuesday, February 22, 2005.

H.B. No. 477, H.D. 1 (Hse. Com. No. 18):

"I would suggest and hope that we collectively as a Senate or individually as individuals could stand tall for academic freedom, for freedom of speech, but not for the fraud and deceit and dishonor that this man represents.

By unanimous consent, action on H.B. No. 477, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," was deferred until Tuesday, February 22, 2005.

"Thank you, Mr. President."

**RE-REFERRAL OF SENATE BILLS**

**ADJOURNMENT**

The Chair re-referred the following Senate bills that were introduced:

At 2:43 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 22, 2005.

Senate Bill	Referred to:
No. 450	Jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means
No. 534	Jointly to the Committee on Labor, the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs
No. 760	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
No. 1235	Jointly to the Committee on Health, the Committee on Human Services and the Committee on Ways and Means

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-SECOND DAY

Tuesday, February 22, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:51 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Faiivae A. Galeai, Senate Vice President of the American Samoa Legislature, after which the Roll was called showing all Senators present with the exception of Senators Espero, Fukunaga and Inouye who were excused.

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

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 366 to 368) were read by the Clerk and were placed on file:

Gov. Msg. No. 366, dated February 15, 2005, transmitting a Report Detailing the Programs and Functions that Would Need to be Placed Under the Control of Individual Schools to Enable Principals to Expend an Increased Percentage of the Appropriations for the Total Department of Education Budget, Excluding Debt Service and Capital Improvements Programs, prepared by the Department of Education pursuant to Act 221, Section 13, SLH 2004.

Gov. Msg. No. 367, dated February 14, 2005, transmitting the 2004 Annual Report of the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 368, dated February 8, 2005, transmitting a Report Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health, prepared by the Department of Health pursuant to Section 340E-33, HRS.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 42) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ENFORCE THE COLLECTION OF THE TRANSIENT ACCOMMODATIONS TAX ON UNREGISTERED VACATION RENTALS, AND REQUESTING THE COUNTIES TO ENFORCE THE ZONING LAWS AGAINST ILLEGAL OPERATIONS OF VACATION RENTALS."

Offered by: Senators Kim, Baker, Slom, Nishihara, English, Espero, Taniguchi, Chun Oakland, Hemmings, Hee, Ihara, Kokubun, Hogue.

## SENATE RESOLUTION

The following resolution (S.R. No. 21) was read by the Clerk and was deferred:

Senate Resolution

No. 21 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ENFORCE THE COLLECTION OF THE TRANSIENT ACCOMMODATIONS TAX ON UNREGISTERED VACATION RENTALS, AND REQUESTING THE COUNTIES TO ENFORCE THE ZONING LAWS AGAINST ILLEGAL OPERATIONS OF VACATION RENTALS."

Offered by: Senators Kim, Baker, Slom, Nishihara, English, Espero, Taniguchi, Chun Oakland, Hemmings, Hee, Ihara, Kokubun, Hogue.

## ORDER OF THE DAY

## THIRD READING

S.B. No. 612, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 612, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 615, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 620, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 621:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 621, 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 (Espero, Fukunaga, Inouye).

S.B. No. 929:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 929, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 616:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 619:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 619, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 698:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 680, S.D. 1:

On motion by Senator English, seconded by Senator Baker and carried, S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 127, S.D. 1:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, S.B. No. 127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Espero, Fukunaga, Inouye).

S.B. No. 1788, S.D. 1:

By unanimous consent, S.B. No. 1788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," was recommitted to the Committee on Higher Education.

S.B. No. 145:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 145, 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 (Espero, Fukunaga, Inouye).

**REFERRAL OF HOUSE BILLS**

**MATTERS DEFERRED FROM FRIDAY, FEBRUARY 18, 2005**

The President made the following committee assignments of House bills received on Thursday, February 17, 2005 and Friday, February 18, 2005:

House Bill	Referred to:
No. 81	Committee on Transportation and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 155, H.D. 1	Jointly to the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing
No. 313	Committee on Judiciary and Hawaiian Affairs
No. 433, H.D. 1	Committee on Judiciary and Hawaiian Affairs
No. 437	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 477, H.D. 1	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 494	Committee on Judiciary and Hawaiian Affairs
No. 496	Committee on Judiciary and Hawaiian Affairs
No. 502, H.D. 1	Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 582, H.D. 1	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
No. 1221	Committee on Judiciary and Hawaiian Affairs

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Friday, February 4, 2005; Tuesday, February 8, 2005; and Thursday, February 17, 2005:

Senate  
Concurrent  
Resolution

Referred to:

No. 37                    Committee on Education and Military  
Affairs, then to the Committee on Ways and Means

No. 38                    Jointly to the Committee on Judiciary and  
Hawaiian Affairs and the Committee on Commerce, Consumer  
Protection and Housing

No. 39                    Jointly to the Committee on Health and  
the Committee on Commerce, Consumer Protection and  
Housing, then to the Committee on Ways and Means

No. 40                    Jointly to the Committee on Tourism and  
the Committee on Business and Economic Development, 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. 1116                  Jointly to the Committee on  
Transportation and Government Operations, the Committee on  
Intergovernmental Affairs and the Committee on Ways and  
Means

No. 1756                  Committee on Ways and Means

**ADJOURNMENT**

At 12:15 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 23, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-THIRD DAY

## Wednesday, February 23, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Gordon Trimble, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senator Kim who was excused.

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

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 369 to 378) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 369, dated February 2, 2005, transmitting the Hawaii Environmental Report Card 2004, prepared by the Environmental Council, was placed on file.

Gov. Msg. No. 370, dated February 18, 2005, 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, was placed on file.

Gov. Msg. No. 371, dated February 15, 2005, transmitting the Department of Public Safety's Response to Act 200, Section 58, SLH 2003, as amended by Act 41, Section 35, SLH 2004, concerning expenditure for Federal Detention Center contracts for fiscal year ending June 30, 2004, was placed on file.

Gov. Msg. No. 372, dated February 15, 2005, transmitting the Department of Public Safety's Response to Act 200, Section 57, SLH 2003, as amended by Act 41, Section 34, SLH 2004, concerning expenditures for Mainland prison contracts for fiscal year ending June 30, 2004, was placed on file.

Gov. Msg. No. 373, dated February 15, 2005, transmitting the Department of Public Safety's Response to Act 200, Section 56, SLH 2003, as amended by Act 41, Section 33, SLH 2004, concerning expenditures for substance abuse treatment, mental health treatment, and job development programs for offenders, was placed on file.

Gov. Msg. No. 374, dated February 15, 2005, transmitting the Crime Victim Compensation Commission's Annual Report for Fiscal Year Ending June 30, 2005, was placed on file.

Gov. Msg. No. 375, dated February 15, 2005, transmitting the Department of Public Safety's Annual Report on the Status of the Federal Reimbursement Maximization Special Fund for Fiscal Year Ending June 30, 2004, pursuant to Section 353C-7, HRS, was placed on file.

Gov. Msg. No. 376, submitting for consideration and consent, the nomination of RANDAL K.O. LEE to the office of Judge, Twelfth 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 referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 377, submitting for consideration and consent, the nomination of KATHLEEN N.A. WATANABE to the office of Judge, Circuit Court of the Fifth Circuit, 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.

Gov. Msg. No. 378, letter dated February 18, 2005, transmitting proposed changes to the Appropriations Act, H.B. No. 100, was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 20 and 21) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 20, transmitting H.B. No. 501, H.D. 1, which passed Third Reading in the House of Representatives on February 22, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 501, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," passed First Reading by title and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 21, transmitting H.B. No. 1608, H.D. 1, which passed Third Reading in the House of Representatives on February 22, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1608, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 43 to 45) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 43 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO CONSIDER THE REGULATION OF NEUROMARKETING."

Offered by: Senator Chun Oakland.

No. 44 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS, AND CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PRESERVE THE AMOUNT OF MEDICAID COVERAGES AND AMOUNT OF BENEFITS."

Offered by: Senator Chun Oakland.

No. 45 "SENATE CONCURRENT RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF PACIFIC RESOURCES FOR EDUCATION AND LEARNING IN



HAWAII AND SUPPORTING ITS DESIGNATION AS AN 'EDUCATIONAL SERVICE AGENCY.'”

Offered by: Senators Chun Oakland, Sakamoto, Tsutsui, Ihara, Trimble, Slom, Kanno, Nishihara, Fukunaga, Kokubun, Espero, Taniguchi, English, Baker, Inouye, Hooser, Hemmings.

**SENATE RESOLUTION**

The following resolution (S.R. No. 22) was read by the Clerk and was deferred:

Senate Resolution

No. 22 “SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS, AND CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PRESERVE THE AMOUNT OF MEDICAID COVERAGES AND AMOUNT OF BENEFITS.”

Offered by: Senator Chun Oakland.

**STANDING COMMITTEE REPORTS**

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 616) recommending that S.B. No. 117 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 117, entitled: “A BILL FOR AN ACT RELATING TO HOUSING,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 3, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 617) recommending that S.B. No. 797, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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 HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 3, 2005.

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. 618) recommending that S.B. No. 760, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 760, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 3, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 619) recommending that S.B. No. 264, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 264, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COURTS,” passed Second Reading and was recommitted to the Committee on Judiciary and Hawaiian Affairs.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 620) recommending that S.B. No. 255, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 THE ATTORNEY GENERAL,” passed Second Reading and was recommitted to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 621) recommending that S.B. No. 956, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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 AGRICULTURAL INSPECTIONS,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 3, 2005.

**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. 255, S.D. 1	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 264, S.D. 1	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 944	Committee on Ways and Means
No. 945	Committee on Ways and Means
No. 946	Committee on Ways and Means
No. 1808	Committee on Ways and Means

**ADJOURNMENT**

At 11:59 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 3, 2005.

## TWENTY-FOURTH DAY

**Thursday, March 3, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Angela M. Flaherty, University of Hawaii Senior, 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 11:44 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. 379 to 384) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 379, dated February 15, 2005, transmitting the Annual Report on the Status of the Federal Reimbursement Maximization Special Fund for Fiscal Year 2004, prepared by the Department of Public Safety pursuant to Section 353C-7, HRS, was placed on file.

Gov. Msg. No. 380, dated February 15, 2005, transmitting a Report Concerning Expenditures for Mainland Prison Contracts for Fiscal Year Ending June 30, 2004, prepared by the Department of Public Safety pursuant to Act 200, Section 57, SLH 2003, as amended by Act 41, Section 34, SLH 2004, was placed on file.

Gov. Msg. No. 381, dated February 15, 2005, transmitting a Report Concerning Expenditures for Substance Abuse Treatment, Mental Health Treatment, and Job Development Programs for Offenders, prepared by the Department of Public Safety pursuant to Act 200, Section 56, SLH 2003, as amended by Act 41, Section 33, SLH 2004, was placed on file.

Gov. Msg. No. 382, letter dated February 23, 2005, notifying the Senate that she has approved the transfer of general funds from HTH 101, 460 and 610 to HTH 730 in the amount of \$882,000, as authorized by the Legislature for the Department of Health, was placed on file.

Gov. Msg. No. 383, letter dated February 23, 2005, notifying the Senate that she has approved the Department of Health's request to expend federal funds in excess of levels authorized by the Legislature in the increased amount of \$425,000 for a one-year discretionary grant, Supplemental Funds Competitive "State-Based Tobacco Cessation Quitlines," funded by the Centers for Disease Control and Prevention, was placed on file.

Gov. Msg. No. 384, advising the Senate of the withdrawal of the nominations of:

LONIA BURROUGHS to the State Council on Mental Health, under Gov. Msg. No. 213, dated January 28, 2005;

WAYNE SUNAHARA to the State Council on Mental Health, under Gov. Msg. No. 220, dated January 28, 2005; and

JOSEPH C. WAMPLER to the Molokai Irrigation System Water Users Advisory Board, under Gov. Msg. No. 224, dated January 28, 2005,

was placed on file.

In compliance with Gov. Msg. No. 384, the nominations listed under Gov. Msg. Nos. 213, 220 and 224 were returned.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 22 and 23) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 22, transmitting H.B. No. 79, which passed Third Reading in the House of Representatives on February 23, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 79, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," passed First Reading by title and was deferred.

Hse. Com. No. 23, transmitting H.B. No. 624, which passed Third Reading in the House of Representatives on February 23, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 624, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 46 to 62) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 46 "SENATE CONCURRENT RESOLUTION RECOGNIZING THE FLAG OF THE FORMER REPUBLIC OF VIETNAM AS A HERITAGE AND FREEDOM FLAG OF THE VIETNAMESE-AMERICAN COMMUNITY OF THE STATE OF HAWAII."

Offered by: Senator Fukunaga.

No. 47 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON HOW PUBLIC SCHOOL ENROLLMENT PROJECTIONS ARE DETERMINED."

Offered by: Senators Menor, Bunda.

No. 48 "SENATE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA."

Offered by: Senators Menor, Bunda.

No. 49 "SENATE CONCURRENT RESOLUTION REQUESTING A TASK FORCE ON ENFORCEMENT OF THE ELECTRICIAN AND PLUMBER LICENSING LAWS."

Offered by: Senators Menor, Baker, Chun Oakland, Espero, English, Ige, Kanno, Trimble, Hanabusa, Fukunaga, Inouye, Kokubun, Ihara, Nishihara, Sakamoto, Taniguchi.

No. 50 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF METHODOLOGIES USED FOR CONTROLLING NON-NATIVE GAME ANIMALS IN HAWAII'S FOREST AREAS."

Offered by: Senator Kokubun.

No. 51 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND ANALYSIS OF THE ISSUES SURROUNDING THE SHORELINE CERTIFICATION PROCESS FOR THE PURPOSE OF ESTABLISHING SHORELINE SETBACKS."

Offered by: Senator Kokubun.

No. 52 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE OFFICE OF ELECTIONS THAT FOCUSES ON THE OPERATION AND PERFORMANCE OF THE ELECTIONS OF 2004."

Offered by: Senator Kokubun.

No. 53 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT AND THE DEPARTMENT OF EDUCATION TO CONDUCT A PROGRAM AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM."

Offered by: Senators Sakamoto, Chun Oakland, Hooser, Taniguchi.

No. 54 "SENATE CONCURRENT RESOLUTION RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE."

Offered by: Senators Baker, Chun Oakland.

No. 55 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE ADVISABILITY OF CONVENING A CONSTITUTIONAL CONVENTION IN 2007."

Offered by: Senator Inouye.

No. 56 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE DISTANCE LEARNING EDUCATIONAL SERVICES."

Offered by: Senator Sakamoto.

No. 57 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH SOBRIETY SCHOOLS, ALTERNATIVE SCHOOLS, OR DROPOUT CENTERS FOR ADOLESCENTS WHO SUFFER FROM SUBSTANCE ABUSE."

Offered by: Senator Sakamoto.

No. 58 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ONE CHANCELLOR FOR ALL OF THE UNIVERSITY OF HAWAII'S COMMUNITY COLLEGES INSTEAD OF THE CURRENT SYSTEM OF ONE CHANCELLOR FOR EACH COMMUNITY COLLEGE."

Offered by: Senator Sakamoto.

No. 59 "SENATE CONCURRENT RESOLUTION URGING MEDICAID TO DEVELOP MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE."

Offered by: Senators Baker, Chun Oakland, Fukunaga.

No. 60 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY LAWS THAT FACILITATE OR DETRACT FROM EFFECTIVE WORK-FAMILY POLICY."

Offered by: Senators Sakamoto, Nishihara, Kim, Baker, Chun Oakland.

No. 61 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNCILS OF THE CITY AND COUNTY OF HONOLULU, AND THE COUNTIES OF MAUI, KAUAI, AND HAWAII TO STUDY AND IMPLEMENT A TRAINING REIMBURSEMENT PROGRAM FOR POLICE OFFICERS AND FIREFIGHTERS WHO TERMINATE EMPLOYMENT WITH THE COUNTY."

Offered by: Senators Sakamoto, Espero, Fukunaga, Ige, Hanabusa.

No. 62 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT AND DEVELOP PARTNERSHIPS WITH COMMUNITY-ORIENTED AGENCIES, ORGANIZATIONS, AND STUDENTS OF THE ISLAND OF HAWAII TO PROMOTE ACTIVITIES THAT ENCOURAGE POSITIVE YOUTH OUTCOMES."

Offered by: Senator Inouye.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 23 to 29) were read by the Clerk and were deferred:

Senate Resolution

No. 23 "SENATE RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA."

Offered by: Senators Menor, Bunda.

No. 24 "SENATE RESOLUTION REQUESTING A TASK FORCE ON ENFORCEMENT OF THE ELECTRICIAN AND PLUMBER LICENSING LAWS."

Offered by: Senators Menor, Baker, Chun Oakland, Espero, English, Ige, Kanno, Trimble, Hanabusa, Fukunaga, Inouye, Kokubun, Ihara, Nishihara, Sakamoto, Taniguchi.

No. 25 "SENATE RESOLUTION COMMEMORATING THE CENTENNIAL OF MAUI COUNTY."

Offered by: Senators Tsutsui, Baker, English.

No. 26 "SENATE RESOLUTION REQUESTING A REVIEW OF METHODOLOGIES USED FOR CONTROLLING NON-NATIVE GAME ANIMALS IN HAWAII'S FOREST AREAS."

Offered by: Senator Kokubun.

No. 27 "SENATE RESOLUTION REQUESTING A REVIEW AND ANALYSIS OF THE ISSUES SURROUNDING THE SHORELINE CERTIFICATION PROCESS FOR THE PURPOSE OF ESTABLISHING SHORELINE SETBACKS."

Offered by: Senator Kokubun.

No. 28 "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT AND THE DEPARTMENT OF EDUCATION TO CONDUCT A PROGRAM AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM."

Offered by: Senators Sakamoto, Chun Oakland, Hooser, Taniguchi.

No. 29 "SENATE RESOLUTION URGING MEDICAID TO DEVELOP MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE."

Offered by: Senators Baker, Chun Oakland, Fukunaga.

#### STANDING COMMITTEE REPORTS

Senators Ige and Kokubun, for the Committee on Intergovernmental Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 622) recommending that S.B. No. 1586 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1586, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COUNTY BOARD OF WATER SUPPLY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 623) recommending that S.B. No. 438 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 624) recommending that S.B. No. 439 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 439, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 625) recommending that S.B. No. 440, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 440, 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 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 626) recommending that S.B. No. 595, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 627) recommending that S.B. No. 600 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 600, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 628) recommending that S.B. No. 695 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 695, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 629) recommending that S.B. No. 532 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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 METROPOLITAN PLANNING ORGANIZATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 630), recommending that S.C.R. No. 25 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENSURE THAT ALL NEW STATE PUBLIC BUILDINGS ERRECTED IN AREAS NOT SERVED BY A PUBLIC SHELTER INCLUDE A PORTION OF THE BUILDING DESIGNATED TO SERVE AS A

PUBLIC SHELTER,” 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. 631) recommending that S.B. No. 107 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 107, entitled: “A BILL FOR AN ACT RELATING TO TIME SHARING,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 632) recommending that S.B. No. 1798 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1798, 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 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 633) recommending that S.B. No. 436 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 436, entitled: “A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 634) recommending that S.B. No. 437 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 437, entitled: “A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 635) recommending that S.B. No. 603 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 603, entitled: “A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 636) recommending that S.B. No. 607, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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

THEFT,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 637) recommending that S.B. No. 681 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 681, entitled: “A BILL FOR AN ACT RELATING TO THE DEFINITION OF SEXUAL CONDUCT,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 638) recommending that S.B. No. 700, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 700, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 639) recommending that the Senate advise and consent to the nominations to the Environmental Council of the following:

DENISE E. ANTOLINI, in accordance with Gov. Msg. No. 169;

ROBERT A. KING, in accordance with Gov. Msg. No. 170;

EILEEN O’HORA-WEIR, in accordance with Gov. Msg. No. 171; and

ORLAN L. PETERSON JR., in accordance with Gov. Msg. No. 172.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 639 and Gov. Msg. Nos. 169, 170, 171 and 172 was deferred until Friday, March 4, 2005.

Senators Baker, Chun Oakland and Taniguchi, for the Committee on Health, the Committee on Human Services and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 640) recommending that S.B. No. 1235 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1235, entitled: “A BILL FOR AN ACT RELATING TO ELDERLY CARE,” passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 641) recommending that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

DEBRA T. FARMER, in accordance with Gov. Msg. No. 256;

GERALDINE M. FERGE, in accordance with Gov. Msg. No. 257;

LARRY GELLER, in accordance with Gov. Msg. No. 258;

PRISCILLA B. HAVRE M.ED. CRC, in accordance with Gov. Msg. No. 259;

KATIE KEIM, in accordance with Gov. Msg. No. 260;

GAIL LERCH, in accordance with Gov. Msg. No. 261;

JULIE K. SMITH, in accordance with Gov. Msg. No. 262; and

VIRGINIA G. TOMPKINS, in accordance with Gov. Msg. No. 264.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 641 and Gov. Msg. Nos. 256, 257, 258, 259, 260, 261, 262 and 264 was deferred until Friday, March 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 642) recommending that S.B. No. 122, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 642 and S.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT SAFETY," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 643) recommending that S.B. No. 536 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 643 and S.B. No. 536, entitled: "A BILL FOR AN ACT RELATING TO LABOR DISPUTES," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 644) recommending that S.B. No. 925, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 644 and S.B. No. 925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 645) recommending that S.B. No. 1170, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 645 and S.B. No. 1170, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 646) recommending that S.B. No. 1512, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 646 and S.B. No. 1512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE FATALITY REVIEW," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 647) recommending that S.B. No. 1742 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1742, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION RELATING TO THE JUDICIAL SELECTION COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 648) recommending that S.B. No. 1884, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 648 and S.B. No. 1884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO SHORELINES," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 649) recommending that S.B. No. 111, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 111, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 650) recommending that S.B. No. 119, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTINUING EDUCATION OF DESIGN PROFESSIONALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 651) recommending that S.B. No. 625, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 651 and S.B. No. 625, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 652) recommending that S.B. No. 753 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 753, entitled: "A BILL FOR AN ACT RELATING TO POOLED INSURANCE," passed Second Reading and was

placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 653) recommending that S.B. No. 754, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 754, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 654) recommending that S.B. No. 766, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 654 and S.B. No. 766, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS LICENSURE RESTORATION," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 655) recommending that S.B. No. 768, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 768, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 656) recommending that S.B. No. 1802, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1802, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 657) recommending that S.B. No. 711, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 657 and S.B. No. 711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 658) recommending that S.B. No. 118, 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. 118, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 659) recommending that S.B. No. 1285, 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. 1285, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 660) recommending that S.B. No. 953, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 660 and S.B. No. 953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY DISCLOSURES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 661) recommending that S.B. No. 101 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 101, 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, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 662) recommending that S.B. No. 842, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 842, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 663) 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 Hee, 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 INCOME TAX WITHHOLDING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 664) recommending that S.B. No. 460 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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 TAX REFUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 665) recommending that S.B. No. 102 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 102, 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 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 666) recommending that S.B. No. 1673, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1673, 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, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 667) recommending that S.B. No. 736, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 668) recommending that S.B. No. 944, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 669) recommending that S.B. No. 945, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 945, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

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. 670) recommending that S.B. No. 1141, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1141, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO TIME SHARE PLANS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 671) recommending that S.B. No. 108, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 108, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 672) recommending that S.B. No. 756, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 756, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 673) recommending that S.B. No. 1140, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, 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 FINANCIAL SERVICE LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 674) recommending that S.B. No. 761, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 674 and S.B. No. 761, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 675) recommending that S.B. No. 1230, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 675 and S.B. No. 1230, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," was deferred until Tuesday, March 8, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 676) recommending that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

CECILIA K. AKIM, in accordance with Gov. Msg. No. 198;



PONI ELLIOT KAMAUU, in accordance with Gov. Msg. No. 199; and

CASINA K. WATERMAN, in accordance with Gov. Msg. No. 200.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 676 and Gov. Msg. Nos. 198, 199 and 200 was deferred until Friday, March 4, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 677) recommending that the Senate advise and consent to the nomination of RICHARD HENDERSON to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority, in accordance with Gov. Msg. No. 229.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 677 and Gov. Msg. No. 229 was deferred until Friday, March 4, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 678) recommending that the Senate advise and consent to the nomination of EDWARD H. W. YOUNG to the Board of Directors of the Hawaii Strategic Development Corporation, in accordance with Gov. Msg. No. 273.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 678 and Gov. Msg. No. 273 was deferred until Friday, March 4, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 679) recommending that the Senate advise and consent to the nominations to the Hawaii Historic Places Review Board of the following:

DAWN DUENSING, in accordance with Gov. Msg. No. 190;

VICTORIA N. KNEUBUHL, in accordance with Gov. Msg. No. 191;

MICHIKO KODAMA-NISHIMOTO, in accordance with Gov. Msg. No. 192; and

PETER R. MILLS, in accordance with Gov. Msg. No. 193.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 679 and Gov. Msg. Nos. 190, 191, 192 and 193 was deferred until Friday, March 4, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 680) recommending that the Senate advise and consent to the nomination of GEORJA SKINNER to the State Foundation on Culture and the Arts Commission, in accordance with Gov. Msg. No. 146.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 680 and Gov. Msg. No. 146 was deferred until Friday, March 4, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 681) recommending that the Senate advise and consent to the nominations to the Statewide Council on Independent Living of the following:

WAYNETTE K. Y. CABRAL, in accordance with Gov. Msg. No. 196; and

PINA LEMUSU, in accordance with Gov. Msg. No. 197.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 681 and Gov. Msg. Nos. 196 and 197 was deferred until Friday, March 4, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 682), recommending that S.C.R. No. 24 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 683) recommending that S.C.R. No. 20 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 683 and S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH," was deferred until Friday, March 4, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 684) recommending that S.C.R. No. 7 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 684 and S.C.R. No. 7, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE STRATEGIC PLAN TO PROMOTE OBESITY PREVENTION AND HEALTHY LIFESTYLES," was deferred until Friday, March 4, 2005.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 117:

By unanimous consent, action on S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Friday, March 4, 2005.

S.B. No. 797, S.D. 1:

By unanimous consent, action on S.B. No. 797, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Friday, March 4, 2005.

S.B. No. 760, S.D. 1:

By unanimous consent, action on S.B. No. 760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Friday, March 4, 2005.

S.B. No. 956, S.D. 1:

By unanimous consent, action on S.B. No. 956, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," was deferred until Friday, March 4, 2005.

#### RE-REFERRAL OF SENATE BILL

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

Senate Bill                      Referred to:

No. 123                              Committee on Health, then jointly to the  
Committee on Transportation and Government Operations and  
the Committee on Ways and Means

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. Nos. 779 and 780.

Senator Hanabusa noted:

"Mr. President, S.B. No. 779 allows the DHHL to enter into business relationships with private companies, and S.B. No. 780 allows homestead lessees to designate a sibling to succeed to the leasehold interest."

The Chair then granted the waiver.

At 11:52 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.

#### ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 4, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-FIFTH DAY

## Friday, March 4, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Paul Whalen, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senators Hee, Ihara and Sakamoto who were excused.

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:38 o'clock a.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 385, dated February 11, 2005, transmitting a Report on Dividing the Hawaii State Department of Public Safety into the Department of Corrections and the Department of Law Enforcement, prepared by the Department of Public Safety pursuant to Act 83, SLH 2003, was read by the Clerk and was placed on file.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 33, from the State Auditor dated March 2, 2005, transmitting its 2004 Annual Report, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 24 to 81) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 24, transmitting H.B. No. 31, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 31, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed First Reading by title and was deferred.

Hse. Com. No. 25, transmitting H.B. No. 32, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 32, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," passed First Reading by title and was deferred.

Hse. Com. No. 26, transmitting H.B. No. 78, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," passed First Reading by title and was deferred.

Hse. Com. No. 27, transmitting H.B. No. 88, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 88, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CELLULAR PHONES," passed First Reading by title and was deferred.

Hse. Com. No. 28, transmitting H.B. No. 115, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 115, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed First Reading by title and was deferred.

Hse. Com. No. 29, transmitting H.B. No. 119, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 119, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 30, transmitting H.B. No. 222, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 222, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM," passed First Reading by title and was deferred.

Hse. Com. No. 31, transmitting H.B. No. 250, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 250, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 32, transmitting H.B. No. 251, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 251, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 33, transmitting H.B. No. 252, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 252, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 34, transmitting H.B. No. 253, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 253, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 35, transmitting H.B. No. 254, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 254, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 36, transmitting H.B. No. 255, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 255, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 37, transmitting H.B. No. 256, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 256, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 38, transmitting H.B. No. 257, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 257, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 39, transmitting H.B. No. 258, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 258, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 40, transmitting H.B. No. 259, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 259, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 41, transmitting H.B. No. 260, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 260, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 42, transmitting H.B. No. 261, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 261, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 43, transmitting H.B. No. 262, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 262, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 44, transmitting H.B. No. 263, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 263, 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. 45, transmitting H.B. No. 291, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 291, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEE ON PESTICIDES," passed First Reading by title and was deferred.

Hse. Com. No. 46, transmitting H.B. No. 320, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 320, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 47, transmitting H.B. No. 325, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed First Reading by title and was deferred.

Hse. Com. No. 48, transmitting H.B. No. 328, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 328, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA," passed First Reading by title and was deferred.

Hse. Com. No. 49, transmitting H.B. No. 332, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 332, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS," passed First Reading by title and was deferred.

Hse. Com. No. 50, transmitting H.B. No. 410, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 410, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading by title and was deferred.

Hse. Com. No. 51, transmitting H.B. No. 438, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 438, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed First Reading by title and was deferred.

Hse. Com. No. 52, transmitting H.B. No. 441, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 441, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING AND CREDENTIALING STANDARDS," passed First Reading by title and was deferred.

Hse. Com. No. 53, transmitting H.B. No. 461, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 461, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION HEARINGS," passed First Reading by title and was deferred.

Hse. Com. No. 54, transmitting H.B. No. 491, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 491, entitled: "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK," passed First Reading by title and was deferred.

Hse. Com. No. 55, transmitting H.B. No. 588, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 588, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS," passed First Reading by title and was deferred.

Hse. Com. No. 56, transmitting H.B. No. 632, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 57, transmitting H.B. No. 792, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 792, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," passed First Reading by title and was deferred.

Hse. Com. No. 58, transmitting H.B. No. 841, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 841, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 59, transmitting H.B. No. 844, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 844, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 60, transmitting H.B. No. 864, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 864, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading by title and was deferred.

Hse. Com. No. 61, transmitting H.B. No. 894, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 894, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 62, transmitting H.B. No. 906, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 906, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed First Reading by title and was deferred.

Hse. Com. No. 63, transmitting H.B. No. 1076, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1076, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY

AND SECURITY IMPROVEMENTS FOR UNIVERSITY OF HAWAII CAMPUSES," passed First Reading by title and was deferred.

Hse. Com. No. 64, transmitting H.B. No. 1280, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1280, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," passed First Reading by title and was deferred.

Hse. Com. No. 65, transmitting H.B. No. 1293, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1293, 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 THE SALT LAKE WATERWAY," passed First Reading by title and was deferred.

Hse. Com. No. 66, transmitting H.B. No. 1305, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1305, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," passed First Reading by title and was deferred.

Hse. Com. No. 67, transmitting H.B. No. 1306, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1306, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed First Reading by title and was deferred.

Hse. Com. No. 68, transmitting H.B. No. 1433, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1433, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 69, transmitting H.B. No. 1453, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed First Reading by title and was deferred.

Hse. Com. No. 70, transmitting H.B. No. 1472, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1472, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed First Reading by title and was deferred.

Hse. Com. No. 71, transmitting H.B. No. 1594, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1594, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 72, transmitting H.B. No. 1595, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1595, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 73, transmitting H.B. No. 1596, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1596, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 74, transmitting H.B. No. 1597, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1597, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 75, transmitting H.B. No. 1598, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1598, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 76, transmitting H.B. No. 1599, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1599, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 77, transmitting H.B. No. 1688, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1688, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," passed First Reading by title and was deferred.

Hse. Com. No. 78, transmitting H.B. No. 1712, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1712, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 79, transmitting H.B. No. 1728, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1728, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 80, transmitting H.B. No. 1749, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1749, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," passed First Reading by title and was deferred.

Hse. Com. No. 81, transmitting H.B. No. 1758, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2005, was placed on file.

On motion by Senator Baker, seconded by Senator Hogue and carried, H.B. No. 1758, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," passed First Reading by title and was deferred.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 63 and 64) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 63 "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF MAY AS MENTAL HEALTH AWARENESS MONTH."

Offered by: Senators Baker, Chun Oakland, Hooser, Tsutsui, Fukunaga, English.

Referred to: Jointly to the Committee on Health and the Committee on Human Services

No. 64 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGAL SERVICES CORPORATION TO REMOVE THE RESTRICTIONS ON ACCESS TO PUBLIC LEGAL SERVICES FOR CITIZENS OF THE FREELY ASSOCIATED STATES RESIDING IN THE STATE OF HAWAII AND OTHER AFFECTED JURISDICTIONS AND REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR THE INCLUSION OF THE PROVISION OF LEGAL SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES RESIDING IN THE STATE OF HAWAII AND OTHER AFFECTED JURISDICTIONS UNDER THE COMPACT OF FREE ASSOCIATION, AND ANY SUBSEQUENTLY RENEGOTIATED COMPACT."

Offered by: Senators Kanno, English.

Referred to: Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs

**STANDING COMMITTEE REPORTS**

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. 1749, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1749, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 686) recommending that S.B. No. 1870, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

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. 1745, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELIEF FOR MANOA FLOOD VICTIMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

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. 631, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senators Fukunaga and Menor, for the Committee on Media, Arts, Science and Technology and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 689) recommending that S.B. No. 978 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 978, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 690) recommending that S.B. No. 1348, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1348, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 691) recommending that S.B. No. 80 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 691 and S.B. No. 80, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, March 8, 2005.

Senators Inouye and Taniguchi, for the Committee on Transportation and Government Operations and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 692) recommending that S.B. No. 668, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 692 and S.B. No. 668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 693) recommending that S.B. No. 121 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 693 and S.B. No. 121, entitled: "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 694) recommending that S.B. No. 743, 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. 743, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 695) recommending that S.B. No. 1135 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 695 and S.B. No. 1135, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 696) recommending that S.B. No. 1256 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 696 and S.B. No. 1256, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT

PROCESS FOR THE BOARD OF REGENTS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 697) recommending that S.B. No. 1257, 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. 1257, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 698) recommending that S.B. No. 40, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 698 and S.B. No. 40, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 699) recommending that S.B. No. 45, 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. 45, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 700) recommending that S.B. No. 675 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 700 and S.B. No. 675, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 701) recommending that S.B. No. 826 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 701 and S.B. No. 826, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 702) recommending that S.B. No. 1210 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 702 and S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 703) recommending that S.B. No. 1298 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 703 and S.B. No. 1298, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No.



704) recommending that S.B. No. 1476, 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. 1476, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 705) recommending that S.B. No. 1548, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705 and S.B. No. 1548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 706) recommending that S.B. No. 427, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 706 and S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 707) recommending that S.B. No. 428, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 707 and S.B. No. 428, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 708) recommending that S.B. No. 706, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 708 and S.B. No. 706, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 709) recommending that S.B. No. 1588, 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. 1588, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 710) recommending that S.B. No. 1410, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1410, 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 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 711) recommending that S.B. No. 1748, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1748, 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 8, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 712) recommending that S.B. No. 15, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senators Kokubun and Menor, for the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 713) recommending that S.B. No. 1015, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 1015, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 714) recommending that S.B. No. 1301, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 714 and S.B. No. 1301, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," was deferred until Tuesday, March 8, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 715) recommending that S.B. No. 1473, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715 and S.B. No. 1473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 716) recommending that S.B. No. 1349, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1349, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 717) recommending that S.B. No. 693, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 693, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 718) recommending that S.B. No. 74, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 718 and S.B. No. 74, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 719) recommending that S.B. No. 76, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 719 and S.B. No. 76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 720) recommending that S.B. No. 1624, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 720 and S.B. No. 1624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 721) recommending that S.B. No. 829, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, 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 RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 722) recommending that S.B. No. 1362, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, 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 ABANDONED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 723) recommending that S.B. No. 602, 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. 602, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 724) recommending that S.B. No. 971, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 724 and S.B. No. 971, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 725) recommending that S.B. No. 962, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 725 and S.B. No. 962, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 726) recommending that S.B. No. 535, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 726 and S.B. No. 535, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 727) recommending that S.B. No. 744, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 727 and S.B. No. 744, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 728) recommending that S.B. No. 781, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 728 and S.B. No. 781, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 729) recommending that S.B. No. 1893 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 729 and S.B. No. 1893, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred until Tuesday, March 8, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 730)

recommending that S.B. No. 691 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senators Chun Oakland and Sakamoto, for the Committee on Human Services and the Committee on Education and Military Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 731) recommending that S.B. No. 1018, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 732) recommending that S.B. No. 97, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 97, S.D. 1, 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 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 733) recommending that S.B. No. 1415, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1415, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 734) recommending that S.B. No. 1740, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1740, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE INCOME TAX BRACKETS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 735) recommending that S.B. No. 1756, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1756, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 736) recommending that S.B. No. 60, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 60, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 737) recommending that S.B. No. 120, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 120, 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 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 738) recommending that S.B. No. 1137, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 739) recommending that S.B. No. 77, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 739 and S.B. No. 77, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 740) recommending that S.B. No. 779, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, 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 HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 741) recommending that S.B. No. 780, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 780, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 8, 2005.

Senators Hanabusa and Taniguchi, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 742) recommending that S.B. No. 255, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 742 and S.B. No. 255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL," was deferred until Tuesday, March 8, 2005.

Senators Hanabusa and Taniguchi, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 743) recommending that S.B. No. 264, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 743 and S.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS," was deferred until Tuesday, March 8, 2005.

Senators Hanabusa and Taniguchi, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 744) recommending that S.B. No. 1547, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 744 and S.B. No. 1547, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was deferred until Tuesday, March 8, 2005.

## ORDER OF THE DAY

### THIRD READING

#### MATTERS DEFERRED FROM THURSDAY, MARCH 3, 2005

S.B. No. 117:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hee, Ihara, Sakamoto).

S.B. No. 797, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 797, 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, 22. Noes, none. Excused, 3 (Hee, Ihara, Sakamoto).

S.B. No. 760, S.D. 1:

Senator Menor moved that S.B. No. 760, S.D. 1, having been read throughout, passed Third Reading, seconded by Senator Baker.

Senator Menor rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of S.B. No. 70, S.D. 1.

"Mr. President, I drafted the measure before you to impose a health insurance rate freeze on health insurers that maintain reserves in excess of 30 percent of their annual expenses. This freeze on rates would remain in effect until they have spent down their reserves to an amount that represents 30 percent of annual expenses.

"Mr. President, both the insurance commissioner and I agree that legislative action is needed to reduce the reserves of health insurers which exceed the 30 percent threshold to more reasonable levels. The insurance division has undertaken an actuarial analysis and concluded that a reserve level of 30 percent of expenses is, quote, 'sufficient to protect the insured against insolvency,' unquote.

"In his testimony, the insurance commissioner noted that the insurance division during its history has not seen net losses or claims anywhere near 30 percent of expenses. For example, an analysis of underwriting losses suffered by HMSA, Kaiser, HMAA and University Health Alliance from 1993-2003 showed that they averaged less than 3.6 percent of expenses and have never risen above 9.5 percent. According to testimony received by your Consumer Protection Committee and Health Committee, even 30 percent is far in excess of what is needed and much more than the maximum considered necessary in other states.

"In fact, according to a recent news report, the reserves of our state's largest health insurer, HMSA, have grown from \$516 million at the end of the third quarter of last year to \$541 million by the end of the fourth quarter. It should also be emphasized that our largest health insurer is only one of two health insurers in the state that is above the 30 percent reserve level. By contrast, Kaiser, by all accounts a well-managed company, has a total reserve level of about 15 percent of annual expenses during that same period.

"Now, while the insurance commissioner and I agree that this problem in the health insurance market needs to be addressed, we differ on the best solution. The approach proposed by the insurance commissioner and the administration was contained in the original version of this bill, which would have required a health insurer, like HMSA, that exceeds the 30 percent threshold level to give rebates to its subscribers in order to reduce its reserves to 30 percent of annual expenses.

"I believe that the approach that's taken in the Senate draft that's before you is a better approach than the administration proposal for several reasons. First of all, the insurance commissioner's proposal would require additional administrative expenses by the health insurer to implement the rebate program, as well as new costs to the state to be able to monitor that rebate program. Moreover, the administration's approach was unveiled at a time when it would have resulted only in giving each subscriber of health insurance an inconsequential rebate of about \$100 per subscriber.

"On the other hand, S.B. No. 760, S.D. 1, would deliver relief where it is badly needed – to businesses, especially small businesses that are being crushed by the drastic rise in health insurance premiums. The Senate draft would offer substantial and immediate relief to small businesses struggling to cope with rising health insurance costs.

“As you know, our largest health insurer recently announced it will be seeking a 4.9 percent rate increase for small businesses. The insurance division has estimated that if this rate increase request is approved, Hawaii’s small businesses would have to pay an additional \$20 million in health insurance costs. Because this bill would prevent all rate increases, including HMSA’s proposed 4.9 percent rate increase until it spends down its reserves, the passage of the Senate bill could save small businesses up to \$20 million in the near term, and in the long term these businesses could experience even greater savings.

“For example, HMSA’s reserves are more than \$68 million above the proposed 30 percent threshold. If this Senate bill is passed, the state’s largest health insurer would have to spend down this excess amount before it can submit a rate increase request to the insurance division. The enactment of this bill could therefore spare Hawaii’s businesses millions of additional dollars over a period of time.

“There’s also a question of fairness. At a time when it is sitting on \$541 million in reserves, I believe that it is unconscionable that our largest health insurer is requesting a \$20 million rate increase, an amount the insurer clearly doesn’t need to avoid insolvency or pay catastrophic claims. This unacceptable and ill-timed decision by the health insurer, in my mind, justifies this bill moving forward.

“In addition, the proposed rate fees would not only help Hawaii’s small businesses but would also help their employees by holding down their contributions. Equally important, the rate fees will contribute to our state’s economic wellbeing and a healthier business climate by allowing businesses to put their earnings to better use by purchasing goods and services, making capital investments, or hiring more employees.

“Now, despite the obvious benefits of this measure, the insurance commissioner has raised several objections, and I’d like to briefly respond to these if I might because I believe that they’re without merit. First of all, the insurance commissioner says that requiring HMSA to hold down its rates would create an unlevel playing field with respect to our largest health insurer and other players in the health insurance market. I disagree, and here’s why – after years of allowing our state’s largest health insurer to charge the subscribers high rates, our health insurance market has become even less competitive as our largest health insurer has grown to the point where it now controls about 70 percent of the market. Contrary to the insurance commissioner’s assertions, I contend that the enactment of the Senate draft will in fact contribute to a more level playing field by ensuring greater parity in the level of reserves that health insurers can retain. This would enable all players in the health insurance market to compete on a more equitable financial footing.

“In fact, others in the industry agree on that position. For example, I recently receive a letter from a representative of another health insurance provider which is one of the few companies that is providing any competition in this health insurance market. In the letter they indicated that without a huge advantage in reserves, the largest health insurer won’t be able to utilize their reserve to engage in predatory pricing to drive out any competition that threatens their profitability. This industry professional noted that HMSA has used these excessive reserves to bully competition out of the marketplace. I’ll read one paragraph from the letter. It says, ‘We applaud you and the Committee for this bold and akamai approach. S.B. No. 760, S.D. 1, not only gives small business the kind of relief that it needs, it also ensures a competitive and level playing field Hawaii’s healthcare industry.’ So in that regard I think

that this letter demonstrates that our bill would foster competition and not stifle it.

“The insurance commissioner has also stated his opposition to the bill by citing several cases in which rate freezes were challenged in court on the mainland. However, I would note that all of these cases cited referred to for-profit companies who were challenging the rate freezes or rate regulations on the basis that it amounted to a government taking of profits under the Fifth Amendment. Of course in this case, when we’re talking about our state’s largest health insurer, we’re talking about an entity that is a nonprofit mutual benefit society with a tax-exempt status, so these cases clearly don’t apply.

“Finally, I’d like to emphasize that I think that this bill is necessary because, in my mind, I don’t think that the insurance division has been doing its job in holding the line on rates. Although during the insurance commissioner’s tenure our largest health insurer has maintained reserves which the commissioner has described as, quote, ‘excessively large,’ he has approved several rate hikes. Frankly, this rate fee should have been implemented much sooner by the insurance division on its own volition without the Legislature having to force the issue.

“For all of these reasons, I urge my colleagues to vote in favor of S.B. No. 760, S.D. 1.”

Senator Slom rose to speak in opposition as follows:

“Mr. President, I rise in opposition to this bill.

“You know, for many years before I became a part of the Legislature, I came before the Legislature begging for relief for small businesses for premiums which we pay in an inordinately high amount, and the Legislature was prone to do nothing about that. The sponsor of this legislation and I have one thing in common that we absolutely agree on, and that is the need for competition. This bill will not bring about competition.

“By the way, I think the title is inaccurate, Mr. President. The correct title of this bill should be ‘Get HMSA and Stomp Them in the Ground,’ because it’s not about health insurance; it’s about getting HMSA.

“I don’t have any personal either investment or particular regard for some of the practices of HMSA, but it’s not their fault, because we created the prepaid healthcare act – the only act of its kind in the United States. We did it 31 years ago. We said that it was progressive legislation. Everybody was going to follow our lead. And in 31 years, not one state has followed our lead. What has happened is a dozen years ago we had about a dozen healthcare providers, and now we have basically four, maybe four-and-a half.

“We’ve stifled competition by allowing for this legislative mandate, which now enjoys a federal ERISA exemption rendering things that we do at the state level impotent with our own legislation – we can’t change it. Well, let me correct myself. We can change it by constantly adding benefits, constantly giving to those that receive the benefits, but not doing anything to change the 31-year-old financial relationship between the employer and the employee.

“Thirty-one years ago, we said that an employer . . . well, first of all when we said that we were going to pass this legislation, we said it was going to be an equal 50/50 percent partnership between employer and employee. And that’s what got the legislation passed. It sounded good, but it was never true. At best, it was a 65/35 percent relationship with business paying 65 percent of the premium costs. But nobody really

cared that much and didn't make that much of an issue about it 31 years ago because when we look at the premiums that we were paying, we were paying \$20, \$30, \$40, \$50 a month. Now we're paying several hundred dollars a month for a single individual, and most employers, and particularly small business employers, pay 100 percent of that amount.

"So what we've done categorically, year after year we've added benefits, we've added people that have been treated, and in so doing we've increased the cost of utilization. And that's the magic word in the medical insurance and provider industry – utilization. The more people utilize the services, the more the costs are going to go up and they're going to be borne by someone.

"We in small business have paid, as I've said, an inordinate amount of premium increases and we came before the Legislature to try to modify the prepaid healthcare act year, after year, after year, after year as we had 10, 15, 20, 25 percent increases. But the Legislature didn't do anything about it.

"Now what I see in this bill is an attempt just to go after one company, not to increase competition, because you can't do that by freezing rates. That's why all the other companies testified against this bill. That's why if we pass this bill we're not going to encourage or allow or provide initiatives for any other companies to come into this market. And that's exactly what we need. If you want to talk about a level playing field, you need to talk about people being able to come in here and do business and offer real competition. And in 31 years, I've talked to all of the major producers on the mainland and here, and they all say with the same voice, the reason they don't want to offer the insurance or the reason they can't compete, sure HMSA is the big dog on the block, sure HMSA has got big reserves, but the real problem is the tax structure and the prepaid healthcare act.

"The tax structure – we had a bill here floating around for a couple of years that would have exempted the 4 percent tax from for-profit medical providers. And in fact, one medical provider was waiting on the sidelines for a year-and-a-half – that's Summerlin Health and Life Insurance. They thought that the 4 percent was going to be eliminated because they thought in fact we wanted a level playing field. And this Same Legislature that talks about leveling the playing field killed that measure. That measure would have allowed competitors to HMSA and the others that are nonprofits and are not taxed now, but we didn't do that.

"Also, we are passing bills and we passed bills in the last couple of days in Ways and Means that will raise general excise taxes on small businesses. So I find it ironic when we have people that are supporting more legislative socialistic reforms, as they call them, to help small business on one hand, when on the other hand they're doing everything possible to raise the cost of doing business for small business.

"Do small businesses want and need lower rates? Absolutely. But by doing it this way, by getting the Legislature more and more involved in price-fixing, because that's what it is, and more and more involved in business activities and taking more and more of the responsibilities away from the insurance commissioner, we're not leveling the playing field and we're not doing anything to encourage other people to come. What we are really looking at is the symptom rather than the cause of our problems. And certainly there may be a slight rate reduction or a freeze for one year, but eventually somebody's got to pay the piper because of the way medical insurance is structured and the utilization process.

"We saw it in automobile insurance. We saw it in worker's compensation insurance, which is a much better example because the medical fee schedule there was forcibly reduced by the Legislature and there were premium reductions for a year or two and then after that the rates skyrocketed and we had providers that would not even provide worker's compensation insurance.

"What does business, what does small business need? They need a competitive and healthy business environment where you have people bidding for their health insurance needs. And we also need group coverage for sole proprietors and independent contractors, a growing number within our workforce community. This bill doesn't do anything for that. It doesn't require that we offer group insurance. Instead, it puts a temporary freeze and basically is aimed at one company. And just as before when we had the anti-Chevron bill, I think it's bad legislation when we pick out one company or one part of one industry and try to legislate because we don't like them, rather than facing up to the truth and working on the real causes of why our health insurance is high and why we have little competition.

"Thank you, Mr. President."

Senator Kim rose in support of the measure and stated:

"Mr. President, I rise to speak in support.

"Mr. President, this is an administration bill. Mr. President, this is the bill that the administration brought before us focusing on one company, focusing on the ceiling of the reserves that was already there. It's the administration that said that we should refund the money, yet at the same time they're contemplating giving them an increase in rates. So, we can sit here all day or stand here all day and talk about healthcare and talk about the prepaid healthcare, but basically we're talking about this bill that was brought down to us, and I commend the CPH Chair for how he amended this bill.

"Thank you."

Senator Baker rose to speak in support 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 in support of S.B. No. 760, S.D. 1.

"This is a very important measure that will provide relief to thousands of small businesses who pay the bulk of the health insurance premiums for their employees. Thanks to fortuitous investing and approved rate increases, our state's largest health plan provider has amassed reserves far in excess of prudent requirements. This measure will freeze rates and require the reserves to be used to reduce rates for plan members until reserves are brought into line with the 30 percent requirement. This measure caps reserves at 30 percent rather than 50 percent in current law.

"Mr. President and colleagues, this is a prudent approach to ensure that employers and individual plan owners do not have to pay increases for their health insurance at the same time the plan has more than sufficient reserves in its portfolio. I urge my colleagues to vote in favor of this measure."

Senator Hogue rose in opposition to the measure and stated:

"Mr. President, I rise in opposition.

"I also, like the Senator from Hawaii Kai, am against any kind of rate freezes, wage and price controls, gas caps, or caps that try to go after specific businesses. Because of that, I want to stay consistent with my voting pattern and I will be voting 'no.'

"Thank you."

Senator Chun Oakland 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. 760, 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, 19. Noes, 2 (Hogue, Slom). Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

S.B. No. 956, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Hooser and carried, S.B. No. 956, S.D. 1, 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, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 639 (Gov. Msg. Nos. 169, 170, 171 and 172):

Senator English moved that Stand. Com. Rep. No. 639 be received and placed on file, seconded by Senator Kokubun and carried.

Senator English then moved that the Senate advise and consent to the nominations of DENISE E. ANTOLINI, ROBERT A. KING, EILEEN O'HORA-WEIR and ORLAN L. PETERSON JR. to the Environmental Council, terms to expire June 30, 2008, seconded by Senator Kokubun.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 641 (Gov. Msg. Nos. 256, 257, 258, 259, 260, 261, 262 and 264):

Senator Chun Oakland moved that Stand. Com. Rep. No. 641 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

DEBRA T. FARMER, term to expire June 30, 2006 (Gov. Msg. No. 256);

GERALDINE M. FERGE, term to expire June 30, 2007 (Gov. Msg. No. 257);

LARRY GELLER, term to expire June 30, 2007 (Gov. Msg. No. 258);

PRISCILLA B. HAVRE M.ED. CRC, term to expire June 30, 2007 (Gov. Msg. No. 259);

KATIE KEIM, term to expire June 30, 2007 (Gov. Msg. No. 260);

GAIL LERCH, term to expire June 30, 2007 (Gov. Msg. No. 261);

JULIE K. SMITH, term to expire June 30, 2007 (Gov. Msg. No. 262); and

VIRGINIA G. TOMPKINS, term to expire June 30, 2007 (Gov. Msg. No. 264),

seconded by Senator Fukunaga.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 676 (Gov. Msg. Nos. 198, 199 and 200):

Senator Fukunaga moved that Stand. Com. Rep. No. 676 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations of CECILIA K. AKIM, PONI ELLIOT KAMAUU and CASINA K. WATERMAN to the King Kamehameha Celebration Commission, terms to expire June 30, 2008, seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 677 (Gov. Msg. No. 229):

Senator Fukunaga moved that Stand. Com. Rep. No. 677 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of RICHARD HENDERSON to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority, term to expire June 30, 2008, seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 678 (Gov. Msg. No. 273):

Senator Fukunaga moved that Stand. Com. Rep. No. 678 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of EDWARD H. W. YOUNG to the Board of Directors of the Hawaii Strategic Development

Corporation, term to expire June 30, 2007, seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 679 (Gov. Msg. Nos. 190, 191, 192 and 193):

Senator Fukunaga moved that Stand. Com. Rep. No. 679 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Hawaii Historic Places Review Board of the following:

DAWN DUENSING, term to expire June 30, 2008 (Gov. Msg. No. 190);

VICTORIA N. KNEUBUHL, term to expire June 30, 2006 (Gov. Msg. No. 191);

MICHIKO KODAMA-NISHIMOTO, term to expire June 30, 2008 (Gov. Msg. No. 192); and

PETER R. MILLS, term to expire June 30, 2008 (Gov. Msg. No. 193),

seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 680 (Gov. Msg. No. 146):

Senator Fukunaga moved that Stand. Com. Rep. No. 680 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of GEORJA SKINNER to the State Foundation on Culture and the Arts Commission, term to expire June 30, 2008, seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 681 (Gov. Msg. Nos. 196 and 197):

Senator Chun Oakland moved that Stand. Com. Rep. No. 681 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of WAYNETTE K.Y. CABRAL and PINA LEMUSU to the Statewide Council on Independent Living, terms to expire June 30, 2007, seconded by Senator Fukunaga.

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

Ayes, 21. Noes, none. Excused, 4 (Hee, Ihara, Sakamoto, Taniguchi).

**ADOPTION OF RESOLUTIONS**

**MATTERS DEFERRED FROM THURSDAY, MARCH 3, 2005**

Stand. Com. Rep. No. 683 (S.C.R. No. 20):

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH," was adopted.

Stand. Com. Rep. No. 684 (S.C.R. No. 7):

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 7, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE STRATEGIC PLAN TO PROMOTE OBESITY PREVENTION AND HEALTHY LIFESTYLES," was adopted.

**REFERRAL OF HOUSE BILLS**

**MATTERS DEFERRED FROM THURSDAY, MARCH 3, 2005**

The President made the following committee assignments of House bills received on Thursday, March 3, 2005:

House Bill	Referred to:
No. 79	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
No. 624	Committee on Labor, then to the Committee on Ways and Means

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 3, 2005:

Senate Concurrent Resolution	Referred to:
No. 46	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology
No. 47	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 48	Committee on Transportation and Government Operations
No. 49	Committee on Commerce, Consumer Protection and Housing



- No. 50 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Higher Education and the Committee on Intergovernmental Affairs
- No. 51 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Business and Economic Development and the Committee on Higher Education
- No. 52 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 53 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 54 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs
- No. 55 Committee on Judiciary and Hawaiian Affairs
- No. 56 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs
- No. 57 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means
- No. 58 Committee on Higher Education, then to the Committee on Ways and Means
- No. 59 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 60 Jointly to the Committee on Human Services and the Committee on Labor
- No. 61 Jointly to the Committee on Labor, the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs
- No. 62 Jointly to the Committee on Education and Military Affairs, the Committee on Human Services and the Committee on Intergovernmental Affairs

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Thursday, March 3, 2005:

- |                   |  |
|-------------------|--|
| Senate Resolution | Referred to:   |
| No. 23            | Committee on Transportation and Government Operations  |
| No. 24            | Committee on Commerce, Consumer Protection and Housing   |
| No. 25            | Committee on Media, Arts, Science and Technology   |
| No. 26            | Jointly to the Committee on Water, Land, and Agriculture, the Committee on Higher Education and the Committee on Intergovernmental Affairs         |
| No. 27            | Jointly to the Committee on Water, Land, and Agriculture, the Committee on Business and Economic Development and the Committee on Higher Education |

- No. 28 Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 29 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

**STANDING COMMITTEE REPORTS**

On motion by Senator Baker, seconded by Senator Hogue and carried unanimously, the Senate authorized the Clerk 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 12:01 o'clock p.m., the Senate took the following actions on the following Senate bills and standing committee reports:

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 745) recommending that S.B. No. 130, 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. 130, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 746) recommending that S.B. No. 556, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 746 and S.B. No. 556, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 747) recommending that S.B. No. 702, 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. 702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 748) recommending that S.B. No. 785, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 748 and S.B. No. 785, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 749) recommending that S.B. No. 904, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 749 and S.B. No. 904, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 750) recommending that S.B. No. 951, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 750 and S.B. No. 951, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 751) recommending that S.B. No. 1336, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 751 and S.B. No. 1336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 752) recommending that S.B. No. 1345, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 752 and S.B. No. 1345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 753) recommending that S.B. No. 1409, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 753 and S.B. No. 1409, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK," was deferred until Tuesday, March 8, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 754) recommending that S.B. No. 1468, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 754 and S.B. No. 1468, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," was deferred until Tuesday, March 8, 2005.

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. 755) recommending that S.B. No. 608 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 755 and S.B. No. 608, entitled: "A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 756) recommending that S.B. No. 717, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 756 and S.B. No. 717, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE BUSINESS ACTION CENTER," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 757) recommending that S.B. No. 719, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 757 and S.B. No. 719, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 758) recommending that S.B. No. 1374, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 758 and S.B. No. 1374, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 759) recommending that S.B. No. 1378, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 759 and S.B. No. 1378, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 760) recommending that S.B. No. 1696, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 760 and S.B. No. 1696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 761) recommending that S.B. No. 1697, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 761 and S.B. No. 1697, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 762) recommending that S.B. No. 1734, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 762 and S.B. No. 1734, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 763) recommending that S.B. No. 72, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 763 and S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 764) recommending that S.B. No. 179, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 764 and S.B. No. 179, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 765) recommending that S.B. No. 747, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 765 and S.B. No. 747, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 766) recommending that S.B. No. 751, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 766 and S.B. No. 751, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 767) recommending that S.B. No. 769, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 767 and S.B. No. 769, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 768) recommending that S.B. No. 770, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 768 and S.B. No. 770, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 769) recommending that S.B. No. 801, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 769 and S.B. No. 801, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 770) recommending that S.B. No. 959, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 770 and S.B. No. 959, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 771) recommending that S.B. No. 982, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 771 and S.B. No. 982, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 772) recommending that S.B. No. 1117, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 772 and S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 773) recommending that S.B. No. 1129, 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. 1129, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 774) recommending that S.B. No. 1132, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 774 and S.B. No. 1132, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 775) recommending that S.B. No. 1223, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 775 and S.B. No. 1223, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 776) recommending that S.B. No. 1453, 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. 1453, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 777) recommending that S.B. No. 1793, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 777 and S.B. No. 1793, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 778) recommending that S.B. No. 1852, 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. 1852, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 779) recommending that S.B. No. 778, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 779 and S.B. No. 778, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 780) recommending that S.B. No. 873, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 780 and S.B. No. 873, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 781) recommending that S.B. No. 874 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 781 and S.B. No. 874, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 782) recommending that S.B. No. 1221, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 782 and S.B. No. 1221, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 783) recommending that S.B. No. 1248, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 783 and S.B. No. 1248, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 784) recommending that S.B. No. 1255, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 784 and S.B. No. 1255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 785) recommending that S.B. No. 1258, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 785 and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 786) recommending that S.B. No. 1389, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 786 and S.B. No. 1389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 787) 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. 787 and S.B. No. 1394, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 788) recommending that S.B. No. 1483, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 788 and S.B. No. 1483, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 789) recommending that S.B. No. 1533 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 789 and S.B. No. 1533, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO THE COMPOSITION OF THE BOARD OF EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 790) recommending that S.B. No. 1635, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 790 and S.B. No. 1635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 791) recommending that S.B. No. 1637, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 791 and S.B. No. 1637, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 792) recommending that S.B. No. 1648, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 792 and S.B. No. 1648, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 793) 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. 793 and S.B. No. 1661, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 794) recommending that S.B. No. 1814, 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. 1814, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 795) recommending that S.B. No. 1838, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 795 and S.B. No. 1838, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 796) recommending that S.B. No. 1554, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 796 and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 797) recommending that S.B. No. 1709 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 797 and S.B. No. 1709, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 798) recommending that S.B. No. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 798 and S.B. No. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 799) recommending that S.B. No. 128, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 799 and S.B. No. 128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 800) recommending that S.B. No. 131, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 800 and S.B. No. 131, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 801) recommending that S.B. No. 459, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 801 and S.B. No. 459, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 802) recommending that S.B. No. 527, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 802 and S.B. No. 527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 803) recommending that S.B. No. 562 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 803 and S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 804) recommending that S.B. No. 682, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 804 and S.B. No. 682, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 805) recommending that S.B. No. 782, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 805 and S.B. No. 782, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 806) recommending that S.B. No. 791, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 806 and S.B. No. 791, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807) recommending that S.B. No. 802, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 807 and S.B. No. 802, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 808) 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. 808 and S.B. No. 1201, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 809) recommending that S.B. No. 1209, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 809 and S.B. No. 1209, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 810) recommending that S.B. No. 1419, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 810 and S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 811) recommending that S.B. No. 1469, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 811 and S.B. No. 1469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 812) recommending that S.B. No. 1713, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 812 and S.B. No. 1713, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 813) recommending that S.B. No. 1094, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 813 and S.B. No. 1094, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," was deferred until Tuesday, March 8, 2005.

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. 1420, 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. 1420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 815) recommending that S.B. No. 116, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 815 and S.B. No. 116, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 816) 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. 816 and S.B. No. 464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 817) 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. 817 and S.B. No. 667, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 818) recommending that S.B. No. 898, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 818 and S.B. No. 898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 819) recommending that S.B. No. 1065, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 819 and S.B. No. 1065, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND MARKET DEVELOPMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 820) recommending that S.B. No. 1747, 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. 1747, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 821) recommending that S.B. No. 244, S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 821 and S.B. No. 244, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," was deferred until Tuesday, March 8, 2005.

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. 475, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 822 and S.B. No. 475, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 823) recommending that S.B. No. 486, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 823 and S.B. No. 486, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 824) recommending that S.B. No. 1022, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 824 and S.B. No. 1022, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 825) recommending that S.B. No. 1103, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 825 and S.B. No. 1103, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 826) recommending that S.B. No. 1750, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 826 and S.B. No. 1750, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND FUNDING EXPENDITURES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 827) recommending that S.B. No. 1772, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 827 and S.B. No. 1772, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 828) recommending that S.B. No. 1854, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 828 and S.B. No. 1854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 829) recommending that S.B. No. 1872 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 829 and S.B. No. 1872, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 830) recommending that S.B. No. 637, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 830 and S.B. No. 637, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 831) recommending that S.B. No. 1272, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 831 and S.B. No. 1272, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF FEDERAL FUNDS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 832) recommending that S.B. No. 1478, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 832 and S.B. No. 1478, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 833) recommending that S.B. No. 1685, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 833 and S.B. No. 1685, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 834) recommending that S.B. No. 433, 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. 433, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 835) recommending that S.B. No. 617, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 835 and S.B. No. 617, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 836) recommending that S.B. No. 618, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 836 and S.B. No. 618, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 837) recommending that S.B. No. 673, 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. 673, 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 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 838) recommending that S.B. No. 824 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 838 and S.B. No. 824, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 839) recommending that S.B. No. 825, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 839 and S.B. No. 825, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 8, 2005.

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. 828, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 840 and S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 841) recommending that S.B. No. 995, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 841 and S.B. No. 995, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION TO REMOVE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 842) recommending that S.B. No. 1317, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 842 and S.B. No. 1317, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 843) recommending that S.B. No. 1327 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 843 and S.B. No. 1327, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 844) recommending that S.B. No. 1328, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 844 and S.B. No. 1328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION FEE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 845) recommending that S.B. No. 1551, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 845 and S.B. No. 1551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 846) recommending that S.B. No. 1781 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 846 and S.B. No. 1781, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 847) recommending that S.B. No. 1864, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 847 and S.B. No. 1864, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 848) recommending that S.B. No. 55, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 848 and S.B. No. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 849) recommending that S.B. No. 424, S.D. 1, as amended in S.D. 2, pass Third Reading.



By unanimous consent, action on Stand. Com. Rep. No. 849 and S.B. No. 424, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 850) recommending that S.B. No. 425, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 850 and S.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 851) recommending that S.B. No. 533, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 851 and S.B. No. 533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 852) recommending that S.B. No. 738, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 852 and S.B. No. 738, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 853) recommending that S.B. No. 740, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 853 and S.B. No. 740, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 854) recommending that S.B. No. 807, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 854 and S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 855) recommending that S.B. No. 813, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 855 and S.B. No. 813, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 856) recommending that S.B. No. 933, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 856 and S.B. No. 933, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PREVAILING WAGES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 857) recommending that S.B. No. 935, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857 and S.B. No. 935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 858) recommending that S.B. No. 943, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 858 and S.B. No. 943, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 859) recommending that S.B. No. 1045, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 859 and S.B. No. 1045, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 860) recommending that S.B. No. 1046, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 860 and S.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 861) recommending that S.B. No. 1047, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 861 and S.B. No. 1047, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 862) recommending that S.B. No. 1048, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 862 and S.B. No. 1048, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 863) recommending that S.B. No. 1049, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 863 and S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE

BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864) recommending that S.B. No. 1050, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 864 and S.B. No. 1050, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 865) recommending that S.B. No. 1052 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 865 and S.B. No. 1052, entitled: "A BILL FOR AN ACT RELATING TO THE DEPENDENT-BENEFICIARIES OF THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 866) recommending that S.B. No. 1192, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 866 and S.B. No. 1192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPT EMPLOYEES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 867) recommending that S.B. No. 1193, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 867 and S.B. No. 1193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 868) recommending that S.B. No. 1194, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 868 and S.B. No. 1194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 869) recommending that S.B. No. 1352, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 869 and S.B. No. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 870) recommending that S.B. No. 1395, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 870 and S.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION CIVIL

SERVICE PERSONNEL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 871) recommending that S.B. No. 1578, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 871 and S.B. No. 1578, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 872) recommending that S.B. No. 1579, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 872 and S.B. No. 1579, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 873) recommending that S.B. No. 1580, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 873 and S.B. No. 1580, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 874) recommending that S.B. No. 1581, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 874 and S.B. No. 1581, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 875) recommending that S.B. No. 1582, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 875 and S.B. No. 1582, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 876) recommending that S.B. No. 1583, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 876 and S.B. No. 1583, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 877) recommending that S.B. No. 1584, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 877 and S.B. No. 1584, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE

BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 878) recommending that S.B. No. 1585, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 878 and S.B. No. 1585, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 879) recommending that S.B. No. 1773, 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. 1773, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 880) recommending that S.B. No. 33, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 880 and S.B. No. 33, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 881) recommending that S.B. No. 541, 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. 541, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 882) recommending that S.B. No. 575, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 882 and S.B. No. 575, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 883) recommending that S.B. No. 666, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 883 and S.B. No. 666, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 884) recommending that S.B. No. 819, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 884 and S.B. No. 819, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 885) recommending that S.B. No. 967, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 885 and S.B. No. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 886) recommending that S.B. No. 1171, 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. 1171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 887) recommending that S.B. No. 1304, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 887 and S.B. No. 1304, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEVISION AND FILM INDUSTRY DEVELOPMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 888) recommending that S.B. No. 1457, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 888 and S.B. No. 1457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 889) recommending that S.B. No. 1695, 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. 1695, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 890) recommending that S.B. No. 1699, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 890 and S.B. No. 1699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 891) recommending that S.B. No. 1702, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 891 and S.B. No. 1702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 892) recommending that S.B. No. 1721, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 892 and S.B. No. 1721, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 893) recommending that S.B. No. 1792, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 893 and S.B. No. 1792, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 894) recommending that S.B. No. 1186, 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. 1186, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 895) recommending that S.B. No. 1727, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 895 and S.B. No. 1727, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 896) recommending that S.B. No. 1730, 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. 1730, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred until Tuesday, March 8, 2005.

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. 1863, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 897 and S.B. No. 1863, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 898) recommending that S.B. No. 599 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 898 and S.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 899) recommending that S.B. No. 609 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 899 and S.B. No. 609, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 900) recommending that S.B. No. 735 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 900 and S.B. No. 735, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 901) recommending that S.B. No. 848, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 901 and S.B. No. 848, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR CONCESSION CONTRACTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 902) recommending that S.B. No. 960 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 902 and S.B. No. 960, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 903) recommending that S.B. No. 963, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 903 and S.B. No. 963, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 904) recommending that S.B. No. 1038, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 904 and S.B. No. 1038, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 905) recommending that S.B. No. 1127, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 905 and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 906) recommending that S.B. No. 1222, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 906 and S.B. No. 1222, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SEARCH AND RESCUE REIMBURSEMENT ACT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 907) recommending that S.B. No. 1244, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 907 and S.B. No. 1244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 908) recommending that S.B. No. 1343, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 908 and S.B. No. 1343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 909) recommending that S.B. No. 1591, 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. 1591, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'ROADS IN LIMBO' PROGRAM IN HAWAII COUNTY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 910) recommending that S.B. No. 1732, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 910 and S.B. No. 1732, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON," was deferred until Tuesday, March 8, 2005.

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. 1752, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 911 and S.B. No. 1752, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 912) recommending that S.B. No. 1843, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 912 and S.B. No. 1843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 913) recommending that S.B. No. 1876, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 913 and S.B. No. 1876, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 914) recommending that S.B. No. 834, 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. 834, 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 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 915) recommending that S.B. No. 212, 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. 212, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 916) recommending that S.B. No. 669, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 916 and S.B. No. 669, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 917) recommending that S.B. No. 671, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 917 and S.B. No. 671, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," was deferred until Tuesday, March 8, 2005.

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. 955, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 918 and S.B. No. 955, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 919) recommending that S.B. No. 1006, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 919 and S.B. No. 1006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 920) recommending that S.B. No. 1267, 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. 1267, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SHARK MONITORING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 921) recommending that S.B. No. 1268, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 921 and S.B. No. 1268, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 922) recommending that S.B. No. 1451, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 922 and S.B. No. 1451, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 923) recommending that S.B. No. 1461, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 923 and S.B. No. 1461, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES MANAGEMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 924) recommending that S.B. No. 1474, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 924 and S.B. No. 1474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAUNA KEA SCIENCE RESERVE AUTHORITY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 925) recommending that S.B. No. 1592, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 925 and S.B. No. 1592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 926) recommending that S.B. No. 1593, 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. 1593, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 927) recommending that S.B. No. 1877 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 927 and S.B. No. 1877, entitled: "A BILL FOR AN ACT

RELATING TO THE OFFICE OF PLANNING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 928) recommending that S.B. No. 1879, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 928 and S.B. No. 1879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 929) recommending that S.B. No. 1883, 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. 1883, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILOLI FISHERIES MANAGEMENT AREA," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 930) recommending that S.B. No. 1891, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 930 and S.B. No. 1891, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 931) recommending that S.B. No. 1897, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 931 and S.B. No. 1897, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 932) recommending that S.B. No. 1899, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 932 and S.B. No. 1899, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 933) recommending that S.B. No. 140, 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. 140, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 934) recommending that S.B. No. 568, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 934 and S.B. No. 568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 935) recommending that S.B. No. 1003, 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. 1003, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 936) recommending that S.B. No. 1100, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 936 and S.B. No. 1100, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 937) recommending that S.B. No. 1228, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 937 and S.B. No. 1228, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 938) recommending that S.B. No. 1229, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 938 and S.B. No. 1229, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF DENTAL HYGIENISTS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 939) recommending that S.B. No. 1239, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 939 and S.B. No. 1239, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 940) recommending that S.B. No. 1557, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 940 and S.B. No. 1557, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 941) recommending that S.B. No. 1889, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 941 and S.B. No. 1889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIPS," was deferred until Tuesday, March 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 942) recommending that S.B. No. 1903, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 942 and S.B. No. 1903, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 943) recommending that S.B. No. 1009, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 943 and S.B. No. 1009, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 944) recommending that S.B. No. 1380, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 944 and S.B. No. 1380, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 945) recommending that S.B. No. 1347, 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. 1347, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 946) recommending that S.B. No. 1851, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 946 and S.B. No. 1851, S.D. 2, entitled: "A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 947) recommending that S.B. No. 35, 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. 35, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 948) recommending that S.B. No. 639, 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. 639, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 949) recommending that S.B. No. 950, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 949 and S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 950) recommending that S.B. No. 1634, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 950 and S.B. No. 1634, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 951) recommending that S.B. No. 1636, 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. 1636, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 952) recommending that S.B. No. 1642, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 952 and S.B. No. 1642, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 953) recommending that S.B. No. 1650, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 953 and S.B. No. 1650, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," was deferred until Tuesday, March 8, 2005.

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. 1660, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 954 and S.B. No. 1660, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 955) recommending that S.B. No. 1816, 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. 1816, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 956) recommending that S.B. No. 1817, 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. 1817, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 957) recommending that S.B. No. 1002, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 957 and S.B. No. 1002, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 958) recommending that S.B. No. 1262, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 958 and S.B. No. 1262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 959) recommending that S.B. No. 1427, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 959 and S.B. No. 1427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 960) recommending that S.B. No. 789 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 960 and S.B. No. 789, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 961) recommending that S.B. No. 1232, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 961 and S.B. No. 1232, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 962) recommending that S.B. No. 27, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 962 and S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 963) recommending that S.B. No. 561, as amended in S.D. 1, pass Third Reading.



By unanimous consent, action on Stand. Com. Rep. No. 963 and S.B. No. 561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER COORDINATOR POSITION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 964) recommending that S.B. No. 1780, 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. 1780, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 965) recommending that S.B. No. 467, 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. 467, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 966) recommending that S.B. No. 613, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 966 and S.B. No. 613, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE SANCTIONS," was deferred until Tuesday, March 8, 2005.

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. 979, 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. 979, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 968) recommending that S.B. No. 1325, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 968 and S.B. No. 1325, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING REQUIREMENTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 969) recommending that S.B. No. 1570 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 969 and S.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No.

970) recommending that S.B. No. 1689, 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. 1689, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 971) recommending that S.B. No. 61, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 971 and S.B. No. 61, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 972) recommending that S.B. No. 290, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 972 and S.B. No. 290, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 973) recommending that S.B. No. 1190, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 973 and S.B. No. 1190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 974) recommending that S.B. No. 1888, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 974 and S.B. No. 1888, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 975) recommending that S.B. No. 788, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 975 and S.B. No. 788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 1114, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 976 and S.B. No. 1114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM TAX CREDIT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 1687, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 977 and S.B. No. 1687, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EMPLOYEE STOCK OWNERSHIP PLANS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 790, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 978 and S.B. No. 790, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 470, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 979 and S.B. No. 470, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEOXYRIBONUCLEIC ACID FOR THE DNA REGISTRY," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No. 696, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 980 and S.B. No. 696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 741 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 981 and S.B. No. 741, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 629, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 982 and S.B. No. 629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 1698, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 983 and S.B. No. 1698, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 763, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 984 and S.B. No. 763, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW PANELS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 1278, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 985 and S.B. No. 1278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 986) recommending that S.B. No. 911, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 986 and S.B. No. 911, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 987) recommending that S.B. No. 965, 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. 965, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 294, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 988 and S.B. No. 294, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 817, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 989 and S.B. No. 817, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 990) recommending that S.B. No. 1250, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 990 and S.B. No. 1250, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 991) recommending that S.B. No. 845, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 991 and S.B. No. 845, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 992) recommending that S.B. No. 1136, 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. 1136, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC PROCUREMENT CODE," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 993) recommending that S.B. No. 1808, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 993 and S.B. No. 1808, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 994) recommending that S.B. No. 1081, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 994 and S.B. No. 1081, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POUHALA MARSH EDUCATION AND JOB TRAINING CENTER," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 995) recommending that S.B. No. 1643, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 995 and S.B. No. 1643, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 996) recommending that S.B. No. 1620, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 996 and S.B. No. 1620, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 997) recommending that S.B. No. 1729, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 997 and S.B. No. 1729, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 998) recommending that S.B. No. 708, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 998 and S.B. No. 708, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 846E," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 999) recommending that S.B. No. 1236, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 999 and S.B. No. 1236, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1000) recommending that S.B. No. 1366, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1000 and S.B. No. 1366, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1001) recommending that S.B. No. 579, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1001 and S.B. No. 579, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," was deferred until Tuesday, March 8, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1002) recommending that S.B. No. 1778, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1002 and S.B. No. 1778, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred until Tuesday, March 8, 2005.

**ADJOURNMENT**

At 10:00 o'clock p.m., the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 8, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-SIXTH DAY

**Tuesday, March 8, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 10:11 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Conrado Lomibao, Saint Philomena Catholic 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 Twenty-Fifth Day.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 82 to 109) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 82, transmitting H.B. No. 109, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 109, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 83, transmitting H.B. No. 138, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 138, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOOKMOBILES," passed First Reading by title and was deferred.

Hse. Com. No. 84, transmitting H.B. No. 140, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 140, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 85, transmitting H.B. No. 180, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 86, transmitting H.B. No. 434, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 434, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS," passed First Reading by title and was deferred.

Hse. Com. No. 87, transmitting H.B. No. 465, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 465, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," passed First Reading by title and was deferred.

Hse. Com. No. 88, transmitting H.B. No. 488, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 488, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 89, transmitting H.B. No. 497, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," passed First Reading by title and was deferred.

Hse. Com. No. 90, transmitting H.B. No. 531, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," passed First Reading by title and was deferred.

Hse. Com. No. 91, transmitting H.B. No. 556, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 556, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911," passed First Reading by title and was deferred.

Hse. Com. No. 92, transmitting H.B. No. 683, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 683, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed First Reading by title and was deferred.

Hse. Com. No. 93, transmitting H.B. No. 685, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE," passed First Reading by title and was deferred.

Hse. Com. No. 94, transmitting H.B. No. 760, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES," passed First Reading by title and was deferred.

Hse. Com. No. 95, transmitting H.B. No. 842, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 842, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES," passed First Reading by title and was deferred.

Hse. Com. No. 96, transmitting H.B. No. 1029, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1029, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE," passed First Reading by title and was deferred.

Hse. Com. No. 97, transmitting H.B. No. 1118, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed First Reading by title and was deferred.

Hse. Com. No. 98, transmitting H.B. No. 1206, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1206, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE," passed First Reading by title and was deferred.

Hse. Com. No. 99, transmitting H.B. No. 1207, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1207, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SHELTER RETROFITTING," passed First Reading by title and was deferred.

Hse. Com. No. 100, transmitting H.B. No. 1224, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1224, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was deferred.

Hse. Com. No. 101, transmitting H.B. No. 1301, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1301, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO INVASIVE SPECIES," passed First Reading by title and was deferred.

Hse. Com. No. 102, transmitting H.B. No. 1387, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS," passed First Reading by title and was deferred.

Hse. Com. No. 103, transmitting H.B. No. 1554, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1554, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed First Reading by title and was deferred.

Hse. Com. No. 104, transmitting H.B. No. 1668, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was deferred.

Hse. Com. No. 105, transmitting H.B. No. 1709, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1709, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed First Reading by title and was deferred.

Hse. Com. No. 106, transmitting H.B. No. 1713, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1713, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed First Reading by title and was deferred.

Hse. Com. No. 107, transmitting H.B. No. 1721, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1721, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS," passed First Reading by title and was deferred.

Hse. Com. No. 108, transmitting H.B. No. 1740, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1740, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," passed First Reading by title and was deferred.

Hse. Com. No. 109, transmitting H.B. No. 1746, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1746, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

**JUDICIARY COMMUNICATION**

Jud. Com. No. 1, submitting for consideration and consent, the nomination of EDWIN C. NACINO 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.

**ORDER OF THE DAY**

**REFERRAL OF HOUSE BILLS**

**MATTERS DEFERRED FROM FRIDAY, MARCH 4, 2005**

The President made the following committee assignments of House bills received on Friday, March 4, 2005:

- |                 |   |
|-----------------|---|
| House Bill      | Referred to:  |
| No. 31, H.D. 2  | Jointly to the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means |
| No. 32, H.D. 2  | Jointly to the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means   |
| No. 78, H.D. 1  | Jointly to the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations   |
| No. 88, H.D. 2  | Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs  |
| No. 115, H.D. 1 | Committee on Education and Military Affairs, then to the Committee on Ways and Means  |
| No. 119, H.D. 1 | Committee on Judiciary and Hawaiian Affairs   |
| No. 222         | Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means   |
| No. 250         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 251         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 252         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 253         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 254         | Committee on Labor, then to the Committee on Ways and Means   |

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| No. 255         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 256         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 257         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 258         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 259         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 260         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 261         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 262         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 263         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 291, H.D. 1 | Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture  |
| No. 320, H.D. 1 | Committee on Judiciary and Hawaiian Affairs   |
| No. 325         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 328         | Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means  |
| No. 332, H.D. 1 | Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing   |
| No. 410, H.D. 1 | Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means  |
| No. 438, H.D. 1 | Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs  |
| No. 441, H.D. 1 | Jointly to the Committee on Education and Military Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means               |
| No. 461, H.D. 1 | Committee on Judiciary and Hawaiian Affairs   |
| No. 491         | Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means  |
| No. 588, H.D. 1 | Committee on Judiciary and Hawaiian Affairs   |
| No. 632         | Committee on Labor, then to the Committee on Ways and Means   |
| No. 792, H.D. 1 | Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means |

No. 841 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 844, H.D. 1 Committee on Education and Military Affairs

No. 864 Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 894 Committee on Judiciary and Hawaiian Affairs

No. 906, H.D. 1 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1076, H.D. 1 Committee on Higher Education, then to the Committee on Ways and Means

No. 1280, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means

No. 1293, H.D. 1 Committee on Ways and Means

No. 1305, H.D. 1 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs

No. 1306, H.D. 1 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs

No. 1433 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1453, H.D. 1 Committee on Judiciary and Hawaiian Affairs

No. 1472 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1594 Committee on Labor, then to the Committee on Ways and Means

No. 1595 Committee on Labor, then to the Committee on Ways and Means

No. 1596 Committee on Labor, then to the Committee on Ways and Means

No. 1597 Committee on Labor, then to the Committee on Ways and Means

No. 1598 Committee on Labor, then to the Committee on Ways and Means

No. 1599 Committee on Labor, then to the Committee on Ways and Means

No. 1688, H.D. 1 Jointly to the Committee on Higher Education and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 1712, H.D. 1 Committee on Judiciary and Hawaiian Affairs

No. 1728, H.D. 1 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1749, H.D. 2 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 1758, H.D. 1 Committee on Labor, then to the Committee on Ways and Means

**THIRD READING**

S.B. No. 1586:

On motion by Senator Ige, seconded by Senator Kokubun and carried, S.B. No. 1586, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COUNTY BOARD 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. 695:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 695, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT," 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. 532:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATION," 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. 107:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," 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. 1798:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1798, 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. 603:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 603, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," 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. 607, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," 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. 681:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 681, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF SEXUAL CONDUCT," 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. 700, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 700, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," 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. 1235:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, S.B. No. 1235, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," 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. 642 (S.B. No. 122, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 642 was adopted and S.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT 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. 645 (S.B. No. 1170, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 645 was adopted and S.B. No. 1170, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," 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. 646 (S.B. No. 1512, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 646 was adopted and S.B. No. 1512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE FATALITY REVIEW," 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. 1742:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 1742, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION RELATING TO THE JUDICIAL SELECTION 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. 111, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 111, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," 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. 119, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTINUING EDUCATION OF DESIGN PROFESSIONALS," 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. 753:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 753, entitled: "A BILL FOR AN ACT RELATING TO POOLED 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. 754, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 754, 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).

Stand. Com. Rep. No. 654 (S.B. No. 766, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 654 was adopted and S.B. No. 766, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS LICENSURE RESTORATION," 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. 1802, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1802, 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. 657 (S.B. No. 711, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 657 was adopted and S.B. No. 711, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 658 (S.B. No. 118, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 658 was adopted and S.B. No. 118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS 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. 660 (S.B. No. 953, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 660 was adopted and S.B. No. 953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY DISCLOSURES," 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. 101:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 101, 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, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 840, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING," 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. 460:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 460, entitled: "A BILL FOR AN ACT RELATING TO TAX REFUNDS," 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. 102:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 102, 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. 944, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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).

S.B. No. 945, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 945, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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).

S.B. No. 1141, S.D. 1:

On motion by Senator Kim, seconded by Senator Menor and carried, S.B. No. 1141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," 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. 108, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 108, 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, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 756, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 756, 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).

Stand. Com. Rep. No. 675 (S.B. No. 1230):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 675 was adopted and S.B. No. 1230, 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. 693 (S.B. No. 121):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 693 was adopted and S.B.

No. 121, entitled: "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES," 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. 743, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 694 was adopted and S.B. No. 743, S.D. 2, 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).

Stand. Com. Rep. No. 698 (S.B. No. 40, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 698 was adopted and S.B. No. 40, S.D. 1, 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. 700 (S.B. No. 675):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 700 was adopted and S.B. No. 675, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," 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. 701 (S.B. No. 826):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 701 was adopted and S.B. No. 826, 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. 702 (S.B. No. 1210):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 702 was adopted and S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," 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. 704 (S.B. No. 1476, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 704 was adopted and S.B. No. 1476, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," 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. 705 (S.B. No. 1548, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 705 was adopted and S.B. No. 1548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," 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. 15, S.D. 1:

On motion by Senator English, seconded by Senator Kokubun and carried, S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," 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. 1015, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Menor and carried, S.B. No. 1015, S.D. 1, 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. 714 (S.B. No. 1301, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Hooser and carried, Stand. Com. Rep. No. 714 was adopted and S.B. No. 1301, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," 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. 1349, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1349, 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. 719 (S.B. No. 76, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 719 was adopted and S.B. No. 76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," 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. 1362, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 1362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED 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. 724 (S.B. No. 971, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 724 was adopted and S.B. No. 971, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," 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. 744, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 727 was adopted and S.B. No. 744, S.D. 2, 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. 728 (S.B. No. 781):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 728 was adopted and S.B. No. 781, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF QUARANTINE," 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. 729 (S.B. No. 1893):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 729 was adopted and S.B. No. 1893, 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, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 691:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, S.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," 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. 97, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 97, S.D. 1, 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, 24. Noes, none. Excused, 1 (Ihara).

S.B. No. 1137, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1137, 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. 739 (S.B. No. 77, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 739 was adopted and S.B. No. 77, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," 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. 780:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 780, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," 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. 743 (S.B. No. 264, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 743 was adopted and S.B. No. 264, S.D. 1, 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, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 744 (S.B. No. 1547, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 744 was adopted and S.B. No. 1547, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 745 (S.B. No. 130, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 745 was adopted and S.B. No. 130, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," 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. 746 (S.B. No. 556, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 746 was adopted and S.B. No. 556, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 747 (S.B. No. 702, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 747 was adopted and S.B.

No. 702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," 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. 748 (S.B. No. 785, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 748 was adopted and S.B. No. 785, S.D. 2, 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. 750 (S.B. No. 951, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 750 was adopted and S.B. No. 951, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," 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. 752 (S.B. No. 1345, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 752 was adopted and S.B. No. 1345, 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. 755 (S.B. No. 608):

On motion by Senator Menor, seconded by Senator Hanabusa and carried, Stand. Com. Rep. No. 755 was adopted and S.B. No. 608, entitled: "A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS," 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. 757 (S.B. No. 719, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 757 was adopted and S.B. No. 719, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN 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. 759 (S.B. No. 1378, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 759 was adopted and S.B. No. 1378, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL," 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. 760 (S.B. No. 1696, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 760 was adopted and S.B. No. 1696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS," 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. 761 (S.B. No. 1697, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 761 was adopted and S.B. No. 1697, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING," 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. 763 (S.B. No. 72, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 763 was adopted and S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE 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. 764 (S.B. No. 179, S.D. 3):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 764 was adopted and S.B. No. 179, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 766 (S.B. No. 751, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 766 was adopted and S.B. No. 751, S.D. 2, 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).

Stand. Com. Rep. No. 767 (S.B. No. 769, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 767 was adopted and S.B. No. 769, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," 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. 768 (S.B. No. 770, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 768 was adopted and S.B. No. 770, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," 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. 769 (S.B. No. 801, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 769 was adopted and S.B. No. 801, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW-INTEREST LOANS TO DISASTER VICTIMS," 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. 772 (S.B. No. 1117, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 772 was adopted and S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," 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. 774 (S.B. No. 1132, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 774 was adopted and S.B. No. 1132, S.D. 2, 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. 775 (S.B. No. 1223, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 775 was adopted and S.B. No. 1223, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," 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. 1793, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 777 was adopted and S.B. No. 1793, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," 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. 778 (S.B. No. 1852, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 778 was adopted and S.B. No. 1852, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING," 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. 778, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 779 was adopted and S.B. No. 778, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH 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. 780 (S.B. No. 873, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 780 was adopted and S.B. No. 873, 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. 783 (S.B. No. 1248, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 783 was adopted and S.B. No. 1248, 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. 784 (S.B. No. 1255, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 784 was adopted and S.B. No. 1255, 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. 786 (S.B. No. 1389, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 786 was adopted and S.B. No. 1389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," 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. 787 (S.B. No. 1394, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 787 was adopted and S.B. No. 1394, 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. 788 (S.B. No. 1483, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 788 was adopted and S.B. No. 1483, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL," 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. 790 (S.B. No. 1635, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 790 was adopted and S.B. No. 1635, 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. 792 (S.B. No. 1648, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 792 was adopted and S.B. No. 1648, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," 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. 1661, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 793 was adopted and S.B. No. 1661, 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. 795 (S.B. No. 1838, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 795 was adopted and S.B. No. 1838, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," 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. 1554, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 796 was adopted and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," 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. 798 (S.B. No. 3, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 798 was adopted and S.B. No. 3, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 799 (S.B. No. 128, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 799 was adopted and S.B. No. 128, 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 (Ihara).

Stand. Com. Rep. No. 800 (S.B. No. 131, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 800 was adopted and S.B. No. 131, 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. 801 (S.B. No. 459, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 801 was adopted and S.B. No. 459, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 802 (S.B. No. 527, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 802 was adopted and S.B. No. 527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF 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).

Stand. Com. Rep. No. 803 (S.B. No. 562):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 803 was adopted and S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER SUPPORT 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. 805 (S.B. No. 782, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 805 was adopted and S.B. No. 782, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION 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. 806 (S.B. No. 791, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 806 was adopted and S.B. No. 791, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS," 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. 808 (S.B. No. 1201, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 808 was adopted and S.B. No. 1201, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES," 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. 1209, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 809 was adopted and S.B. No. 1209, 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).

Stand. Com. Rep. No. 810 (S.B. No. 1419, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 810 was adopted and S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," 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. 812 (S.B. No. 1713, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 812 was adopted and S.B. No. 1713, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA," 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. 813 (S.B. No. 1094, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 813 was adopted and S.B. No. 1094, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH 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. 815 (S.B. No. 116, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 815 was adopted and S.B. No. 116, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," 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. 464, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 816 was adopted and S.B. No. 464, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 817 (S.B. No. 667, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 817 was adopted and S.B. No. 667, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES," 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. 898, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 818 was adopted and S.B. No. 898, S.D. 1, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 819 (S.B. No. 1065, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 819 was adopted and S.B. No. 1065, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND MARKET 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. 821 (S.B. No. 244, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 821 was adopted and S.B. No. 244, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 828 (S.B. No. 1854, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 828 was adopted and S.B. No. 1854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT 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. 829 (S.B. No. 1872):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 829 was adopted and S.B. No. 1872, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," 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. 830 (S.B. No. 637, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 830 was adopted and S.B. No. 637, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1," 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. 832 (S.B. No. 1478, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 832 was adopted and S.B. No. 1478, S.D. 1, 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. 833 (S.B. No. 1685, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 833 was adopted and S.B. No. 1685, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO 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. 838 (S.B. No. 824):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 838 was adopted and S.B. No. 824, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 841 (S.B. No. 995, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 841 was adopted and S.B. No. 995, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI,

SECTION 3, OF THE HAWAII CONSTITUTION TO REMOVE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES," 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. 842 (S.B. No. 1317, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 842 was adopted and S.B. No. 1317, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 845 (S.B. No. 1551, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 845 was adopted and S.B. No. 1551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," 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. 1781):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 846 was adopted and S.B. No. 1781, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION 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. 847 (S.B. No. 1864, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 847 was adopted and S.B. No. 1864, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM 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. 849 (S.B. No. 424, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 849 was adopted and S.B. No. 424, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 853 (S.B. No. 740, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 853 was adopted and S.B. No. 740, 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. 854 (S.B. No. 807, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 854 was adopted and S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," 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. 855 (S.B. No. 813, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 855 was adopted and S.B. No. 813, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," 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. 858 (S.B. No. 943, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 858 was adopted and S.B. No. 943, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 859 (S.B. No. 1045, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 859 was adopted and S.B. No. 1045, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 860 (S.B. No. 1046, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 860 was adopted and S.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 861 (S.B. No. 1047, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 861 was adopted and S.B. No. 1047, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 862 (S.B. No. 1048, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 862 was adopted and S.B. No. 1048, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 863 (S.B. No. 1049, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 863 was adopted and S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 864 (S.B. No. 1050, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 864 was adopted and S.B. No. 1050, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 865 (S.B. No. 1052):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 865 was adopted and S.B. No. 1052, entitled: "A BILL FOR AN ACT RELATING TO THE DEPENDENT-BENEFICIARIES OF THE EMPLOYER-UNION HEALTH BENEFITS TRUST 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. 867 (S.B. No. 1193, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 867 was adopted and S.B. No. 1193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW," 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. 868 (S.B. No. 1194, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 868 was adopted and S.B. No. 1194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION 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. 872 (S.B. No. 1579, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 872 was adopted and S.B. No. 1579, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 873 (S.B. No. 1580, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 873 was adopted and S.B. No. 1580, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 874 (S.B. No. 1581, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 874 was adopted and S.B. No. 1581, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 875 (S.B. No. 1582, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 875 was adopted and S.B. No. 1582, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 876 (S.B. No. 1583, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 876 was adopted and S.B. No. 1583, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 877 (S.B. No. 1584, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 877 was adopted and S.B. No. 1584, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 878 (S.B. No. 1585, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 878 was adopted and S.B. No. 1585, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 880 (S.B. No. 33, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 880 was adopted and S.B. No. 33, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 883 (S.B. No. 666, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 883 was adopted and S.B. No. 666, S.D. 2, 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. 885 (S.B. No. 967, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 885 was adopted and S.B. No. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," 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. 887 (S.B. No. 1304, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 887 was adopted and S.B. No. 1304, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELEVISION AND FILM INDUSTRY 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. 888 (S.B. No. 1457, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 888 was adopted and S.B. No. 1457, 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, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 890 (S.B. No. 1699, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 890 was adopted and S.B. No. 1699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," 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. 898 (S.B. No. 599):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 898 was adopted and S.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF 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. 900 (S.B. No. 735):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 900 was adopted and S.B. No. 735, 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, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 901 (S.B. No. 848, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 901 was adopted and S.B. No. 848, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR CONCESSION 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. 903 (S.B. No. 963, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 903 was adopted and S.B. No. 963, 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. 904 (S.B. No. 1038, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 904 was adopted and S.B. No. 1038, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE," 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. 905 (S.B. No. 1127, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 905 was adopted and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC 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. 906 (S.B. No. 1222, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 906 was adopted and S.B. No. 1222, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SEARCH AND RESCUE REIMBURSEMENT 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. 912 (S.B. No. 1843, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 912 was adopted and S.B. No. 1843, 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 (Ihara).

Stand. Com. Rep. No. 913 (S.B. No. 1876, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 913 was adopted and S.B. No. 1876, 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. 915 (S.B. No. 212, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 915 was adopted and S.B. No. 212, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," 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. 917 (S.B. No. 671, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 917 was adopted and S.B. No. 671, 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. 918 (S.B. No. 955, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 918 was adopted and S.B. No. 955, 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. 919 (S.B. No. 1006, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 919 was adopted and S.B. No. 1006, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU,” 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. 1268, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 921 was adopted and S.B. No. 1268, 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. 922 (S.B. No. 1451, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 922 was adopted and S.B. No. 1451, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY,” 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. 923 (S.B. No. 1461, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 923 was adopted and S.B. No. 1461, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO NATURAL RESOURCES MANAGEMENT,” 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. 924 (S.B. No. 1474, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 924 was adopted and S.B. No. 1474, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MAUNA KEA SCIENCE RESERVE 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. 928 (S.B. No. 1879, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 928 was adopted and S.B. No. 1879, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES,” 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. 1883, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 929 was adopted and S.B. No. 1883, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MILOLFI FISHERIES MANAGEMENT AREA,” 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. 1899, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 932 was adopted and S.B. No. 1899, S.D. 1, 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. 938 (S.B. No. 1229, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 938 was adopted and S.B. No. 1229, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE LICENSING OF DENTAL HYGIENISTS,” 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. 1009, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 943 was adopted and S.B. No. 1009, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS,” 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. 944 (S.B. No. 1380, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 944 was adopted and S.B. No. 1380, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS,” 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. 945 (S.B. No. 1347, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 945 was adopted and S.B. No. 1347, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO REAL PROPERTY,” 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. 947 (S.B. No. 35, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 947 was adopted and S.B. No. 35, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD 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. 948 (S.B. No. 639, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 948 was adopted and S.B. No. 639, 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. 950 (S.B. No. 1634, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 950 was adopted and S.B. No. 1634, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD 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. 953 (S.B. No. 1650, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 953 was adopted and S.B. No. 1650, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," 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. 1817, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 956 was adopted and S.B. No. 1817, S.D. 2, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 958 (S.B. No. 1262, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 958 was adopted and S.B. No. 1262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," 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. 1427, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 959 was adopted and S.B. No. 1427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY

EFFICIENT 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. 960 (S.B. No. 789):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 960 was adopted and S.B. No. 789, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR 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. 961 (S.B. No. 1232, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 961 was adopted and S.B. No. 1232, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI AIDS FOUNDATION," 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. 27, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 962 was adopted and S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION 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. 963 (S.B. No. 561, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 963 was adopted and S.B. No. 561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER COORDINATOR POSITION," 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. 1780, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 964 was adopted and S.B. No. 1780, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," 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. 467, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 965 was adopted and S.B. No. 467, 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. 966 (S.B. No. 613, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 966 was adopted and S.B. No. 613, S.D. 2, 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. 968 (S.B. No. 1325, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 968 was adopted and S.B. No. 1325, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING REQUIREMENTS," 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. 969 (S.B. No. 1570):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 969 was adopted and S.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," 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. 971 (S.B. No. 61, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 971 was adopted and S.B. No. 61, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," 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. 975 (S.B. No. 788, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 975 was adopted and S.B. No. 788, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE 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. 977 (S.B. No. 1687, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 977 was adopted and S.B. No. 1687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PLANS," 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. 981 (S.B. No. 741):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 981 was adopted and S.B. No. 741, 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. 984 (S.B. No. 763, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 984 was adopted and S.B. No. 763, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW PANELS," 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. 986 (S.B. No. 911, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 986 was adopted and S.B. No. 911, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 989 (S.B. No. 817, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 989 was adopted and S.B. No. 817, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW," 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. 990 (S.B. No. 1250, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 990 was adopted and S.B. No. 1250, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS," 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. 991 (S.B. No. 845, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 991 was adopted and S.B. No. 845, S.D. 2, 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).

Stand. Com. Rep. No. 992 (S.B. No. 1136, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 992 was adopted and S.B. No. 1136, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC 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. 994 (S.B. No. 1081, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 994 was adopted and S.B. No. 1081, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POUHALA MARSH EDUCATION AND JOB TRAINING 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. 998 (S.B. No. 708, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 998 was adopted and S.B. No. 708, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 846E," 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. 1002 (S.B. No. 1778, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1002 was adopted and S.B. No. 1778, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

**RECOMMITTAL OF SENATE BILLS**

Stand. Com. Rep. No. 695 (S.B. No. 1135):

On motion by Senator Hee, seconded by Senator Baker and carried, Stand. Com. Rep. No. 695 and S.B. No. 1135, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY," were recommitted to the Committee on Judiciary and Hawaiian Affairs.

S.B. No. 829, S.D. 1:

On motion by Senator Hee, seconded by Senator Baker and carried, S.B. No. 829, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was recommitted to the Committee on Judiciary and Hawaiian Affairs.

S.B. No. 1756, S.D. 1:

On motion by Senator Hee, seconded by Senator Baker and carried, S.B. No. 1756, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 895 (S.B. No. 1727, S.D. 2):

On motion by Senator Hee, seconded by Senator Baker and carried, Stand. Com. Rep. No. 895 and S.B. No. 1727, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 908 (S.B. No. 1343, S.D. 1):

On motion by Senator Hee, seconded by Senator Baker and carried, Stand. Com. Rep. No. 908 and S.B. No. 1343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1000 (S.B. No. 1366, S.D. 2):

On motion by Senator Hee, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1000 and S.B. No. 1366, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Ways and Means.

**THIRD READING**

S.B. No. 440, S.D. 1:

Senator Hanabusa moved that S.B. No. 440, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble then offered the following amendment (Floor Amendment No. 1) to S.B. No. 440, S.D. 1:

SECTION 1. Senate Bill No. 440 S.D. 1, section 1 is unamended.

SECTION 2. Senate Bill No. 440 S.D. 1, section 2 is amended to read:

**"§11-A Prohibition of fundraising on state or county property.** (a) Except as provided in subsection (b), it shall be unlawful for any person to solicit a donation of money or other thing of value in connection with an election campaign in a government facility that is used for the discharge of official duties by an officer or employee of the State or county.

(b) Subsection (a) shall not apply to any government facility that permits use by nongovernmental organizations for a fee or with reservations; provided the governmental facility's use regulations do not prohibit political activities on the premises. Government facilities that permit use for political activities shall be available to a candidate or committee for fundraising activities pursuant to the same terms and conditions that would otherwise apply to use by nongovernmental organizations.

(c) A person who violates the prohibition of fundraising on state or county property shall be guilty of a misdemeanor.

**§11-B Limit on contributions from nonresident individuals and persons.** Contributions from individuals who are not a resident of the State at the time the contributions are made or from any person, including a noncandidate committee, organized under the laws of another state, resident in another state, or whose participants are not residents at the time the contributions are made shall not exceed thirty per cent of the total contributions received by a candidate or candidate's committee during the election period.

**§11-C Contributions or expenditures by banks, ~~or~~ corporations, or labor organizations prohibited.** (a) No state or national bank, ~~or~~ corporation, or labor organization, shall make a contribution or expenditure in connection with any candidate or candidate committee except as provided in this section.

(b) No officer or director of any corporation or any state or national bank or any officer of any labor organization shall consent to any contribution by the corporation, ~~or any~~ state or national bank, or labor organization, directly to a candidate

committee, as the case may be. No person shall accept or receive any contribution prohibited by this section.

(c) This section shall not prohibit the use of funds for the establishment or administration of, or the solicitation of contributions to, any separate segregated fund by a state or national bank, [or] corporation, or labor organization for the purpose of influencing the nomination for election, or election, of any person to political office.

(d) It shall be unlawful for the separate segregated fund to use contributions secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other moneys required as a condition of membership in a labor organization or as a condition of employment, or by moneys obtained in any commercial transaction.

(e) Any person soliciting an employee for a contribution to such a fund shall inform the employee at the time of the solicitation of the employee's right to refuse to contribute without any reprisal.

(f) It shall be unlawful for:

(1) A state or national bank, or a separate segregated fund established by a state or national bank, to solicit contributions to the fund from any person other than its stockholders and their families and its executive or administrative personnel and their families; and

(2) A corporation, or a separate segregated fund established by a corporation, to solicit contributions to the fund from any person other than its stockholders and their families and its executive or administrative personnel and their families.

(3) A labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families.

(g) No funds for a separate segregated fund established by any state or national bank, [or] corporation, or labor organization may be from dividends, bonuses, or any form of payment to stockholders and their families and its executives or administrative personnel and their families, paid solely for making a contribution to the fund."

SECTION 3. Senate Bill No. 440 S.D. 1, sections 3 through 30 are unamended.

Senator Trimble moved that Floor Amendment No. 1 be adopted, seconded by Senator Hogue.

Senator Trimble rose to speak in favor of the amendment and stated:

"Colleagues, corruption is the cruelest tax. It warps the decision-making process. It demoralizes the public sector, and it reflects poorly upon us as a society.

"Last year, we passed a bill that would ban corporate and union contributions. Last year, every member in this Body voted for a bill that would ban both union and corporate contributions, except one, and I actually don't see that person present. What I ask you to do today is to consider the amendment that I propose that would reinsert, simply reinsert, the ban not only on corporations but also upon unions, which was taken out of an earlier draft of S.B. No. 440.

"I urge that you consider that corruption of money in the political process should not, and does not, distinguish between whether it comes from a corporation or a union. Therefore, I urge you to vote for this amendment, and Mr. President, I ask for a Roll Call vote."

Senator Hanabusa rose to speak in opposition to the amendment as follows:

"Mr. President, I rise to speak in opposition to Floor Amendment No. 1.

"First of all, Mr. President, I'd like a little leeway here, and to acknowledge the fact that the only change to S.B. No. 440 is this specific provision. I'd like to inform everyone that S.B. No. 440 is actually the bill that was proposed by Mr. Watada, and the changes that were made to this bill were, for the most part, in reaction to an Attorney General's opinion and Mr. Watada's responses.

"We have three primary pieces of testimony that we received: first, the Attorney General's; second, Mr. Watada; and third being one from HGEA. HGEA was in complete opposition to this measure.

"Mr. President, over the years we have attempted to get a campaign spending bill through this Body. The Senate has done it and it has basically died in the next Chamber, or we haven't been able to work it out in Conference and therefore it never reaches back to us.

"Mr. President, this amendment asks to reinsert in S.B. No. 440 a prohibition against labor organizations. Mr. President, this Chair, your Chair of Judiciary, has included it in the past. The reason the Judiciary Committee agreed to exclude labor organizations is a very practical one, and the practical aspect of it is that labor organizations really do represent its membership. It is a different situation from big corporations or banks. They are actually membership driven. They are the way a group speaks together, and that is the whole concept of labor organizations – it is the ability to act in concert.

"We believe that amendment will put forth this bill to the next Chamber and we can have further discussion on it throughout this process. For that reason, Mr. President, after your Chair and the Committee listened to what we had before us, I believe that this amendment is one that we should not put forth at this time, and recognizing that this is Third Reading in the Senate only, hopefully this bill will move forward and we will be able to go on from here.

"Mr. President, it's just the labor organizations. There was no opposition to the banks and corporations, which we've had in the past. This is the only area that we had any opposition, and with that in mind, I believe that this bill has a good chance of survival.

"Thank you, Mr. President."

Senator Hemmings rose to speak on the amendment as follows:

"Mr. President, I rise to speak in favor of the motion.

"This isn't just a labor union. This is simply unfair to allow one dominant special interest group to hold sway over the campaign spending initiative and allow their money to be put into the process to influence decision making while everybody else is banned from the corporate level. The logic put forth by the Senate Judiciary Chair regarding labor unions being members of this organization, and quote, unquote, 'corporations' are just some nebulous organizations out there without any foundation is simply specious, at best, and outright inaccurate would probably be a better description.

"Stockholders who take money out of their pockets and put it into corporations have a huge vested interest in the welfare of their companies. I would suggest that they have just as much, or maybe even more, since it's their money on the line, than



members of the labor union would have. Labor, corporation, it's about time we stopped dividing those entities and we start working together to try to make things good for everybody in Hawaii. And obviously, we'll be hearing those issues more today.

"But if the Majority Party is really interested in a level playing field that benefits the people that sent us here, they would pass this amendment to do just what the Senator who's proposing this amendment wants – eliminate money from corrupting the election process. So if you vote against this amendment, I think you're voting against fairness and a level playing field for the campaign process. I would urge my colleagues to think about it before casting your vote today.

"Thank you."

Senator Slom rose to speak in favor of the amendment and said:

"Mr. President, colleagues, I rise in very strong support of this amendment. I've never heard a weaker argument by the Senate Judiciary Chair on any bill, any measure, any incident.

"And the fact of the matter is, as was said by the proponent of this amendment, we have voted on this bill before. The Judiciary Chair acknowledged that we had, that we passed it, that it was the other house that didn't respond.

"The issue is campaign spending reform – genuine and meaningful reform. How can you have genuine and meaningful reform when you take one of the key elements – organized, compulsory labor unions – out of the mix? And what is the argument? Well, we don't think we can get it passed with them in it, and they're the only ones that complained.

"Well, that's a good point. I wonder where all the people are that always support campaign spending reform that want the fairness and the level playing field that the Minority Leader was speaking about. We didn't hear from them this year either. Is it just another recognition that the labor unions, in fact the labor union bosses, do control not only this Legislature, but the social, economic, and political machinations of this State, because that's the only reason that's given. It's not given that it won't work, that it couldn't work, that it shouldn't work, because morally, everyone in this room knows that it should be included. It's a question of fairness; it's a question of equity.

"And again, the issue really is campaign spending reform and how can we have campaign spending reform without this amendment, as we always had before. It is an abdication by the State Senate to forces outside this room, to the House, to the labor union bosses. And I say labor union bosses because let's not kid ourselves when we talk about membership and labor unions. We've seen in the past the labor unions have fought amongst each other, the members have filed grievances against their union heads, and members are the first ones to tell you they don't want their dues money, their benefit money, used for political purposes without their choices. And yet, that's what we're going to do. We're going to continue to subjugate the members.

"As far as the Attorney General, I don't know what kind of papers or conversations the Judiciary Chair is alluding to, but I can tell you this – that my reading of the law indicates that if we do pass this, it will not pass constitutional muster because we are separating classes of people and saying this applies to one class but we're giving a free ride to another class. What the bottom line is, Mr. President and colleagues, is it's not fair, it's not moral, and you know it.

"Please support this amendment. Thank you."

The motion to adopt Floor Amendment No. 1 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, 18 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui). Excused, 2 (Ihara, Inouye).

At 10:29 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:29 o'clock a.m.

Senator Kim requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Trimble rose and said:

"Please note my reservations, Mr. President."

The Chair so ordered.

The motion to pass S.B. No. 440, S.D. 1, on Third Reading was then put by the Chair and carried, S.B. No. 440, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Whalen). Excused, 1 (Ihara).

At 10:31 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:33 o'clock a.m.

Stand. Com. Rep. No. 852 (S.B. No. 738, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 852 be adopted and S.B. No. 738, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble then offered the following amendment (Floor Amendment No. 2) to S.B. No. 738, S.D. 1:

SECTION 1. Senate Bill No. 738 S.D. 1, section 1 is unamended.

SECTION 2. Senate Bill No. 738 S.D. 1, section 2 is amended to read:

"SECTION 2. Forty per cent of all unexpended and unencumbered moneys remaining in the general fund at the close of fiscal year 2004-2005 pursuant to section 40-65 and section 40-66 shall transfer to the credit of the Employees' Retirement System."

SECTION 3. Senate Bill No. 738 S.D. 1, section 2 is amended by amending line 12 on page 2 to read:

"SECTION 3. New statutory material is underscored."

SECTION 4. Senate Bill No. 738 S.D. 1, section 3 is amended by amending line 13 on page 2 to read:

"SECTION 4. This Act shall take effect upon its approval"

Senator Trimble moved that Floor Amendment No. 2 be adopted, seconded by Senator Hogue.

Senator Trimble rose to speak in favor of the amendment as follows:

“You know, colleagues, one of the unfortunate things in this Chamber is that very few of us has ever worked for state government. And that puts us at a disadvantage because we tend to make laws without an understanding of what motivates the civil service system, government bureaucracy, to either spend or not spend money.

“We have indeed created a system that rewards failure by increasing resources and personnel. At the same time, we have a negative reward structure for those that come in under budget or don’t fill positions because this Body, in its Ways and Means Committee, removes those positions and cuts budgets of those departments and those branches that operate more efficiently than anticipated.

“The second major problem in state government for the wasting of money has to do with the way the executive branch handles the end of the fiscal year. At the end, starting on July 1<sup>st</sup> every year, the Departments and Budget and Finance and DAGS are so engrossed in trying to figure out how much money was spent and how much money is left, that new purchase orders are not processed for a two- to six-week period. How government employees respond to this uncertainty is to spend money before the end of the previous fiscal year to stockpile those resources they think they’ll need to have.

“Given the way that people in government respond to uncertainty and respond to the reward structure, I think it’s important that we give them a positive incentive, an incentive that says if you don’t spend that last dollar or that last ten dollars, that something good will happen. The incentive I’m talking about is by saying that on June 30<sup>th</sup>, 40 percent of the unencumbered balance in the general fund will be made as a one-time transfer to the Employees’ Retirement System. We have discussed last year and the year before last, the problem with a significantly underfunded Employees’ Retirement System. What you don’t know, my colleagues, is that government employees not only worry about the day they’re going to retire, whether it’s tomorrow or ten years from now, but they also worry about whether there will be sufficient resources in the Employees’ Retirement System to take care of them in their golden years.

“So what this amendment does is it provides a positive incentive for those people in the civil service system that are actually making the purchasing decisions as to whether the money is to be spent or to be saved – what is more important – and taking a fraction of that and transferring it to the Employees’ Retirement System, which is significantly underfunded.

“I urge your support for this amendment. It will be popular with your colleagues who are government employees, and I request a Roll Call vote.”

Senator Kanno rose to speak in opposition to the amendment and stated:

“Mr. President, I rise to speak in opposition to the floor amendment.

“Mr. President, although the proposal is a very creative approach, the provisions in the floor amendment have not had a public hearing. Also, the floor amendment calls for 40 percent of all unexpended and unencumbered monies in the general

fund to be transferred to the Employees’ Retirement System. Each year, the carryover balance is critical in moving forward with a balanced budget.

“I urge my colleagues to vote ‘no.’ Thank you.”

The motion to adopt Floor Amendment No. 2 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 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui). Excused, 1 (Ihara).

At 10:40 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:42 o’clock a.m.

The motion to adopt Stand. Com. Rep. No. 852 and pass S.B. No. 738, S.D. 1, on Third Reading was then put by the Chair and carried, Stand. Com. Rep. No. 852 was adopted and S.B. No. 738, 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. 902 (S.B. No. 960):

Senator Taniguchi moved that Stand. Com. Rep. No. 902 be adopted and S.B. No. 960, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings then offered the following amendment (Floor Amendment No. 3) to S.B. No. 960:

**SECTION 1. Senate Bill No. 960, section 1 is amended as follows:**

“SECTION 1. The recent tsunami in southeast Asia claimed the lives of hundreds of thousands of people and caused widespread economic devastation estimated in the billions of dollars. This situation is made even more tragic with the realization that additional lives could have been spared and businesses and property protected if adequate tsunami preparedness measures, such as warning sirens, a mobile civil defense alert system or evacuation plans, were in place.

Hawaii is no stranger to the destruction and devastation that tsunamis can bring. Hawaii’s geographical location makes it especially vulnerable to tsunamis that can strike in a matter of hours due to an earthquake in Asia thousands of miles away or seismic activity beneath the ocean floor. Hawaii’s experience with tsunamis has led to the creation of a well-coordinated tsunami monitoring and forecast system among federal, state, and county governments. However, even with this comprehensive, state of the art monitoring system in place, Hawaii’s tsunami preparedness efforts have not kept pace. Antiquated siren systems, outdated evacuation maps in phone books, insufficient shelter space, limited public education projects, underutilization of available mobile text messaging technology, and lack of around-the-clock alert staff means that Hawaii residents may lose critical seconds in evacuation time or, worse, be unable to access shelter in the event a tsunami hits.

The purpose of this Act is to appropriate funds for tsunami preparedness efforts, including maintaining and installing new siren systems, updating evacuation maps in phone books, constructing additional shelter space and retrofitting existing

public buildings that could serve as emergency shelters, providing around-the-clock alert staff for the civil defense division, expanding public education campaigns emphasizing the need for tsunami preparedness and authorizing the department of defense to establish, as a two-year pilot program, an opt-in mobile civil defense alert system to residents and visitors on an opt-in basis without cost to the state of Hawaii."

**SECTION 2. Senate Bill No. 960, section 2 is unamended.**

**SECTION 3. Senate Bill No. 960, is amended by adding a new section, section 3, to read:**

"SECTION 3. The department of defense is authorized to establish, as a two-year pilot program, an opt-in mobile tsunami alert system, utilizing a participating mobile data communications company, or companies, with interoperable platform exchange capability allowing messaging across all mobile standards, protocols and the Internet. The system is to be offered to residents and visitors on an opt-in basis; without cost to the state of Hawaii and without cost to visitors and residents who choose not to participate."

**SECTION 4. Senate Bill No. 960, section 4 is amended to read:**

"SECTION [3]4. The sum appropriated shall be expended by the department of defense for the purposes of this Act."

**SECTION 5. Senate Bill No. 960, section 5 is amended to read:**

"SECTION [4] 5. This Act shall take effect on July 1, 2005."

Senator Hemmings moved that Floor Amendment No. 3 be adopted, seconded by Senator Hogue.

Senator Hemmings rose to speak on the amendment and said:

"Mr. President, I can see that the wagons are circled pretty tightly in the Majority Party, but nevertheless, I'd like to put this motion into play for the purposes of hopefully doing something in the House of Representatives or moving on this at some later date when it goes to Conference.

"This simple amendment would strengthen our civil defense system considerably and bring the technology into the 21<sup>st</sup> century by allowing mobile messaging systems to be plugged into the civil defense system. In other words, your cell phone could be used as an early warning device. For your information, there are currently 150 siren gaps in the tsunami warning system throughout the State of Hawaii, so there are many areas where people will not have sirens. And as we well know, approximately 87 percent of the people who carry cell phones have them with them at any given time. They don't have radios and if they're out of the range of the sirens, they will not get warnings. This would allow mobile messaging to be plugged into the phone. It would be an automatic dial system where a third provider would dial into your system and give you the warning directly from the Civil Defense.

"Number two, it has a tremendous technological advantage for the simple reason that if there's a huge quake on the east plank of the Big Island, for instance, that results in a tsunami, the geophysicists estimate there would be approximately 17 minutes for the people of Oahu to prepare for a tsunami. This would obviously give access to many people who would not hear the sirens, or if so, would not be inclined to take immediate action.

"This technology is being used by civil defense systems in Hong Kong, Israel, the Netherlands, and Sweden. After the terrible quake in the Indian Ocean, Australia and India are also creating similar systems. In America, Washington, D.C., Arlington County in Virginia, Fairfax County, and several other counties are conducting the test as this amendment proposes.

"I would urge my colleagues to give this serious consideration and vote in favor of it so we can send over to the House of Representatives an early warning system that would bring the whole system into the 21<sup>st</sup> century. Right now, we're using sirens and radios. That's what we were using 50 years ago and it has many gaps in it. This would bring us into the 21<sup>st</sup> century and allow the system to be utilized accordingly.

"I would urge my colleagues to vote in favor of this amendment, and we'll see what happens. I would also like to have a Roll Call vote. Thank you, Mr. President."

Senator Taniguchi rose to speak on the amendment as follows:

"Mr. President, I rise to speak against the amendment.

"Although I'm speaking against the amendment, I think the Senator from Waimanalo makes a good point. So I guess what we'll try to do is incorporate his discussion of this as we go through the process. But at this point, it's probably not necessary to do this, and I urge my colleagues to vote 'no.'"

Senator Trimble rose to speak in favor of the amendment and stated:

"Mr. President, I guess it is fitting that the Senator from Manoa talks about the process and that is why I rise – because if it is a Republican idea, the process doesn't work. In Democrat-controlled committees, it tends to be the Democrat bills that are introduced that get a hearing, that get discussed, that get voted on. That is why we have had to resort this morning to bring out good ideas and to hopefully seek open minds so that they can be discussed and they can be considered.

"I urge that you vote in favor of this bill. Thank you."

Senator Inouye rose to speak in opposition and said:

"Mr. President, I speak against this measure.

"On behalf of the Committee on Transportation and Government Operations, civil defense has come under our purview and we've had many discussions on bills that we will be voting on today and some that we have already approved on Consent Calendar. We've had many discussions with regards to civil defense operations and hopefully at that time it should have been brought up.

"And on a point of personal privilege, Mr. President, I'd like to add that I believe that this measure – that my colleague to my right, as kind as he is, but as kind as we all are – I have heard several measures of the Minority Party in my Committee and they're moving and so I think there's some on our table as well. We've had several informational briefings where I've allowed the Minority Party to sit on my table as well and offer to ask questions. So, to my colleague on my right, I think that we all make decisions to the best of our abilities as well.

"Thank you, Mr. President."

Senator Trimble rose to speak in rebuttal and said:

"Mr. President, the previous remarks that I made, if they were interpreted by the Senator to my left as referring to the good Senator from the Big Island, they were not directed at her.

"So, if my remarks were said and interpreted that way, I apologize to the Senator to my left."

Senator Taniguchi rose on a point of personal privilege and said:

"Does that means it was intended for me?" (Laughter.)

The Chair replied:

"I guess so."

Senator Taniguchi continued:

"Again, Mr. President, I believe we've tried in the Ways and Means Committee also to be very open to ideas. I think we've discussed a lot of things. In many instances, we've heard the bills of the administration. I remember that the Governor is a Republican and that we've heard administration bills. It's my understanding that in many cases, members of the Minority have voted against the Governor's bills.

"So, I really want to state that I believe that the good Senator from Waikiki might be a little misguided on this one.

"Thank you."

Senator Hee rose on a point of personal privilege and stated:

"Mr. President, one need only look at the two confirmations of Betsy Strance and Richard Bissen to know that the wagons are not always circled as tight as the Republicans would like the public to believe.

"Thank you."

The motion to adopt Floor Amendment No. 3 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 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui). Excused, 1 (Ihara).

The motion to adopt Stand. Com. Rep. No. 902 and pass S.B. No. 960 on Third Reading was then put by the Chair and carried, Stand. Com. Rep. No. 902 was adopted and S.B. No. 960, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 10:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:52 o'clock a.m., with the Vice President in the Chair.

### THIRD READING

S.B. No. 438:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE

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

Ayes, 22. Noes, none. Excused, 3 (Ihara, Slom, Trimble).

S.B. No. 439:

Senator Hanabusa moved that S.B. No. 439, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose in support of the measure and said:

"Madam Vice President, may I rise to speak in favor of this bill? These remarks apply equally as well to the previous bill. I rise to speak in favor of the bill.

"It's a good bill. The only question I have to ask is, 'Why now?' Why is this Body suddenly interested in greater disclosure and expanding the public's knowledge in the general area of ethics. I think it's good. I think it's overdue, and I will be voting in favor of this measure."

The motion was put by the Chair and carried, S.B. No. 439, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS 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. 595, S.D. 1:

Senator Hanabusa moved that S.B. No. 595, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in support with reservations and stated:

"Madam Vice President, I speak with reservations. What I want to know is if the Office of Elections does not get around to . . ."

Senator Baker interjected:

"Is the Senator speaking for or against the measure?"

Senator Trimble replied:

"I'm speaking for the measure with reservations.

"The problem and dilemma I have on this bill is, what if the Office of Elections does not get around to deciding who is authorized to train and how the workers are going to be certified? And if they don't get around to doing it then we won't have the option of having poll watchers.

"I'm also concerned that the deadline for submission of names for poll watching has been reduced from 30 days to 10, so I'll be voting with reservations.

"Thank you."

Senator Hanabusa rose to speak on the measure as follows:

"Madam President, I'm responding. I assume that was a question directed at the Chair more than rhetorical. But in the interest that it was a question, let me respond to the statements made by the previous speaker.

"This bill was amended so that it is 30 days now, and the reason why it went to 30 days was it was a compromise with the Office of Elections. The training is to be done like any precinct worker, and that is the concern of the Office of Elections. The reason why the names have to come earlier rather than later is because of the fact that they are required to have sufficient time in order to train. That's where the 30-day compromise was reached. The original bill was 90 days, and it went to 30.

"Thank you very much."

The motion was put by the Chair and carried, S.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS," 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. 600:

Senator Hanabusa moved that S.B. No. 600, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Whalen rose in opposition to the measure and said:

"Madam President, I rise in opposition to the measure.

"Briefly, I'd just like to note that on one of the bills that we passed already, we're lowering the age of CDL, commercial driver's licenses, to age 18 that someone can get it at. They can drive around with explosives in the back of their semi truck and yet we're raising the age that they can own a gun to 21.

"In the committee report, it referred to wanting people experienced that know how to handle the guns. That's why we're raising the age. I have preteens in my district who know more about guns, probably, than most of the adults in this building. I don't think that the age itself is the criteria. If we were worried about knowledge and experience that's one issue, but to simply raise the age, I believe it's merely another effort to take guns away from people.

"Thank you."

Senator Hemmings rose to speak in opposition to the measure and stated:

"Madam Vice President, yesterday we had a memorial service. Parenthetically, it was one of the more emotional functions I've been to. We laid to rest a number of good Marines, some of whom were 19 or 20 years old who recognized that the Second Amendment of the United State's Constitution was a very well-thought-out document in the course of the history of this country.

"They went overseas, some of them 18, 19 years old, and put their lives on the line and paid the ultimate price for the right to bear firearms. The record should also note that if you read the Federalist Papers and other writings regarding the Second Amendment, it wasn't written specifically for hunters. It was written for people, citizens, to bear firearms in case they have to rise up against a tyranny.

"This amendment is just as precious to the Constitution as many others that we defend on this Floor. I would urge my colleagues to think about these things before they rush on to politically correct votes that sound so wonderful in the eyes or in the ears of some of the beholders. We have these laws, and we have a Constitution that was well thought out and has stood the test of time. And also think about those 18-, 19-, 20-year-

old young men and women who are bearing firearms to defend our right to be even talking about issues like this today.

"I urge my colleagues to vote 'no' against this legislation. It sounds politically correct, but it is not fair, and it is not in tune with the Constitution of the United States of America."

Senator Slom rose in opposition to the measure and said:

"Madam Vice President, I rise in opposition to the bill.

"Adding to what's been said already, in all of the testimony that was presented for this bill, there were no problems that were discussed, no crimes have occurred because 18-year-olds were allowed to transfer firearms. And that's what we're talking about. We're talking about transfers here.

"Certainly, this is a state's right to determine the age and the details of this kind of transfer; however, I would remind my colleagues that the vast majority of states do follow the federal law, which is age 18. So, with no legal issues, no problems, I don't see why we should introduce or support this bill, and I urge a 'no' vote.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 600, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS," 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).

S.B. No. 436:

Senator Hanabusa moved that S.B. No. 436, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in support of the measure as follows:

"Madam Vice President, I rise to speak in favor of this bill.

"I favor increasing the number of people who have to disclose or prepare financial statements and submit them to the Ethics Commission. The only question that I would raise is one that I raised a few bills earlier – why now? Why the sudden interest now?

"Thank you, Madam Vice President."

The motion was put by the Chair and carried, S.B. No. 436, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," 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. 437:

Senator Hanabusa moved that S.B. No. 437, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in support of the measure and stated:

"Madam Vice President, again I rise to speak in favor of this bill.

“And again I ask the question, ‘Why now?’ I support the idea of increasing the conflict of interest portion of the statement. I think it’s appropriate, but why now?”

“Thank you.”

Senator Tsutsui rose to speak in support of the measure and said:

“Madam President, I rise in support, and ask, ‘Why not now?’”

The motion was put by the Chair and carried, S.B. No. 437, entitled: “A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS,” 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. 643 (S.B. No. 536):

Senator Hanabusa moved that Stand. Com. Rep. No. 643 be adopted and S.B. No. 536, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition to the measure and said:

“Madam President, I rise in opposition to this bill.

“What this bill allows, of course, is the unions, the same unions we exempted from campaign spending, to come and picket on a private person’s residence. And that private person can be the head of a company, can be an employee of a company, could be a stockholder, could be an interested individual, could be a spouse. But what it allows is pickets to come to the personal residence and to either provide strike information or picketing information there.

“I think the courts have held that certainly a person has an absolute right to their private property in terms of picketing, and I think this goes against that. But again, common sense and clear morality would tell you that this is not the right place and not the right forum for labor disputes.

“Thank you.”

Senator Kanno rose to speak in support of the measure and said:

“Madam President, I rise in support of the measure.

“The enforcement of Chapter 379A is unconstitutional and preempted by the National Labor Relations Act. The U.S. Supreme Court has consistently held that state laws are powerless to restrict a labor union’s peaceful picketing activity because the legality of picketing is decided solely under federal law.

“In Hawaii, several incidents have occurred wherein the attempted enforcement of this Chapter resulted in the issuance of letters of admonishment by the legal counsel for the unions. These letters indicated that the enforcement of this law could result in the filing of a lawsuit against any officer, as well as the government, for false arrest and constitutional violations. Consequently, no enforcement of this law has resulted. If a law is unenforceable and in conflict with federal labor laws and policy, it should not remain in the statutes, as its continued existence places law enforcement officials at risk of lawsuits for

false arrest and acts to divest individuals of constitutionally protected rights.

“Madam President, the Labor Committee heard another measure that would have allowed unions to picket on private property at a mall, shopping center, resort, or hotel complex, provided that the picketing is limited to areas accessible to the general public. The bill was not passed because of testimony submitted about it being unconstitutional. Workers are not allowed to picket in these areas.

“Madam President, in this instance, in regards to S.B. No. 536, we should support the free speech rights of workers to picket on public property and in a peaceful manner.

“Thank you.”

Senators Sakamoto, Tsutsui, Baker, Nishihara and Fukunaga requested their votes be cast “aye, with reservation,” and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 643 was adopted and S.B. No. 536, entitled: “A BILL FOR AN ACT RELATING TO LABOR DISPUTES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Chun Oakland, Hemmings, Hogue, Ige, Inouye, Kim, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 644 (S.B. No. 925, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 644 be adopted and S.B. No. 925, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose to speak in opposition to the bill and said:

“Madam President, I rise in opposition to this bill.

“This will be one of a series of bills confronting us today which basically tries to interfere with the executive’s power of appointment and the executive’s duties. We’re going to see a number of bills today where this is being attempted, and while this Legislature, this Senate, may pass these bills, I think that they will fail the test of separation of powers. So I urge a ‘no’ vote.

“Thank you.”

Senator Kokubun rose to speak in support of the measure as follows:

“Madam Vice President, with respect to the previous speaker’s comments, this does not take away the Governor’s right to appoint. She is just being asked to select from a list of three names submitted by the Office of Hawaiian Affairs for one position on the Land Use Commission.

“As my colleagues all know, there are nine members on the Commission. There is one member from each of the counties, four at-large, and now there would be one selected from a list of three submitted by the Office of Hawaiian Affairs.

“Madam Vice President, I would also like to point out that in testimony delivered by the Land Use Commission Executive Officer, he indicated that there was a Supreme Court decision that concluded that the Land Use Commission has a statutory and constitutional obligation to preserve and protect customary and traditional rights of Native Hawaiians. Given the LUC’s constitutional and statutory obligation to carefully weigh all

impacts of any proposed project against the benefits of the project, the Land Use Commission believes that the decision-making capacity of the Commission can only be enhanced by ensuring that at least one of its members has been nominated by the agency established by the State Constitution as responsible for programs and activities related to Native Hawaiians.

“With that, I ask all my colleagues to support this measure. Thank you.”

Senator Whalen rose in opposition to the measure and said:

“Madam Vice President, I rise in opposition.

“My opposition is different, that’s why I’m speaking. It is my belief that the Land Use Commission should be considering this regardless of their background. There should be no one appointed to this Commission who doesn’t fulfill that constitutional role.

“Just recently in my district, and the previous speaker would certainly be aware of this, the Burial Council made a decision regarding a site that has halted a very needed road in my district. When interviewed, a number of the members of the Burial Council said that their goal was simply to preserve the past. They didn’t take into account the benefit for the community or the public need for this road; simply, how are we going to protect the burial sites.

“My concern is that if we begin to head down this road of appointing people to this Commission with their one special interest in mind, we will begin to get skewed decisions that do not take into account the balancing factor that this Commission needs to do and instead simply focus in on what their one goal is.

“And if we are appointing anyone to any commission who has that type of mindset, I think we are making a mistake. This bill, I think, moves us much closer to not only allowing it, but mandating that we appoint people with a single purpose in mind.

“So for that reason, I oppose it.”

Senator Kokubun rose in rebuttal and said:

“Madam Vice President, may I rise in rebuttal, please?

“Again, this is a situation where members of the Land Use Commission are nominated by the Governor and confirmed by the Senate. So there are numerous opportunities for us to review and look at any of the potential candidates and be sure that their biases and/or perspectives are balanced, and I think that is again, the responsibility of this Body.

“So I do not think that just because one of the nominees is going to be nominated or selected from a list of three submitted by the Office of Hawaiian Affairs, that it indicates that there is going to be any problem with that respect.

“Thank you, Madam Vice President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 644 was adopted and S.B. No. 925, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION,” 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).

At 11:09 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.

Stand. Com. Rep. No. 648 (S.B. No. 1884, S.D. 1):

Senator Hee moved that Stand. Com. Rep. No. 648 be adopted and S.B. No. 1884, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Whalen rose to speak in opposition to the bill and stated:

“Madam Vice President, I rise in opposition.

“The problem I have with this is two issues. One is home rule. I don’t think we should be getting into telling the counties what they can and can’t permit. I know we set guidelines for them in our statutes, but I think we are again imposing what we want on the counties when this is really their decision. We gave them that ability and we’re telling them how to use it.

“Secondly, although this might work in some areas, in my district, where there are large, vast areas of just lava fields, for those of you who might be listening, before somebody can get a permit for development, they would have to commit and also connect up all the public access to the beach. So whatever goes through their property, which in my district there are large developments, they would have to have, basically, a shoreline path that they’d have to create. There are areas that are almost impossible to connect that people are looking to develop, and they already are connected out on the public roadway. What this bill is trying to do is force a developer to create another road or path somehow which, of course, would have to be ADA compliant for people to get to walk along the beach, basically.

“I think we’re going too far in our zeal to tell the counties what to do and not taking into consideration this overall impact that it will have on people who are developers. I mean, developers are not evil, and we treat them as such. If properly regulated to make sure they fulfill their obligations, that’s a very important part of our economy.

“Thank you.”

Senator Hooser rose in support of the bill and said:

“Madam Chair, I rise in support.

“I’d like to urge my colleagues to support this bill. It’s a good bill. As someone from the neighbor island, I think it’s important to all of us, the preservation of coastal access, preservation of the public’s right to not just get to the beach, but to walk along the coastline. I’d like to point out that existing law already establishes the right of transit along the shoreline below the private property line, and it actually says, ‘in areas where cliffs or vegetation or the nature of the topography is such where there is no reasonable safe transit for the public, the counties, by condemnation, shall establish the makai boundaries of the property.’ So, this law already directs the counties to condemn the property. What we’re doing is giving the next mechanism by authorizing the counties or requiring the counties to have developers establish that.

“I’d like to point out this is a bipartisan effort also. The Mayor of the County of Kauai, who is a member of the Minority Party, has proposed to the Kauai County Council that developers of projects provide lateral public access along the shoreline, as well as mauka and makai. So I think it’s an idea

that's come and is long overdue, and I urge my colleagues to support it.

"Thank you."

Senator Hogue requested his vote be cast "aye, with reservation," and the Chair so ordered.

Senator Kokubun rose to speak in support of the measure and said:

"Madam Vice President, I just wanted to, for the record, state that I also stand in support of this measure, obviously, but I also wanted to say that there are a number of areas on the Big Island, particularly in West Hawaii, where shoreline access is very important. And I know that there are many community activists for public access, and I believe it was the Senator from West Hawaii who actually acted to create more public access with respect to NELHA and those lands leading up to the Pine Trees area. This is all in the Kohanaiki area.

"So, Madam Vice President, I wanted to just point out to my good friend from West Hawaii that I know he took a very active role in establishing that public access, and I thank him for that.

"Thank you, Madam Vice President."

Senator Whalen rose to speak in rebuttal and stated:

"Madam Vice President, brief rebuttal.

"You know, this isn't about public access because this bill doesn't say we have to create public access. What we're doing is telling someone they have to build a road, path, some sort of connection, through their property to connect up all of this – basically, a pathway along the beach. And as was already noted, it already is public land. If people can walk, they can walk.

"What we're doing is telling the developer they have to make a road or some sort of pathway, and with ADA it's got to have ramps and only a certain degree of angle to go up. It can't just be mowing through lava fields. They're going to have to do it according to all of this. It's a huge expense.

"This is not about public access, despite what you've already heard. This is not about preserving public access because public access is there or it's not. This simply says the developer has to connect them all up. If it's public access, there already is access. This simply is telling the developer they have to connect the public accesses.

"I know this is going to pass – but for anyone who is listening and actually engaged here, what you've actually heard is totally not what the bill is about. The bill is about forcing a developer to pave over, if you'd like, more of our natural areas so that people can have the pleasure of strolling along our shorelines. Whereas in many places it's natural, and people like it, well from now on, if this bill passes into law, there will be now cement paths or roads that go along the beach instead.

"Thank you."

Senator Inouye rose on a point of personal privilege and said:

"Madam Vice President, point of personal privilege, please, and I'd like to ask several questions to the introducer and perhaps the Chair of the Water Land Committee. In yesterday's discussion, this had hit me in some ways, and in just reading through the bill today, Madam Vice President, I have just a few questions.

"Number one is that in this bill there's no amendments to section (e) on the last page, on page 3 – 'this section shall apply to the plan of any subdivision or development which has not been approved by the respective counties prior to July 1, 1973.' So this bill is not prospective. And that's one question.

"Another concern I have is that I live in a subdivision and most, I would say 95 percent, are elderly and we take care and we certainly look after each other. They are retired nurses, retired teachers, very old single persons. And the concern I have is that we're on the ocean, and this bill is providing lateral public access along the shoreline, and that's a concern that I have. And this bill, is it only for developers, or existing residences throughout the shoreline, throughout the State? So, I think this would allow for certainly the counties to act and make sure they're lateral accesses, and it's a concern of mine.

"So otherwise, I will be voting with reservations, and perhaps move this bill along and maybe we could do some amendments as it crosses over, but just those questions, Madam Chair."

At 11:18 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 o'clock a.m.

Senator English rose to speak in favor of the bill as follows:

"Madam Vice President, I rise in support of the measure.

"Madam Vice President, I'd like to just read, for those of us who are engaged in this, to read this because the bill itself clarifies some of the statements made here. And, in pertinent part, on page one it says, 'Public access. (a) Each county shall adopt ordinances that shall require a subdivider or developer, as a condition precedent to final approval of a subdivision, in cases where public access is not already provided, to dedicate land for public access by right-of-way or easement for pedestrian travel from a public highway or public streets to the land below the high-water mark on any coastal shoreline, to connect existing accesses to the shoreline with lateral public access along the shoreline, and to dedicate land for public access by right-of-way from a public highway to areas in the mountains where there are existing facilities for hiking, hunting, fruit-picking, ti-leaf sliding, and other recreational purposes, and where there are existing mountain trails. For the purposes of this subsection, "lateral public access" means land for public access for pedestrian travel alongside a shoreline or coastline.'

"So it's quite clear that we're not talking about paving anything along the oceanfront as was alluded to earlier. We're not talking about anything like that. What we're saying is, connecting the existing accesses and creating new accesses for subdivisions after 1973.

"Thank you."

Senator Kokubun rose to speak in support of the measure and said:

"Madam Vice President, with respect to the questions raised by the good Senator from Hamakua, I did have a chance to speak with her during recess and I just wanted to point out to her, as the previous speaker has said, that this does apply to the fact that we referenced the date July 1, 1973, that's when the shoreline access law was adopted by the State of Hawaii. And also, this only refers to lands that will be subdivided into six or more lots or parcels, so this does not apply to individual landowners currently on existing lots of record.



“Thank you, Madam Vice President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 648 was adopted and S.B. No. 1884, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO SHORELINES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 3 (Slom, Trimble, Whalen). Excused, 5 (Bunda, Hanabusa, Ihara, Nishihara, Taniguchi).

Stand. Com. Rep. No. 651 (S.B. No. 625, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 651 be adopted and S.B. No. 625, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose to speak on the bill with reservations and said:

“Madam Vice President, please note my reservations on this. There was some opposing testimony and I think this needs to be cleaned up along the way.

“Thank you.”

Senator Fukunaga rose in support of the measure and stated:

“Madam Vice President, I am rising to speak in support of S.B. No. 625, S.D. 1.

“The only difference that the MAT Committee made to the original bill was to add one word. It clarifies that records of access organizations should be included by the DCCA Director in access organizations’ contracts. I believe much of the testimony from the CPH Committee that subsequently heard this bill was from organizations referring to amendments made in a companion House measure.

“For these reasons, I would like to urge my colleagues to vote in support of S.B. No. 625, S.D. 1.”

Senators Hooser 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. 651 was adopted and S.B. No. 625, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CABLE TELEVISION ACCESS ORGANIZATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Ihara, Taniguchi).

S.B. No. 768, S.D. 1:

Senator Menor moved that S.B. No. 768, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose to speak in opposition to the measure and said:

“Madam Vice President, I rise in opposition to this measure.

“The committee report noted that in the previous 25 years there have been 13 deaths and six serious injuries related to this sport. It doesn’t seem that there is a compelling or widespread

need for this legislation at this moment, so I will be casting a ‘nay’ vote.

“Thank you.”

Senator Slom rose to oppose the measure and stated:

“Madam Vice President, I, too, rise in opposition to the bill.

“I was here when the original legislation was discussed and passed. I voted against it at that time, saying that there was no demonstrated need for it. Now we’re seeing that after five, six, seven years, that the rules and the law that was passed are unenforceable, but we don’t have any evidence or any inkling of any problems in Hawaii. What we do have is an indication that at one time, when this bill was originally discussed, we used to have a lot of these events sponsored here in Hawaii, and now, I think everybody would have to stretch their memory to remember the last time we had one of these events.

“So it would be best to let the current law exist or to repeal the law altogether. Thank you.”

Senator Baker rose to speak in favor of the bill as follows:

“Madam Vice President, as the author of the original bill outlawing extreme, no-rules combat in Hawaii and as a member of the Consumer Protection Committee, I rise in support of this measure.

“I would note for the record that this is an administration bill, and it came forward from Regulated Industries because there’s been a great influx of promoters of no-rules combat events who want to conduct these activities at the Neal Blaisdell Center and in other places. I would note from their testimony that at the present time, some form of unarmed combat is prohibited in 13 states and regulated in 24 others.

“Section 440D-1, Hawaii Revised Statutes, currently prohibits no-rules combat, extreme or ultimate fighting, or similar contests. However, without specific provisions enabling the Department to appropriately assess a match or an exhibition, enforcement of Chapter 440D has been a time-consuming and labor-intensive process so that the law can be enforced. We are trying to give them the tools that would enable them to do their job more expeditiously.

“The proposed legislation from the administration seeks to address these concerns and recognizes that with certain safeguards, some forms of ultimate fighting can occur in a manner that does not place contestants at unreasonably high risk of bodily injury or death. The safeguards that are set forth in this bill are as follows: (1) contestants are medically fit adults who are not disqualified from competing in another jurisdiction at the time of the match or exhibition; (2) a match is conducted pursuant to the promoter’s rules that protect the safety of contestants; (3) an experienced adult referee is in the ring directing and controlling the match; (4) a licensed physician supervises the match at ringside; and (5) the match is conducted in a manner that will promote the maximum safety of the contestants to the extent feasible, and that finally, promoters submit pre-match and post-match materials to the department for review.

“Madam Vice President, I believe that these are reasonable safeguards. This bill improves the law and makes it easier for DCCA to enforce. I urge all my colleagues to support this measure.”

Senator Hogue rose to speak in support of the measure and said:

“Madam Vice President, I rise in support.

“Colleagues, I’ve been a sportscaster for over half my life, and I have seen a lot of sports and sporting events. And these types of sporting events, and I almost hardly even call them sports, are some of the most violent, and frankly, vile events that you can possibly imagine.

“I can also tell you that there are some times, and I say, ‘some times,’ fly-by-night promoters who come in to promote these matches, and all they’re trying to do is make a buck and get out of town.

“So this measure goes a long way to regulate this particular quasi-sport, and I applaud the Chair for raising these issues. I support this administration bill, and I urge all my colleagues to do so as well.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 768, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Slom, Trimble). Excused, 4 (Bunda, Hee, Ihara, Sakamoto).

Stand. Com. Rep. No. 659 (S.B. No. 1285, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 659 be adopted and S.B. No. 1285, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose to speak on the measure with reservations and said:

“Madam Vice President, I rise with reservations.

“I’m concerned and curious about the portion or section that would say that the people on the commission cannot be sued in relation to their selection, convening, or certification. I’m uncertain as to why that language is appropriate.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 659 was adopted and S.B. No. 1285, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Hee, Ihara).

S.B. No. 842, S.D. 1:

Senator Taniguchi moved that S.B. No. 842, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak on the bill with reservations and stated:

“Madam Vice President, I rise with reservations on this issue.

“During the testimony at Ways and Means, there was not one case that was evidenced by the Department of Taxation to show

that, indeed, this loophole was being utilized. So I question the need.

“Thank you, Madam Vice President.”

The motion was put by the Chair and carried, S.B. No. 842, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hee, Ihara).

S.B. No. 736, S.D. 1:

Senator Taniguchi moved that S.B. No. 736, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to oppose the measure and said:

“Madam Vice President, I rise in opposition to the bill.

“During the testimony on the bill, the Budget and Finance Department was asked what the costs are of actually issuing these special purpose revenue bonds. And as we know, this is a bill that we passed several of the SPRBs over the years. They are for basically nonprofit, educational, health, and other interested projects, and the State has no liability. What the State does is help in issuing the bonds, and the organization that issues actually prepares and issues the bonds. They’re the ones that get the lower rates in terms of interest.

“So Budget and Finance is assessing a fee, but upon questioning, they didn’t know what the actual costs were. At the present time, they are allowed to recover the cost of actually issuing the bonds. And I think before we add additional fees, particularly fixed fees, we should know exactly what the costs are, whether they are low, whether they are high, and they should reflect what the cost is of actually issuing the instrument.

“So I’ll be voting ‘no.’ 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. 736, S.D. 1, 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, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Hee, Ihara).

S.B. No. 1140, S.D. 1:

Senator Menor moved that S.B. No. 1140, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and stated:

“Madam Vice President, again, I’ll be voting ‘no’ on this bill because it establishes new fees, an administrative fee in this case of \$75. I don’t think it’s been justified.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 1140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICE LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Hee, Ihara).

Stand. Com. Rep. No. 674 (S.B. No. 761, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 674 be adopted and S.B. No. 761, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose to speak in opposition to the bill as follows:

"Madam Vice President, I rise in opposition to this measure.

"I couldn't find any reference to what this will do to healthcare costs, and until we have those numbers, I think it is inappropriate for our process of expanding every year without consideration of the cost of healthcare benefits, and then every year we see that Kaiser and HMSA raise their rates, but we don't know why.

"Anyway, I think we should have closure on this discussion. Thank you."

Senator Baker rose to speak in support of the bill and said:

"Madam President, I rise in support of this administration bill.

"Madam President, in 2003 we began the journey toward establishing mental health parity in our state. During that debate, we left out some of the mental illnesses to be included for reimbursement because there was concern about the cost. One of those was major depression. Following the 2003 Session, after the bill became law, HMSA's most popular plan provided, basically, full mental health parity, and that plan is the floor under our prepaid health act.

"So, the effect is that we have mental health parity, but on the chance that the plan should change, it's important for us to enact this legislation to ensure that all of our citizens who may have mental illness are treated equally.

"I would note that national trends in mental health care are toward expansion of mandated mental health treatment benefits through parity with other physical benefits. This trend is based on the assumption that it is discriminatory to restrict or offer less access to healthcare in the area of mental health relative to other areas of healthcare. Only a small percentage of the population use mental health treatment services in contrast to physical healthcare services, where 65 percent of the population will use the service in a given year. Only 4 percent of the population will ever use mental health service.

"Having a generous benefit design in a health plan does not imply high levels of use or costs for mental health treatment services. This has been demonstrated over and over again in the prior legislatively mandated studies we've done here in Hawaii.

"In addition, persons with a serious mental illness often do not have commercial insurance, and if qualified, may not have followed through to obtain a Medicaid plan. With our current definition in statute, many patients with debilitating depression, obsessive compulsive disorders, dissociative disorders, and delusional disorders simply don't qualify for these services that would be delivered at community mental health centers.

Without ready access to outpatient services, their disease progresses until inpatient care is necessary.

"This expensive level of care could be avoided in many cases with early intervention, and this is exactly what this bill is designed to do. It codifies current practice. It's good public policy. It's good healthcare policy, and I urge all my colleagues to join me in voting 'yes' on this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 674 was adopted and S.B. No. 761, 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, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Ihara).

S.B. No. 1870, S.D. 1:

Senator Taniguchi moved that S.B. No. 1870, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and said:

"Madam Chair, I rise in opposition to this bill.

"As the testimony indicated, this is not the proper way to enforce a problem, if indeed a problem exists. We heard testimony from people, in particular, contractors, that they're upset because the numbers of owner-builders have been increasing. Well, per se, that doesn't show us anything that's illegal or immoral, or anything else. What it shows is that the high cost of housing is driving people to try to do things on their own. They still pay taxes – they pay all of the taxes in terms of materials that they buy, labor that they have to subcontract.

"What this bill seeks to do is to discourage the practice of owner-builders taking care of their own properties, which has been exempt from taxation on their own laborers for many years. It is a bill that will not address the alleged problems that were brought up in testimony. That would be the current enforcement of existing laws, not to further tax.

"Anytime we have a problem in Hawaii, we don't look at the laws that we have, we don't at the problem, we look at the symptoms. And so this is a bill that will add tax and not solve problems.

"Thank you."

Senator Sakamoto rose to speak in support of the bill and stated:

"Madam Vice President, I rise in support of the measure.

"I believe the Senator from Hawaii Kai is making certain assumptions as to the merits of the bill or as to who pays taxes and who doesn't. When the Tax Director observed the measure he made a comment that they wanted to provide a forum to determine that indeed the taxes have been paid. One reason for this measure is because I believe, and I think most of you would also believe, that there is some leakage in terms of the taxes that are supposed to be paid via work being done, not by the owner or his brother or his son or his mother or his grandmother, but by people who are being paid cash, not getting worker's comp insurance, not getting liability insurance, etc. I think this is a measure about doing things correctly.

"Our Tax Director was concerned about whether we are going to have people pay more than once for certain bona fide subcontractors or materials. The Tax Director was concerned about materials that are supposed to be taxed from the mainland that are drop-shipped.

"I think there are measures to capture tax leakage. I don't believe this is a measure to punish anybody as someone may have assumed. I think this is a measure to do what is right and fair, so I ask my colleagues to support the measure."

Senator Trimble rose to speak in opposition to the measure as follows:

"Madam Vice President, I rise in opposition to this measure.

"Two issues: one is that I don't feel that it is appropriate for the counties, the building department, to collect the GE tax for the State; number two, if they are placed in that position, going forward we will notice that there is less accuracy and fewer applications for building permits than would exist if they weren't the tax collecting authority.

"Thank you."

Senators Chun Oakland, Fukunaga, English and Hooser 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. 1870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 1 (Ihara).

S.B. No. 1745, S.D. 1:

Senator Taniguchi moved that S.B. No. 1745, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to oppose the bill and stated:

"Madam Vice President, I rise in opposition to the measure.

"I think it is bad public policy. Well actually, it is bad public policy, and it rains in more places than just Manoa, but we single out Manoa for issuing a tax credit. I speak also against the measure because it is a tax credit and not a low interest loan.

"Colleagues, I don't think that we should be encouraging homeowners to not have homeowner insurance. That's the reason for having homeowner insurance. And in other cases, we have not been the home insurer of last resort. I don't think we should begin by selecting Manoa.

"I urge you to vote 'no' on this measure. Thank you."

Senator Taniguchi rose in support of the bill and said:

"Madam Vice President, I have remarks in support of S.B. No. 1745, S.D. 1, that I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Taniguchi's remarks read as follows:

"Mr. President, I rise to speak in favor of S.B. No. 1745, S.D. 1.

"The purpose of this measure is to provide a one-time non-refundable income tax credit to the victims of the Manoa flood of October, 2004.

"As we all know Mr. President, the heavy rain and flood of October 2004 had devastating consequences for the residents of Manoa Valley. Approximately 140 homes and several automobiles sustained damage caused by the torrential downpour that overflowed the banks of Manoa Stream. Fortunately, the flooding did not cause any serious injuries or deaths, but the property damage it left in its wake is still being felt by many Manoa families.

"This bill provides relief to the victims of the Manoa flood in the form of a one-time non-refundable income tax credit (not to exceed \$2,000 per taxpayer) and applies to non-reimbursable expenses incurred by the flood victims for repairs, insurance, rental and other costs related to the flood damage.

"I urge all my colleagues to support this measure.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 1745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELIEF FOR MANOA FLOOD VICTIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 978:

On motion by Senator Fukunaga, seconded by Senator Menor and carried, S.B. No. 978, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1348, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, S.B. No. 1348, 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. 691 (S.B. No. 80):

Senator Menor moved that Stand. Com. Rep. No. 691 be adopted and S.B. No. 80, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose to speak on the measure with reservations and said:

"Madam Vice President, I rise with reservations.

"I note that this bill changes the definition from two inches or some size to something that is visible from 50 feet. And if you could only see through my eyes, you would find that change rather curious. I can measure the size of a letter, but for me to see something at 50 feet, the letters would have to be fairly large.

"Thank you, Madam Vice President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 691 was adopted and S.B. No. 80, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY 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. 692 (S.B. No. 668, S.D. 1):

Senator Inouye moved that Stand. Com. Rep. No. 692 be adopted and S.B. No. 668, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Trimble rose to speak with reservations as follows:

"Madam Vice President, I also rise with reservations.

"Intellectually, the function of this bill is to encourage competition in the marketplace by having a set-aside for small businesses. It is the desire to increase competition, and hopefully over time, with this increased competition, we will be able to have lower costs.

"I think it is appropriate in this bill that we, after so many years, mandate that a study be conducted to determine its results.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 692 was adopted and S.B. No. 668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," 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. 696 (S.B. No. 1256):

Senator Hanabusa moved that Stand. Com. Rep. No. 696 be adopted and S.B. No. 1256, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hogue rose to speak in opposition to the bill and stated:

"Madam Vice President, I rise to speak in opposition.

"I know we had a long discussion about this particular measure last year, and I believe the reason for the constitutional amendment is that last year's measure did not pass constitutional muster and so there is an effort to put it forward again.

"I stress, colleagues, I feel this is politically motivated. There is no way to stop politics in the Board of Regents process. I don't care if you take power away from the Governor and put it in the hands of a selected list, or whatever you call it, you're still going to have political pressure. And as was brought up before when there was this talk about a take away from the Governor, what you end up having is special interest putting forward just their special interest candidates.

"I am aware that there is a movement nationally to follow this particular lead, but in at least one of the states that has put forward this particular idea, they have the list but they do not require the Governor to pick from that list. So ultimately, the responsibility lies with the executive branch.

"I think we all saw this past year how difficult of a job the Board of Regents has. And we saw ultimately, the firing of our University President. It was not a pretty picture. We did not like how some of the efforts came forward, but ultimately, as was noted, I believe even by Madam President and also by the House Higher Education Chair; ultimately, the right decision was made.

"So I don't know whether or not this proposal would change that. I think it's just a take away from the Governor. I think we should stop and think about all of these powers that we are taking away from the Governor and look back at an accountability situation where the Governor is accountable for his or her appointees, and then we do our process as far as advise and consent.

"So, I urge all of my colleagues to vote 'no.' Thank you."

Senator Hee rose in support of the measure and said:

"Madam Vice President, I rise to speak in favor of the matter before us.

"This isn't a politically motivated bill as far as I'm concerned. It may be to others, but not to me. Let me read a list of names: David P. Carey, Steve Case, Mary Cooke, Wendy Crabbe, Judith Sheehan-Dawson, David Fairbanks, Mark Fukunaga, Warren Luke, Duncan MacNaughton, Randy Moore, Michael Pietch, James Scott, Duane Steele, Jeffrey Watanabe, Kathleen Sullivan-Wo. This isn't the University of Hawaii Board of Regents, Madam Vice President.

"Patricia Lee, John Kai, Trent Kakuda, Kitty Lagareta, Ramon de la Peña, Byron Bender, Andres Albano, Alvin Tanaka, James Haynes, Jane Tatibouet, Myron Yamasato – these are the University of Hawaii Board of Regents.

"Part of being a regent is being able to network far beyond the shores of these islands. We will, this Session, engage in the confirmation of two people, both interim trustees – John Kai, who lacks a college degree, and Ramon de la Peña, who is a retired taro farmer from Kauai. If anything needs to be done at the University of Hawaii besides raising tuition, it is ratcheting up the quality of regents. In fact, were it up to me, it would be expanding the regents, creating a board of advisors as well as a board of trustees. This University needs to get out of the old system and get on with the new, and get moving forward to move the University where it says it wants to go.

"Colleagues, this is the first step in the process of selecting the Board of Regents. More importantly, the question before us is to ask the people if they agree that the selection of the regents could be done in a better way by amending the Constitution.

"Thank you."

Senator Trimble rose in opposition to the bill and said:

"Madam Vice President, I rise in opposition to this measure.

"I think the issue here is accountability, and not only for the Board of Regents, but also for the University of Hawaii itself. I see no need to change the current system even though we went through a college president last year. I think our existing system serves our people well.

"Thank you, Madam President."

Senator Hooser rose to speak in support of the measure and stated:

"Madam Vice President, I rise in support of this measure.

"This is a good bill. This is good for the University. I think we should all just take a moment and try to focus on what is the best thing for the University and not what's the best thing for Republicans or the best thing for Democrats, but the best thing for the University.

"This State made a decision sometime back that autonomy was the best direction for the University of Hawaii to go. This is a step in that direction, a very strong step. This is good public policy. People may perceive it in different ways, but the bottom line is that this is good public policy.

"The Association of Governing Boards of Universities and Colleges – this is the organization that just about every university and college in the nation belongs to – they make it their task, their job, to advise university regents on policies and best practices. And I'll just read for a second, a quote from a letter that came from last year but it's on the same principle: 'As the national group for boards, trustees, and regents, the Association of Governing Boards of Universities and Colleges has advocated for this approach for nearly two decades and have worked successfully with states to see such committees enacted. We believe very strongly that Governors should have the authority and privilege of appointing public university trustees and regents, but we also believe that independent screening bodies to assist with this process to identify outstanding citizens is very important. Finally, we believe that such independent screening committees operate best when enacted and sustained with bipartisan support. Nonpartisan advisory or nominating committees who recruit, screen, and recommend board candidates is an important tool to ensure that the best candidates are considered for these important positions.'

"I'd like to add that there was testimony, powerful, compelling testimony, from a Mr. Boas, who's a member of the University Foundation, but speaking on his own behalf. Mr. Boas states, 'I believe that this proposed legislation reflects the autonomy of the University which was provided for in a previous constitutional amendment. Now that the University is independent from the State and has its own legal personnel, it is appropriate that governance of the University represent the various constituencies which have a direct interest and stake in the University. In my opinion, the candidate advisory council clearly represents the University stakeholders and interested parties.'

"This is a good bill. It's good for the University. It was also supported in principle – the concepts – by the various accrediting agencies, WASC and ACCJC. This de-politicizes the regents' selection and supports autonomy. I encourage my colleagues to give the power of the regent selection to the University community itself, and vote in support of this measure.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 696 was adopted and S.B. No. 1256, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS," 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 (Ihara, Taniguchi).

Stand. Com. Rep. No. 697 (S.B. No. 1257, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 697 was adopted and S.B. No. 1257, S.D. 2, 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, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Ihara, Taniguchi).

Stand. Com. Rep. No. 699 (S.B. No. 45, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 699 be adopted and S.B. No. 45, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Trimble rose to speak in opposition to the bill as follows:

"Madam Vice President, I rise in opposition to this bill.

"As a practical matter, budgets are prepared one year, up to two years before the money is actually spent. It is not necessarily known in advance if there is a need to perhaps send someone to the mainland. I think that it would be irresponsible by this Body to say that no transfers could be made regardless of the circumstance without legislative approval through the budgetary process.

"Thank you, Madam Chair."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 699 was adopted and S.B. No. 45, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," 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 (Ihara, Menor).

Stand. Com. Rep. No. 703 (S.B. No. 1298):

Senator Hanabusa moved that Stand. Com. Rep. No. 703 be adopted and S.B. No. 1298, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition to the bill and stated:

"Madam Vice President, I rise in opposition to this bill.

"We already, of course, have requirements for environmental impact statements. They work quite well. What this bill does, however, is to try to further expand the EIS, and it says that we have to provide information for any group that would be affected. And then the part that I find particularly troubling is it specifically cites racial issues. I think we've found, particularly with the University of Hawaii a couple of weeks ago where we brought in a racist and paid him with tax money, that we're going in the opposite direction. Instead of having racial harmony, we're now trying to find ways to point out racial disunity.

"So I think does a disservice and I'll vote 'no.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 703 was adopted and S.B. No. 1298, 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, 19. Noes, 4 (Hogue, Slom, Trimble, Whalen). Excused, 2 (Ihara, Menor).

Stand. Com. Rep. No. 706 (S.B. No. 427, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 706 be adopted and S.B. No. 427, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

At 11:57 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.

Senator Hogue rose to speak in opposition to the measure and said:

"Madam Vice President, I rise in opposition.

"This is the much debated child passenger safety seat issue. I think that we can all agree that we want to have our children be safe, but this is going to put an undue burden on our already struggling families, and not to mention just how difficult it is from time to time for a single mom running around her kids to now all of a sudden have to worry about one of these big old safety seats.

"This is a measure, as it moves forward, we continually hear from people in our districts who will be placed in a very difficult situation. I think this is well intended, but it is up to us as parents to make our children safe and not have the State mandate a big piece of equipment that we're going to have to put in the car, and in some cases, when we have several children – I have four as a matter of fact; they're all grown now, but I can't imagine how difficult this would have been on me and my family back in the day.

"So I urge all my colleagues to vote 'no.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 706 was adopted and S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 6 (Hemmings, Hogue, Kim, Slom, Trimble, Whalen). Excused, 4 (Bunda, English, Ihara, Taniguchi).

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:59 o'clock p.m.

Stand. Com. Rep. No. 707 (S.B. No. 428, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 707 be adopted and S.B. No. 428, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Taniguchi requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Slom rose to speak in opposition to the measure as follows:

"Madam Vice President, I will be voting in opposition to this bill.

"We've, of course, had this bill before. We have problems with teenage drivers. We have problems with senior citizen drivers. We have problems with drivers. But to categorize all teenagers and to punish them is not fair and it is not right. We don't have evidence that the vast majority of teenagers abuse the privilege – and that's what it is, the privilege of getting a license.

"So, for those young people out there that do the right thing and listen to their parents and drive responsibly, I'll be voting 'no.' Thank you."

Senator Inouye rose to speak in support of the bill and said:

"Madam Vice President, I speak in support of S.B. No. 428, S.D. 2.

"This is an administration bill and this relates to driver licensing. It establishes a three-stage graduated driver licensing program for persons under the age of 18 and requires young drivers to be accompanied by a licensed parent or guardian when driving between 11:00 p.m. and 5:00 a.m. with limited exceptions.

"I believe this bill will help reduce fatal crashes and injuries. Young drivers are at much higher risk of crashing, mainly because they lack the driving skills that come with experience on the road. Driving at late night hours only increases this risk. Statistics clearly show that teenage drivers are disproportionately involved in crashes. In 2003, a USA Today study found that 3,500 teens died in teen-driven vehicles in the USA that year, a death toll that tops any disease or injury for teens. Sixteen-year-olds have ten times the crash risk as drivers ages 30 to 59, and three times the risk of older teens. Sixteen-year-olds also die at night at twice the rate as in the daytime.

"States with some form of graduated driver's licensing system have reported a significant reduction in fatalities. As an example, Wisconsin, which places restrictions on nighttime teen driving, has seen a 53 percent drop in crashes involving teen drivers, and North Carolina, which also has restrictions, has seen a 25 percent drop. New Jersey, which has long barred sixteen-year-olds from having unrestricted licenses, has had one of the lowest teen fatality rates in the USA. Here in Hawaii, we hear too often of crashes involving teenage drivers, especially at night. Forty states and the District of Columbia have three stages before gaining full licensure.

"Hawaii needs to adopt this measure to improve the safety of our roads and of our youth who use them. As Legislators, we owe it to the public to do our part. I urge my colleagues to vote in support of S.B. No. 428.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 707 was adopted and S.B. No. 428, S.D. 2, 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, 19. Noes, 2 (Slom, Whalen). Excused, 4 (Bunda, Ihara, Menor, Taniguchi).

Stand. Com. Rep. No. 708 (S.B. No. 706, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 708 be adopted and S.B. No. 706, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Whalen rose in opposition to the measure and said:

“Madam Vice President, I’ll try to summarize. I think I’ve made my concerns known to the Chairman of Judiciary, but for those of you who aren’t sure exactly what they are – and before anyone hops up and says ‘this is an administration bill,’ I realize it is but as you know, our party tends to do its own thing, its members, so you don’t need to keep using that as an argument.

“These penalties are too skewed, too draconian. What we’re going to do is create a class of uninsurable, unlicensed drivers. Because when you get your license revoked, you have to post what is called an SR-22, which is an extra personal liability policy, and the State by law cannot issue a license to someone once their license is revoked until they have that. And it doesn’t matter, it goes on indefinitely.

“You were talking about young people who do not have the \$3,000 to \$6,000 to pay for an insurance policy, so once their license is revoked, it will remain revoked until they actually post that insurance. Hopefully, we’ll be able to address this, but as it stands now, I think we’d be causing the opposite effect; instead of stopping the drinking, what we do is create a greater problem by setting loose a class of people who are a menace to us, because if something does go wrong, someone else is going to have to pay. It’s not going to be them, it’s not going to be the insurance company.”

Senator Hogue rose to speak on the bill with reservations and stated:

“Madam Vice President, I also will be voting with reservations.

“I think the penalties are too severe and too long lasting. Hopefully, the intent of this bill can go forward and make the penalties fit the crime and not stay with these young people who have obviously made bad decisions early in life, and make it stay with them forever.

“So, hopefully this bill can be amended as it goes along through the process. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 708 was adopted and S.B. No. 706, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Sлом, Whalen). Excused, 3 (Bunda, Ihara, Menor).

Stand. Com. Rep. No. 709 (S.B. No. 1588, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 709 be adopted and S.B. No. 1588, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Sлом rose to speak in support of the measure as follows:

“Madam Vice President, I speak in strong support of this measure.

“The measure is a good measure. We’ve had an increasingly serious problem with agricultural theft on all islands over the last couple of years, and I hope that this bill will help solve that problem. However, let me note that agricultural theft on the island of Oahu has gone down considerably in the last several months in direct relationship to the farmer that was able to

protect his own land using firearms for a trespasser. And I think that has had much more of an impact.

“So, if we would have only heard the concealed carry bill, and we only exercise our Second Amendment rights, that will do much more to deter not only agricultural theft, but also all of the break-ins and personal harm that is being done by those that don’t read all of our laws and don’t obey them.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 709 was adopted and S.B. No. 1588, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Ihara, Menor).

S.B. No. 1410, S.D. 1:

Senator Taniguchi moved that S.B. No. 1410, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and stated:

“Madam Vice President, I rise in opposition to this measure.

“Colleagues, good tax policy involves simplifying the tax code, simplifying and eliminating from those that are required to file – members of the working class. I speak in opposition to this and other tax credits because if we can eliminate our practice or our propensity to have tax credits, we really can raise the standard deduction and personal exemptions to the same level as applied on federal income taxes.

“Thank you, Madam Vice President.”

Senator Hooser rose in support of the bill and said:

“Madam Vice President, I rise in support.

“S.B. No. 1410 provides a refundable state earned income tax credit. The purpose is to reward working families and give additional income to those who need it. I think the key phrase is that this is a targeted income tax credit. It rewards people who work. People who do not work receive no credit. This reward works. It’s a work incentive. For families entering the workforce, a State EITC acts as a wage supplement.

“Nationally, EITC’s are generally considered bipartisan-supported programs. The money goes directly to the working individual without creating a large bureaucracy. According to the Center for Budget and Policy Priorities, 17 different states led by Republicans, Democrats, and bipartisan leadership, have enacted state EITC laws. EITC laws increase workforce participation. Again, according to the Center on Budget and Policy Priorities, a number of researchers have found that the large expansions of the EITC since the mid 80’s have been a major factor behind the trend toward greater workforce participation. The bottom line is that states with EITC’s have an increase in employment, an increase in people working.

“For those reasons and others, I encourage the members to support this bill.”

The motion was put by the Chair and carried, S.B. No. 1410, 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, 21. Noes, 1 (Trimble). Excused, 3 (Bunda, Ihara, Menor).

Stand. Com. Rep. No. 715 (S.B. No. 1473, S.D. 1):

Senator Kokubun moved that Stand. Com. Rep. No. 715 be adopted and S.B. No. 1473, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hooser.

Senator Trimble rose to speak in opposition to the measure and said:

"Madam Vice President, I rise in opposition to this bill.

"Good public policy should be applied equally throughout our State. And I would like to note that some of the same concerns that relate to Waimano Ridge also relate to other areas in our State. I would like to note for the record that when the University of Hawaii did its environmental impact statement for the Kakaako campus, the study was entitled, 'Health and Wellness Center.' It did not disclose in the environmental impact statement their intention to build class III wet laboratory space.

"So the reason why I'm voting 'no' on this bill is that when we come up with public policy and law, we should apply it equally over the entire State. Thank you, Madam Vice President."

Senator Kokubun rose to speak in support of the measure and stated:

"Madam Vice President, I stand in support of this measure.

"I just want to point out that the reason this particular area is singled out in this measure is that there was a master plan that was developed with the community in the early 1990's, and the fact is that government has not complied with that master plan. Changes have been made, and the community has not been informed. And therefore, I think that's the reason for submitting and supporting this legislation.

"I urge my colleagues to support it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 715 was adopted and S.B. No. 1473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Bunda, Ihara).

S.B. No. 693, S.D. 1:

Senator Menor moved that S.B. No. 693, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose in opposition to the bill and said:

"Madam Vice President, I rise in opposition to this measure.

"Colleagues, you'll remember that I voted 'no' last year on a similar measure, which we are seeking to amend today. My concern is that charitable gift annuities is a rather dangerous tool in the wrong hands, and it is a vehicle that we should be very careful with when we are expanding the ability of people

to offer it and get our oldest residents to buy into, quote, 'the benefits of the program.'

"Thank you, Madam Vice President."

The motion was put by the Chair and carried, S.B. No. 693, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Bunda, Ihara).

Stand. Com. Rep. No. 718 (S.B. No. 74, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 718 be adopted and S.B. No. 74, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose to speak in support of the measure with reservations as follows:

"Madam Vice President, I rise with reservations on this bill.

"I'm going to tell you, I'm confused. One moment we're saying that we can't trust young drivers and we have to put penalties on them, the next moment we're lowering the driving age for commercial vehicle drivers because the commercial industry can't find enough drivers at 21. They need them at 18.

"So, I think we need to send the same message to everyone in our State, particularly those of younger age. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 718 was adopted and S.B. No. 74, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Bunda, Ihara).

Stand. Com. Rep. No. 720 (S.B. No. 1624, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 720 be adopted and S.B. No. 1624, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and said:

"Madam Vice President, I'm voting 'no' on this bill.

"I'm voting 'no' because the bill would raise the cost to the State and also, again, we're sending mixed signals. We're usually telling people to look for generic drugs, but the thrust of this bill is to make sure that we do not use generic drugs, or at least the Department of Human Services. So it is going to be a costly measure.

"Thank you."

Senator Baker rose to speak in support of the bill as follows:

"Madam President, I rise in support of this measure.

"Although the Department of Human Services testified in opposition, they finally had to admit on the last page of their testimony that none of the classes of drugs specifically mentioned in this bill are included in the department's newly implemented Medicaid-preferred drug list program. It's bogus to say that this bill will raise the cost to the Medicaid program.

It means that our Medicaid PDL doesn't impact any of the drugs mentioned in this bill.

"So, the boogie man that DHS tried to raise in their testimony doesn't exist. And quite frankly, for persons with HIV/AIDS and with Hep C, there's only a few small number of drugs that can be used. They're not generic. They are expensive, but these people who have these particular diseases can function very well with the drugs if they're made available to them in a timely fashion. That's the purpose of this bill, to make sure that DHS does not put them on a pre-authorization category, does not tinker with the life-saving formulas that these individuals need.

"I have some additional remarks I'd like to include in the Journal. Thank you."

The Chair having so ordered, Senator Baker's additional remarks read as follows:

"It is important that physicians be exempted from having to obtain pre-authorization prior to dispensing medications to HIV/AIDS and hepatitis C patients on Medicaid. It is estimated 1.8 percent of Americans are actively infected with the hepatitis C virus and 4.9 percent have hepatitis B. For the 1,250,000 residents in Hawai'i this translates into 22,500 people with hepatitis C and 61,250 who have hepatitis B. Requiring pre-authorization of Medicaid recipients before dispensing medications for the treatment of HIV/AIDS, hepatitis C and the immunosuppressives needed for transplant patients is unduly arduous, difficult, and too time-consuming for practitioners with large numbers of these patients. Such patients require immediate treatment to avoid permanent injury or other undesirable consequence. There are many people who may eventually die from these diseases unless they are properly treated in a prompt and timely manner.

"Your committee heard testimony from individuals who with prescribed treatment are in complete remission and living productive lives once again. The National Association of Hepatitis Task Forces testified that this measure is necessary for the reform of healthcare for these chronic diseases. Other states across our nation have taken similar action and experienced success. Many years ago there was little hope for living with these illnesses, but now there are treatments and procedures available to allow persons who become infected to lead normal and productive lives. It is imperative that these medications be delivered and administered in a timely manner to prevent further medical costs.

"For these reasons I urge passage of S.B. No. 1624, S.D. 1. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 720 was adopted and S.B. No. 1624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," 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. 723 (S.B. No. 602, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 723 be adopted and S.B. No. 602, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose to speak on the bill with reservations and said:

"Madam Vice President, I'm voting with reservations on this bill.

"While the thrust of the bill is that there are a lot of illegal activities that go on at some pawnbrokers, what this does is force all pawnbrokers to adopt generally uniform software and computer procedures, most of which, particularly for the older mom and pop-type pawnbrokers, would be an added expense, and since they have not been involved in any illegal activities, it's again putting requirements and costs on everyone rather than enforcing the law against a few.

"Thank you."

Senator Baker rose to speak on the bill with reservations and said:

"Madam President, I rise with reservations on this measure.

"My concern is that although it's laudable that we would want to get stolen property back to the lawful owners, this bill seems to sweep in secondhand stores, thrift shops, swap meets, and others. It also was noted by the people that testified before your CPH Committee that many of the pawnbrokers are elderly.

"So, I just have concerns about the implementation and hope that as this measure moves forward, some of these matters will be taken into consideration.

"Thank you."

Senators Inouye, Trimble, English, Hooser 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. 723 was adopted and S.B. No. 602, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS," 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. 725 (S.B. No. 962, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 725 was adopted and S.B. No. 962, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," 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. 535, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 726 be adopted and S.B. No. 535, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose to speak in opposition to the measure and stated:

"Madam Vice President, I rise in opposition to this bill.

"This bill basically interferes with an employer's right to determine sick leave policies and also mixes sick leave with other employment practices. Sick leave is not a mandated benefit in the private sector, and so again, it is involved in

contractual arrangements. In terms of collective bargaining, it's not an issue.

"Thank you."

Senator Trimble rose to speak in opposition to the measure as follows:

"Madam Vice President, I rise in opposition to this measure.

"I believe that if we pass this measure, the long term impact will be a reduced number of sick days that private employers offer to their employees, and I think that is an undesirable consequence for the vast majority of the workers in Hawaii.

"Thank you, Madam Vice President."

Senator Espero 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. 726 was adopted and S.B. No. 535, S.D. 2, 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, 14. Noes, 9 (Chun Oakland, Hemmings, Hogue, Ige, Inouye, Sakamoto, Slom, Trimble, Whalen). Excused, 2 (Ihara, Nishihara).

S.B. No. 1018, S.D. 1:

Senator Chun Oakland moved that S.B. No. 1018, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Trimble rose to speak on the bill with reservations and said:

"Madam Vice President, I rise with reservations.

"Colleagues, I think that the process of accreditation and the process that Human Services goes through in reviewing day care centers is a different process. The second thing I'd like to note is that not all private schools are accredited or wish to be accredited by the one or two firms that do these accreditations in Hawaii. So, I don't think the best interests of all private schools in Hawaii will be advanced by passing out this measure.

"Thank you, Madam Vice President."

The motion was put by the Chair and carried, S.B. No. 1018, S.D. 1, 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, 23. Noes, none. Excused, 2 (Ihara, Nishihara).

S.B. No. 1415, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 1415, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Nishihara).

S.B. No. 1740, S.D. 1:

Senator Taniguchi moved that S.B. No. 1740, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the bill and stated:

"Madam Vice President, I rise in opposition to this measure.

"As noted earlier, I think appropriate tax policy should begin with getting as many of the working folks at the lower end of the spectrum off our tax rolls. While other measures may be appropriate, I think we should first start with raising the standard deduction and personal exemptions to the same levels used by the IRS.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 1740, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE INCOME TAX BRACKETS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Ihara, Nishihara).

S.B. No. 60, S.D. 1:

Senator Menor moved that S.B. No. 60, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose to speak in opposition to the bill and said:

"Madam Vice President, I rise in opposition to this measure.

"Colleagues, when this bill was first introduced, we just had a roomful of people at the CPH hearings, all from this particular industry, all talking about what this bill would do to their industry, and their feeling is that it would be catastrophic. So I'm urging you to vote 'no,' to think about these small businesses that have been run this way and do a great service to all of us in times of need.

"The discussion has to do with pre-need funeral sales, and under the current law which was enacted back in 1967, purchasers are able to pay for their preplanned funeral services in small payments over a period of years, and I think we can all agree that this does us a great service. The first 30 percent of these payments collected by the funeral authority is retained to cover their expenses. The balance of the payments is placed into trust and the funeral authority is permitted to remove the entrusted payments at the time they service the purchaser or other person designated by the purchaser.

"So, I think what has happened here is that there has been a problem in a couple of instances, and so this bill has been introduced and essentially is an overkill. So, I certainly hope that we would respect those that are in the industry who do a lot of great work for us in our time of need and respect the way they've gone about doing their business, and would vote down this bill as it is currently written.

"Thank you."

Senators Chun Oakland, Espero, Fukunaga, Hooser, Ige, Sakamoto, Taniguchi and Trimble requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Hogue rose and said:

“Mr. President, Roll Call vote, please.”

The motion was put by the Chair and carried, S.B. No. 60, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (English, Hogue, Inouye, Slom, Whalen). Excused, 2 (Ihara, Nishihara).

S.B. No. 120, S.D. 1:

Senator Menor moved that S.B. No. 120, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Trimble rose to speak in opposition to the measure and stated:

“Madam Vice President, I rise in opposition to the measure, and to keep it short, note that the Legislative Auditor was also in opposition to this measure.

“Thank you.”

Senator Sakamoto 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. 120, 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, 20. Noes, 3 (Hemmings, Slom, Trimble). Excused, 2 (Ihara, Nishihara).

S.B. No. 779, S.D. 1:

Senator Hanabusa moved that S.B. No. 779, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senators Hooser, Kanno, English and Taniguchi 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. 779, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Nishihara).

Stand. Com. Rep. No. 742 (S.B. No. 255, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 742 be adopted and S.B. No. 255, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senators Taniguchi, Hooser, Chun Oakland, Ige and Baker 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. 742 was adopted and S.B. No. 255, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ATTORNEY

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

Ayes, 21. Noes, 2 (Espero, Trimble). Excused, 2 (Ihara, Nishihara).

Stand. Com. Rep. No. 749 (S.B. No. 904, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 749 was adopted and S.B. No. 904, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF THE UNIVERSITY OF HAWAII,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Inouye, Kanno). Excused, 2 (Ihara, Nishihara).

Stand. Com. Rep. No. 751 (S.B. No. 1336, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 751 be adopted and S.B. No. 1336, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senators Fukunaga, Hogue 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. 751 was adopted and S.B. No. 1336, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senator Hogue rose to speak on a point of personal privilege and stated:

“Madam Vice President, just a point of personal privilege. I think we’re all kind of tired, so we’ve broken down our voting procedures and hands are just kind of raised willy-nilly. We don’t know if people are voting ‘with reservations’ or ‘no,’ so I’m just asking people to stand up if you have reservations and raise your hand if you have a ‘no’ vote so that we know exactly what’s going on. Is that okay?”

“Thank you.”

Stand. Com. Rep. No. 753 (S.B. No. 1409, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 753 was adopted and S.B. No. 1409, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 754 (S.B. No. 1468, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 754 be adopted and S.B. No. 1468, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Baker rose to speak in support of this measure and said:

“Madam President, I have remarks that I’d like inserted in the Journal in support of this measure.”

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I stand in support of S.B. No. 1468, S.D. 1.

"This very important measure will amend HRS §328K-2 to expand the prohibition of smoking already included in the statute to all areas in healthcare facilities and all areas 'from curb to cabin' at state airports. Some of my constituents, who as vendors deliver products regularly to Kahului airport, have complained about having to pass through clouds of cigarette smoke to conduct their business. Users of Honolulu Airport inter-island terminal, like me, who must go from Aloha's gates to the main part of the terminal, pass through clouds of smoke every time we depart from or arrive in Honolulu. Although many smokers try to be courteous when smoking around others, second-hand smoke is proven to have dangerous effects on nonsmokers' health, too. In fact, at your Health Committee's hearing for S.B. No. 1468, numerous testifiers presented evidence of the dangers of second-hand smoke, including the American Heart Association, the American Cancer Society, and a number of physicians and nurses. Inhaling second-hand smoke can be as injurious to one's health as smoking.

"As Legislators, promoting the health of our citizens is paramount, and that means helping to protect nonsmokers from the unwanted exposure and dangers of second-hand smoke. This bill is not intolerant of smokers. On the contrary, smokers may still enjoy the freedom of smoking in areas where less of the public will be negatively affected by second-hand smoke.

"Mr. President, your Committee believes that S.B. No. 1468 is good public policy, and I urge all my colleagues to support its adoption. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 754 was adopted and S.B. No. 1468, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 756 (S.B. No. 717, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 756 be adopted and S.B. No. 717, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the bill and said:

"Madam Vice President, I rise in opposition to the measure.

"I feel that it is inappropriate for this Body to confer civil service status on the members of the Business Action Center. Please note for the record that I think the Business Action Center does a great job, and that I'm supportive of the job, but I just don't feel it's appropriate in this instance or any other instance to convey civil service status by fiat.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 756 was adopted and S.B. No. 717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER," 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. 758 (S.B. No. 1374, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 758 be adopted and S.B. No. 1374, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the bill as follows:

"Madam Vice President, I vote 'no' on this bill.

"The reason is that it requires the DBEDT Chair to form a China-Hawaii task force, and so forth. DBEDT is already doing that, and I always look askance at bills that require or mandate people to do things that are in their regular scope of business.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 758 was adopted and S.B. No. 1374, S.D. 2, 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, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 762 (S.B. No. 1734, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 762 be adopted and S.B. No. 1734, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hogue rose to speak in support of the measure with reservations and said:

"Madam Vice President, please note my reservations on this particular measure.

"There are major concerns as this measure goes forward, and I think many of them have been written about in the newspaper. So, I think we really need to look at this and any of these major tax credit bills as they go forward.

"Thank you."

Senator Chun Oakland rose and said:

"Madam Vice President, I'd like permission to step off the Floor for a possible conflict."

The Chair noted:

"I don't think you need my permission."

Senators Slom, Ige and Hooser 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. 762 was adopted and S.B. No. 1734, 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, 1 (Trimble). Excused, 2 (Chun Oakland, Ihara).

Stand. Com. Rep. No. 765 (S.B. No. 747, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 765 be adopted and S.B. No. 747, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the bill as follows:

“Madam Vice President, last year on the same bill – and I realize it’s an administration bill or at least it was last year – it was sold to us last year and again this year as a consumer protection bill when in fact, no consumers or people that send money back home to their relatives testified in favor of this measure saying they would need protection.

“I was in the Committee that heard the testimony last year. I feel it’s probably the same this year, and those that supported it, in some instances, were those who would benefit because they would get more business and they would be able to charge higher fees than the people who are transmitting money back home now currently pay.

“So, because it is an anti-consumer measure, I will be voting against it. Thank you, Madam Chair.”

Senator Slom rose in opposition to the bill and said:

“Madam Vice President, I’ll be voting against it because it establishes a \$100 registration fee plus a \$100 annual fee as well.

“Thank you.”

Senator Menor rose to speak in favor of the bill and said:

“Madam Vice President, I rise to briefly speak in favor of this measure.

“I just wanted to offer some clarifying remarks which emphasizes the fact that the strongest supporters of this measure were representatives of the law enforcement community, including the Attorney General’s Office – this is in fact their measure. The reason why they felt this measure was necessary is because they feel that substantial sums of drug monies are being laundered through money transmitting organizations or businesses. So, in order for law enforcement to be able to get a better handle on the extent of the problem, they feel that regulation would allow law enforcement to obtain the kind of information that’s needed to be able to crack down on money laundering by drug offenders in this State.

“So, there’s a law enforcement issue and justification for this bill, and accordingly, I ask my colleagues to move this bill forward. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 765 was adopted and S.B. No. 747, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Hee, Ihara).

At 1:36 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:39 o’clock p.m.

Stand. Com. Rep. No. 770 (S.B. No. 959, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 770 be adopted and S.B. No. 959, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Chun Oakland 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. 770 was adopted and S.B. No. 959, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CABLE TELEVISION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 6 (English, Hemmings, Hogue, Hooser, Slom, Trimble). Excused, 2 (Ihara, Menor).

Stand. Com. Rep. No. 771 (S.B. No. 982, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 771 be adopted and S.B. No. 982, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

“Madam Vice President, I’m opposed to this measure.

“I certainly support public shelters and the improvement and maintenance thereof, but not at the expense of a further raid on the Hurricane Relief Fund. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 771 was adopted and S.B. No. 982, 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, 18. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Ihara, Menor).

Stand. Com. Rep. No. 773 (S.B. No. 1129, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 773 be adopted and S.B. No. 1129, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the bill and said:

“Madam Vice President, another ‘no’ vote, another raid on the Hurricane Relief Fund. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 773 was adopted and S.B. No. 1129, S.D. 2, 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, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 776 (S.B. No. 1453, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 776 be adopted and S.B. No. 1453, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

“Madam Vice President, I rise in opposition to this bill.

"This bill would add public service tax to private sewer companies. I'm only aware of one existing private sewer company on Oahu, that's the one in East Oahu in Hawaii Kai.

"Thank you."

Senator Trimble rose to speak in opposition to the measure and said:

"Madam Vice President, I also rise in opposition.

"I think it is the activity that we should look at that should be taxed, and not whether it's a private firm. If we wish to tax government enterprises that do a similar service, then, for the sake of consistency, I could vote for the measure. But since we are singling out only as it applies to the private sector, I'll be voting against it.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 776 was adopted and S.B. No. 1453, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," 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. 781 (S.B. No. 874):

Senator Taniguchi moved that Stand. Com. Rep. No. 781 be adopted and S.B. No. 874, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the bill and said:

"Madam Vice President, I'm rising in opposition to this measure.

"Last year, this Body took a monumental step forward when it talked about how funds are going to be allocated at the school level and letting the principal decide in conjunction with communication with the teachers and the parents. I don't find that this measure is doing that. I still find that we're back to our old habits of trying to tell the schools exactly what they should be doing. I think it's the wrong approach, and I'll be voting 'no' for that reason.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 781 was adopted and S.B. No. 874, 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, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 782 (S.B. No. 1221, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 782 was adopted and S.B. No. 1221, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 785 (S.B. No. 1258, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 785 be adopted and S.B. No. 1258, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

"Madam Vice President, I rise in opposition to this bill.

"Originally, this bill was to provide for additional textbooks, but now the function is going to be to bolster civic responsibility. I don't know how the Legislature, let alone the DOE, is going to bolster civic responsibility, and not only do I not know, no one else does because it's not spelled out here.

"Thank you."

Senator Hemmings rose to speak in opposition to the measure and said:

"Madam Vice President, I rise to speak against this legislation.

"The appropriation, once again this year, of several million dollars – in this case, \$2.5 million – to buy textbooks implies that there is not enough money to buy textbooks, and for the edification of this Body, I'd like to remind them that we spend over \$2 billion on our public education system directly through appropriating money to the DOE. That doesn't include the additional monies that are spent on other programs such as human services for eligible children. Certainly, out of the \$2 billion or \$10,000 per child on the average that we do spend, we should have adequate money to pay for schoolbooks out of existing resources.

"Therefore, I believe this is just another effort to throw more money at the public education system without accounting for the money they already should have been spending on having adequate books and resources in the classroom where the teachers and students are. So, I don't want to feed this hungry alligator, and I'll be voting 'no.'

"Thank you."

Senator Trimble rose to speak in opposition to the bill and said:

"Madam Vice President, I rise in opposition to this measure.

"Last year, we decided that schools needed science books. This year we decide that they need civics books. Again, the point is, the decision making about how to allocate the resources needs to be done at the individual school level. And for that reason, I'm voting against the measure.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 785 was adopted and S.B. No. 1258, 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, 3 (Hemmings, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 789 (S.B. No. 1533):

Senator Taniguchi moved that Stand. Com. Rep. No. 789 be adopted and S.B. No. 1533, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hogue rose to speak in opposition to the bill as follows:

“Madam Vice President, I rise to speak in opposition to this particular measure.

“This will make the Board of Education effectively into a mini-Legislature with the largest Board of Education that I could find in the entire United States. We went through and we reviewed many of the other states. Most boards of education are in the single digits as far members are concerned. There are some states – New Jersey has 13 board members, there are a few in Texas – that are up to 15, but we suddenly would put together a 17 person Board of Education. The only way to manage it would be to have all these committees and committee chairs, and I just can’t see it working.

“For that reason, I’m going to be voting ‘no’ and urge my colleagues to do so as well. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 789 was adopted and S.B. No. 1533, entitled: “A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO THE COMPOSITION OF 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 (Ihara).

At 1:48 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:49 o’clock p.m.

Stand. Com. Rep. No. 791 (S.B. No. 1637, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 791 was adopted and S.B. No. 1637, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 794 (S.B. No. 1814, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 794 be adopted and S.B. No. 1814, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the bill and said:

“Madam Vice President, I rise in opposition to this bill.

“First of all, the impact fees that we have already are bad enough because they add to the cost of housing that we’re complaining about. Secondly, what this bill would specifically do, it says it will establish a fair share amount of impact fees and it doesn’t say what the parameters or standards are.

“But more egregiously, what it does is create a taxing power for the Department of Education because it transfers those impact fees directly to the Department of Education. It gives

them additional funding, no accountability, and takes this responsibility away from the counties.

“Thank you.”

Senator Inouye 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. 794 was adopted and S.B. No. 1814, S.D. 2, 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, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 797 (S.B. No. 1709):

Senator Taniguchi moved that Stand. Com. Rep. No. 797 be adopted and S.B. No. 1709, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and stated:

“Madam Vice President, I rise in opposition to this measure.

“I rise in opposition to the measure, colleagues, because if this measure passes, it will be the fourth time we’ve created such an agency during my tenure in state government. The first one I remember is the Hawaii International Services Agency and two others after that. We need to have consistency of purpose.

“The second reason for questioning why to do it now is that during the last 30 years, we’ve become an increasingly global society. So the justification that you could have made for this 40 years ago, I don’t believe currently exists today. So I’ll be voting in opposition.

“Thank you, Madam Vice President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 797 was adopted and S.B. No. 1709, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS,” 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. 804 (S.B. No. 682, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 804 be adopted and S.B. No. 682, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak on the measure with reservations and said.

“Madam Vice President, please put down my reservations to this bill.

“I know that the Attorney General says that he needs this bill to, quote, ‘show proof of diligently enforcing the tobacco law,’ but I don’t know of the problems that they have right now that they can enforce.



“More importantly, they put a fee in here, and the fee is very interesting because it’s \$39. I don’t know how they got \$39 – if they wanted to show that it was a sale, it was under \$40. I’m not sure. They haven’t justified why it’s \$39, and I believe that’s an annual fee as well.

“Thank you.”

Senator Baker rose to speak in support of the measure and said:

“Madam President, I have some remarks in support of this administration bill which definitely will go a long way to help us curb access to tobacco products by minors.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in support of S.B. No. 682, S.D. 2, which is an administration bill.

“This is an important measure that will provide strict provisions regarding the sale of tobacco and thus help reduce the use of tobacco among Hawaii’s youth. Youth access to tobacco products is a significant factor in determining if a minor will ever smoke, experiment with tobacco, or become an occasional or regular tobacco user. Youth generally acquire tobacco one of three ways: purchase the product from retail outlets; get it from parents with or without parents’ knowledge; or get it from peers. A retail business is the most common way a minor acquires tobacco products. Studies from the Centers for Disease Control and Prevention have shown that 90 percent of current smokers began smoking before the age of 18. The longer it is possible to delay experimentation and use of tobacco, the more likely it is an individual will not become a regular user.

“Hawaii’s youth continue to take up smoking at an alarming rate, with almost 15 percent of Hawaii’s public high school students reporting that they are current smokers. The use of tobacco costs our society dearly – it is responsible for over 1,100 deaths per year in Hawaii alone and costs the state over \$525 million in health care and other associated costs per year.

“Meanwhile, cigarette companies are constantly targeting America’s youth in their attempt to sell their deadly product to a younger market. Our best defense against these statistics is to provide enforcement agencies with a means of monitoring and limiting the sale of tobacco products. This bill offers provisions to do just that. S.B. No. 682, S.D. 2, sets strict standards for retailers who want to sell tobacco products and provides hefty penalties for those who do not comply with the law.

“Requiring permits for the retail sale of tobacco products is not a new concept. Hawaii is only one of 10 states that does not require a permit to sell tobacco products at the retail level. This bill will greatly assist to curb the sale of counterfeit stamped products and counterfeit cigarettes that has resulted in the loss of millions of tax revenue due the state of Hawaii. More importantly, the effective monitoring and enforcement advanced by this measure will have the added benefit of helping curb the sales of cigarettes to minors.

“Mr. President and colleagues, please join with our Department of Health, the Attorney General, Department of Taxation, the American Lung Association, the American Cancer Society, the Coalition for a Tobacco Free Hawaii, the Senate Health Committee and others in strong support of this important bill.

“Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 804 was adopted and S.B. No. 682, 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. 807 (S.B. No. 802, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 807 be adopted and S.B. No. 802, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose and said:

“Madam Vice President, my inclination is to vote against this bill because it has created a special fund, but I had heard that the special fund had been taken out in the S.D. 2. I don’t see proof of that – if someone can correct me or update me. Otherwise I’m voting ‘no’ because it is a special fund.

“Thank you.”

Senator Baker rose to speak in support of the bill as follows:

“Madam President, I rise in support of S.B. No. 802, S.D. 2, which is an administration measure.

“For many of Hawaii’s residents, especially our senior citizens, prescription drugs are a vital part of everyday life. Unfortunately, the cost of these live-saving medications continues to rise.

“Despite our best efforts through Hawaii Rx Plus and other cost containment strategies, some of Hawaii’s most vulnerable seniors are at risk. Due to the recent enactment of the Medicare Modernization Act at the federal level, Hawaii seniors who used to get free medications will now have to pay part of the cost of getting their prescriptions filled. These so-called dual eligibles – eligible for both Medicare and Medicaid – now will only be able to receive Medicare benefits.

“That’s where the proposed state pharmacy assistance program contained in this measure comes in. This program, funded through rebates from drug manufacturers, will provide the co-payments for these vulnerable seniors so they can continue to receive the medications they once received with no charge.

“This administration sponsored bill is a win-win for our seniors. Passage of S.B. No. 802 will enable our low-income elderly population to continue to get the prescription drugs that they need without having to worry about whether they can afford get their prescriptions filled because of the co-payment required by Medicare.

“I urge my colleagues, even my colleague from Hawaii Kai, to support this important measure. Mahalo.”

Senator Slom rose again and said:

“Madam Vice President, I had asked the question, ‘whether or not this bill contains a special fund,’ and it was a wonderful discussion that the good Senator, my colleague from Maui, gave us, but I’m asking the question, ‘does this bill or does this not contain a special fund?’ If it does not, I’ll be very happy to support it.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 807 was adopted and S.B. No. 802, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 1:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:57 o'clock p.m.

Stand. Com. Rep. No. 811 (S.B. No. 1469, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 811 be adopted and S.B. No. 1469, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hogue rose to speak in opposition to the bill and said:

"Madam Vice President, on behalf of the good Senator from Waimanalo, who was recently married and would hate to continue to pay these increases in fees, I will be voting 'no' and I urge all others to do so as well.

"Thank you."

Senator Baker rose to speak in support of the measure and stated:

"Madam President, I rise in support of S.B. No. 1469, S.D. 1.

"My Oahu colleagues may not know that marriage license agents on the neighbor islands are mostly independent small business entrepreneurs. It was at their request that this measure was introduced.

"Hawaii has a thriving wedding business and it depends largely on the important services that these independent agents provide to our visitors as well as our residents. Yet, with this thriving visitor segment, it has been seven years since the independent agents who issue marriage licenses have had their compensation adjusted. In those seven years, their costs have gone up to the point that the current compensation rate of \$9 is not sufficient to even cover their costs of issuing the licenses.

"Let me provide some historical perspective: in 1992 the marriage license fee was \$16 and the agent compensation was \$8. In 1993, the fee went to \$25, agent compensation stayed at \$8. When the fee was raised to \$50 in 1998, the independent agent's compensation was finally increased, but by a mere \$1. In 2002, the marriage license fee went up again to \$60 but their compensation remained at \$9. So the last time compensation for independent agents was changed was in 1998. It has remained at \$9 for seven years since then. The \$5 surcharge per marriage license provided by this bill is a modest and long overdue increase in compensation to a small group of dedicated individuals who help support Hawaii as a wedding destination.

"I urge my colleagues to join me in voting yes on this measure."

Senator Trimble rose to speak in opposition to the measure as follows:

"Madam Vice President, I rise in opposition to the measure.

"We seem to be discussing two slightly different issues. The issues of the people on the right say, 'this is an increase in cost, and when you increase the cost, less people will take advantage of the service.' I think it is in the interest of our society not to engage in social engineering, whether it be the tax on cigarettes or the tax on getting married.

"If we wish to have another bill that reapportions the amount between the parties, you probably would get a lot more support from this side of the room.

"Thank you, Madam Vice President."

Senator Hemmings rose to speak in favor of the measure and stated:

"Madam Vice President, I'm on this side of the room, and I'd like to stand up and speak in favor of this legislation.

"First of all, I'd like to second the illumination on this bill that the good Senator from Maui brought forth. It is a system that is serviced by the private sector in many areas, and this would serve to benefit those individuals who are providing this public service and make them more competitive in the marketplace.

"There are two other salient points that I hope to make that are pertinent. I can guarantee you that paying the slight increase is a heck of a lot cheaper than terminating a marriage. (Laughter.) And I can also tell you firsthand that I made an investment in this certificate in November of the year 2004, and it's the best investment or one of the best investments I've ever made. So I'll gladly support this.

"Thank you."

The Chair commented:

"Senator Hemmings, you speak from experience." (Laughter.)

The motion was put by the Chair and carried, Stand. Com. Rep. No. 811 was adopted and S.B. No. 1469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hogue, Slom, Trimble, Whalen). Excused, 2 (Bunda, Ihara).

Stand. Com. Rep. No. 814 (S.B. No. 1420, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 814 be adopted and S.B. No. 1420, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and said:

"Madam Vice President, I get up in opposition because we have in this bill a presumptive eligibility clause and no discussion in terms of what the cost is. So I'll be voting 'no' on this measure.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 814 was adopted and S.B. No. 1420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Bunda, Ihara).

Stand. Com. Rep. No. 820 (S.B. No. 1747, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 820 be adopted and S.B. No. 1747, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak on the measure with reservations and stated:

“Madam Vice President, I’m rising with reservations.

“My reservations are simple. I do not know how much it is going to cost the University of Hawaii or the University of Hawaii and the State of Hawaii to continue to start spending money for this purpose.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 820 was adopted and S.B. No. 1747, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM,” 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. 822 (S.B. No. 475, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 822 be adopted and S.B. No. 475, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

“Madam Vice President, I rise in opposition to this bill.

“What this bill seeks to do is to increase welfare payments and the cost of government. It seeks specifically to eliminate the 1993 year as the base, and to replace it with the current year, although ‘current’ is under discussion because we’re not decided on whether it’s 2004 or 2005. It’s a ‘pick the best year that you can.’

“Also, it has a defective date, so there is a lot of misinformation or lack of information. And I think the point is that we should have the standards and have the actual costs before we vote to change the base period, which is still used by the federal government.

“Thank you.”

Senator Hogue requested his vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Trimble rose to speak in opposition to the measure and said:

“Madam Vice President, I rise in opposition to the measure on slightly different grounds.

“We have what could be considered a fixed pool of money, and if you raise the amount, it’s a ratchet, so if we do it this year, it cannot go down in the future. And so I tend to vote against ratchets, this being one of them today.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 822 was adopted and S.B. No. 475, S.D. 2, entitled:

“A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE,” 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. 823 (S.B. No. 486, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 823 be adopted and S.B. No. 486, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the bill as follows:

“Madam Vice President, I stand to vote against this bill.

“The bill is to provide additional non-school instruction or programs for our youth. The only problem is, although the measure is to establish safe, structured, learning environments and programs for children and youth, they’re not spelled out. So we don’t know what we are getting for an expenditure of over \$2 million.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 823 was adopted and S.B. No. 486, S.D. 2, 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, 1 (Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 824 (S.B. No. 1022, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 824 was adopted and S.B. No. 1022, S.D. 1, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 825 (S.B. No. 1103, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 825 be adopted and S.B. No. 1103, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and said:

“Madam Vice President, I rise in opposition to this bill.

“The reason for this – I support the program as discussed, but again, it’s a raid on the emergency rainy day fund. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 825 was adopted and S.B. No. 1103, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION TO HALE MAHAOLU FOR PERSONAL CARE PROGRAM,” 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. 826 (S.B. No. 1750, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 826 be adopted and S.B. No. 1750, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose to speak against the measure as follows:

“Madam Vice President, I rise to speak against this legislation.

“Unfortunately, this bill seems to be more politically motivated than sound fiscal management. It seems that the executive branch of government and Lillian Koller or specifically the Director of the Human Services Department has found and utilized millions of new federal dollars that prior administrations failed to even recognize over their then purview of the budget. This has been a tremendous asset to the State of Hawaii for budgetary purposes because we are spending federal dollars rather than dollars out of the state coffers. In light of this, the executive branch of government in managing this new resource has done an excellent job of putting the money into human service programs eligible under federal guidelines.

“I know there will be others who will step up and say that they’re being audited, and be our guest, please do audit. Prior indications from the federal agencies involved in this say that Lillian Koller and the Department of Human Services have done an excellent job of managing these resources.

“There may be critics who stand up and say that they’re spending public money for television ads to educate young people to not indulge in drugs. This particular practice has been cleared by the federal regulators and is clearly within the purview of the use of this money, and secondly, it is something this very Legislature did last year, I believe, in Act 41, the alleged ‘ice’ omnibus bill.

“Third of all, this Legislature wants to have management oversight of the executive branch of government which we could say is within our purview of responsibility. But we are not a fulltime Legislature, and since we have a 60-day Session that convenes on the 3<sup>rd</sup> Wednesday in January and oftentimes finishes in early May, there are many times when the executive branch of government is going to have to move expeditiously to use these federal funds for the benefit of the needy and for social service programs, and therefore, legislative oversight would be a hindrance to that process.

“I would suggest to our colleagues on the other side of the aisle that we, for a change, drop our partisan weapons and consider just doing what is prudent, fiscally responsible, and expeditious to serve the truly needy in our society.

“If there is one shred of evidence that this money is not being used wisely and for the benefit of the truly needy in our society, this bill may have merit. If there is one shred of evidence that this bill is not helping the people that we allegedly first and foremost pledge ourselves to help, the less fortunate in our society, then I’d say I should be going along with you, but there is no evidence that is true.

“And to further analyze the situation, what we are really doing is chastising an agency and chastising a director who has done a marvelous thing – and that is to find federal money. In the past, millions of dollars have not been utilized to help the very needy of our people. This bill is not needed. It is counterproductive. And if carried to its farthest extent, this bill could serve as a deterrent to the executive branch of government helping the truly needy in our society.

“I’d urge my colleagues to take serious consideration of the move against this bill or recommit it for further consideration.

“Thank you, Madam Vice President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 826 was adopted and S.B. No. 1750, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LEGISLATIVE OVERSIGHT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS AND FUNDING EXPENDITURES,” 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. 827 (S.B. No. 1772, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 827 be adopted and S.B. No. 1772, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to this measure and stated:

“Madam Vice President, I rise in opposition to this bill.

“At first glance, it looks like an innocuous bill just to require that those employers who are paying medical assistance for their employees be tallied and reported on a list from the department if they have more than 25 employees. However, reading into the bill further and particularly, into the committee report, it’s very interesting. It says, ‘Your Committee finds that this measure is necessary to substantiate unsettling rumors circulating among the community that certain employers in the State are undermining of the State’s Prepaid Health Care Act.’

“Well, first of all, I didn’t know we passed legislation to validate rumors. First of all, you have to find out if the rumor is true, and I would suggest that the vast majority of employers are doing exactly what they have to after the costly and unfair Prepaid Health Care Act. Secondly, the report uses the term, ‘reportedly pay their employees wages that are just low enough to enable the employees to qualify for State programs.’ Then it goes on further to say, ‘these employers surreptitiously shift . . .’ I couldn’t see a worse committee report if I tried.

“If we’re going to deal with rumors or we’re going to deal with labor union charges, because they’re the ones that supported this bill, then so be it, then say so unabashedly. But this is not good legislation, it’s not fair legislation, it’s not needed legislation. And, if we’re really concerned about employers who do not live up to the precepts of prepaid healthcare because they hire casual, part-time, emergency, short-term employees, then we have to look at our state government because they are the worst offenders in the state.

“Thank you.”

Senator Fukunaga rose to speak in support of the bill as follows:

“Madam Vice President, I rise to speak in support of this measure.

“I’d like to read from page 1, lines 10-17 of Senate Draft 1 of this bill:

‘For example, in Georgia, more than ten thousand children of Wal-Mart employees were enrolled in Georgia’s public health insurance program for children, PeachCare, according

to a 2002 state government study. The number of Wal-Mart employees' children enrolled in the program far exceeded the number of children of any other employer. Wal-Mart's failure to cover these children cost federal and state taxpayers an estimated \$6,600,000. In Washington, Wal-Mart had four hundred fifty-three children, the highest in Washington, enrolled in Medicaid in 2002.

'The purpose of this Act is to enable the State to determine which employers are shifting responsibility for providing health care coverage for their workers to taxpayers.'

"I would like to direct the previous speaker to read the bill itself and urge my colleagues to vote in support of this measure. Thank you."

Senator Slom rose in rebuttal and stated:

"Madam Vice President, just a brief rebuttal.

"I owe an apology to the previous speaker. I did not know that this was an anti-Wal-Mart bill. I'm sorry, and I did not know that this was about Georgia and other states in the union. I naively thought that it was about Hawaii and the rumors and the reported problems here that have not been documented.

"So I will vote 'double no' on this bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 827 was adopted and S.B. No. 1772, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYERS," 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 (Ihara).

Stand. Com. Rep. No. 831 (S.B. No. 1272, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 831 be adopted and S.B. No. 1272, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and said:

"Madam Vice President, I'm voting 'no' on this bill because again, it's a prohibition against the Governor and cabinet level officials and the executive branch to exercise their executive authority.

"Thank you."

Senator Trimble rose to speak in opposition to the bill as follows:

"Madam Vice President, I'm also voting against this measure, and I'm voting against it because it has not been shown to be a problem. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 831 was adopted and S.B. No. 1272, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF FEDERAL FUNDS," 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. 834 (S.B. No. 433, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 834 be adopted and S.B. No. 433, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

"Madam Vice President, I'm voting against this bill.

"The word is fraud and the potential for fraud. There is only one state in the union that utilizes this mail-in procedure and that's the State of Oregon, and they have a lot of legal challenges and problems about special interest groups that have mass mailed in ballots. There is very little in the way of checking or accounting, and I think this is a bad way for us to go.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 834 was adopted and S.B. No. 433, S.D. 2, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 835 (S.B. No. 617, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 835 be adopted and S.B. No. 617, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the bill and said:

"Madam Vice President, I rise in opposition to this measure.

"I have two concerns. The first concern is that once we start by having certified interpreters for some languages and not others, that we call into question the court cases that have the others. The second reason is that we do not have a cost estimate or timetable to fully implement this process once we start down the road, and I just thought of a third reason to oppose it. There are many instances when the first language of a person, who may be trilingual, is not one where there is a certified interpreter. And I have a reservation or fear that there will be a tendency to use a certified interpreter in a language that is not the first language as opposed to a non-certified interpreter in the first language.

"So, I think this measure has more questions to be answered, and perhaps some unexpected consequences. Thank you."

Senator Slom requested this vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 835 was adopted and S.B. No. 617, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 836 (S.B. No. 618, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 836 be adopted and S.B. No. 618, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and said:

“Madam Vice President, I rise in opposition to this bill.

“The problem here, as we saw in testimony, is that the Judiciary does not really have any incentive to collect its bills, and we’re making it easier for them just to write off bills rather than go to either private agencies or others when they know they can just come to the Legislature and get more money. They should have a prudently fiscal policy and more aggressive approach to trying to collect bills.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 836 was adopted and S.B. No. 618, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 837 (S.B. No. 673, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 837 be adopted and S.B. No. 673, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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. 837 was adopted and S.B. No. 673, 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 (Ihara).

Stand. Com. Rep. No. 839 (S.B. No. 825, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 839 be adopted and S.B. No. 825, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and stated:

“Madam Vice President, I rise in opposition to this measure.

“Again, we’re doing it piecemeal. It’s time that we have a comprehensive review of what is appropriate and what is not appropriate instead of taking this up selectively – one at a time or two at a time every year. The second problem is that our government employees spend a lot of time worrying about retirement. Perhaps we would spend less time in this Chamber discussing this issue and they would spend less time thinking about the issue if we moved from a legislative benefit program to a legislative contribution program. So, please think about that, colleagues, in moving forward.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 839 was adopted and S.B. No. 825, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 840 (S.B. No. 828, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 840 be adopted and S.B. No. 828, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the bill and said:

“Madam Vice President, the same remarks that I just spoke about on the above bill are appropriate on this one. But I’m fascinated to notice that the description and title, even though it applies to the same thing, is very different.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 840 was adopted and S.B. No. 828, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 843 (S.B. No. 1327):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 843 was adopted and S.B. No. 1327, entitled: “A BILL FOR AN ACT RELATING TO THE 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).

At 2:21 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:29 o’clock p.m., with the President in the Chair.

Stand. Com. Rep. No. 844 (S.B. No. 1328, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 844 be adopted and S.B. No. 1328, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“This measure would impose an increased \$10 fee on defendants for the Criminal Victim Compensation Fund. And while I believe, certainly, that victims should be compensated, and I would love to see the defendants pay for it, we have a history where defendants, in fact, say that they can’t pay for it, they don’t pay for it, and this gets back to the bill that I just voted against a few minutes ago, why the Judiciary has so many uncollected fees.

“So, adding an additional fee is not going to guarantee revenue or make sure that the victims get compensation they deserve. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 844 was adopted and S.B. No. 1328, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION FEE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Ihara, Inouye).

Stand. Com. Rep. No. 848 (S.B. No. 55, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 848 be adopted and S.B. No. 55, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

“Mr. President, I rise against this bill.

“This is the annual forced compulsory meal break bill, which bears no resemblance to what happens in the real world. We had employers come forward and testify about what happens in real life – H-Power drivers, for example, and other people that are involved in construction projects. Let’s make sure that we understand that employers are not to deny people breaks or meal breaks. It’s just that the government should not be imposing its rule in telling them when they have to do it and in what time frame, when that does not match the business or industry.

“Thank you.”

Senator Espero rose to speak in support of the bill and said:

“Mr. President, I’d like to rise in support of this measure.

“This bill provides a simple benefit to the working men and women of our state. If you start work at 7:00, by noon, you could have lunch. If you start work at 1:00, by 6:00, you could have dinner. If you start work at 7:00, by midnight, you could have a midnight meal.

“Sounds very simple, very reasonable. Recently, we took a lunch break after two hours of sitting down and talking, and I heard no objections. I think, at the very least, we could pass this bill.

“Thank you, Mr. President.”

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. 848 was adopted and S.B. No. 55, 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, 17. Noes, 7 (Hemmings, Hogue, Ige, Sakamoto, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 850 (S.B. No. 425, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 850 was adopted and S.B. No. 425, 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, 19. Noes, 5 (Hemmings, Hogue, Kim, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 851 (S.B. No. 533, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 851 be adopted and S.B. No. 533, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and said:

“Mr. President, again, I rise in opposition to this bill.

“This is a bill that forces the legislative will upon employers and changes the relationship between family leave and sick leave, and again, I remind my colleagues that sick leave is not a mandated benefit, and the real victim of legislation like this would be additional flexible sick leave for employees.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 851 was adopted and S.B. No. 533, S.D. 1, 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, 18. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 856 (S.B. No. 933, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 856 be adopted and S.B. No. 933, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the bill as follows:

“Mr. President, I rise in opposition to this bill.

“Again, this is an annual bill trying to make sure that everybody gets paid prevailing wages whether they’re on the job or not, whether they’re trained or not, whether they’re apprentices or not. It will increase the cost of construction of projects. It is an undue interference into private contractual arrangements and it will increase the cost of the things we have, including housing.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 856 was adopted and S.B. No. 933, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PREVAILING WAGES,” 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. 857 (S.B. No. 935, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 857 be adopted and S.B. No. 935, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“It expands the payroll requirements under the Davis Bacon Act. It increases costs and again interferes with employer/employee relations.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 857 was adopted and S.B. No. 935, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC WORKS,” 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. 866 (S.B. No. 1192, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 866 be adopted and S.B. No. 1192, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to this bill.

“This bill will restrict a number of exempt employees and again is in interference with the executive branch and those other branches that in fact have a need for employees who are not too qualified for civil service positions.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 866 was adopted and S.B. No. 1192, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EXEMPT 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 (Ihara).

Stand. Com. Rep. No. 869 (S.B. No. 1352, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 869 be adopted and S.B. No. 1352, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

“Mr. President, I rise in opposition to this measure.

“Colleagues, our government employees get 21 days of sick leave, 21 days of vacation that they can accumulate. You can accumulate up to 90 days worth of vacation. You can accumulate 21 days of sick leave forever. I had, I think, 22 months of sick leave credited to my retirement when I retired.

“The issue is not about whether bone marrow donation or kidney donation is worthwhile. It absolutely is. Yesterday at Hawaii Blood Bank, I gave my 93<sup>rd</sup> pint, but I don’t believe that mandating seven days for bone marrow or 30 days for kidney transplant is going to affect, in the mind’s of a single state employee, whether he’s going to do this or not. So I will be voting in opposition.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 869 was adopted and S.B. No. 1352, 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, 19. Noes, 5 (Hemmings, Hogue, Ige, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 870 (S.B. No. 1395, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 870 be adopted and S.B. No. 1395, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to oppose the measure and said:

“Mr. President, I stand in opposition to this measure.

“This measure would grant special privileges to DOE civil service employees even though they are not required to undergo the same rules, regulations, policies, and procedures as DHRD. In order for that to occur, the Legislature would have to mandate that DOE have the same kinds of procedures and that would be in opposition to Act 51 and their autonomy that they gained last year.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 870 was adopted and S.B. No. 1395, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION CIVIL SERVICE PERSONNEL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 871 (S.B. No. 1578, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 871 be adopted and S.B. No. 1578, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I stand in opposition to this bill.

“This is supposed to help people get off unemployment compensation but in fact there would be even less incentive to do so because they would continue to get their weekly unemployment benefits as well as salary.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 871 was adopted and S.B. No. 1578, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 879 (S.B. No. 1773, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 879 be adopted and S.B. No. 1773, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.



Senator Slom rose to speak in opposition to the measure and stated:

“Mr. President, I’m voting in opposition to this bill.

“I have a great deal of respect and admiration for social workers, however, when this bill was considered, I heard the description that social workers have been created by this Legislature as, quote, ‘a unique and special class individuals,’ unquote. I don’t think that they’re any more unique and special than the other public employees or private employees that we deal with, and I think they should be dealt with equitably and this bill does not do that, so I cast a ‘no’ vote.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 879 was adopted and S.B. No. 1773, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SOCIAL WORKERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 881 (S.B. No. 541, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 881 be adopted and S.B. No. 541, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

“Mr. President, I stand in opposition to this measure.

“Colleagues, this is yet another tax credit. We can’t raise the standard deduction of personal exemptions for our working folk because we give tax credits to the more fortunate.

“I will be casting a ‘nay’ vote.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 881 was adopted and S.B. No. 541, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DIGITAL MEDIA,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 882 (S.B. No. 575, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 882 be adopted and S.B. No. 575, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings rose to speak against the measure and said

“Mr. President, I want to record to reflect a ‘no’ vote for me.

“I would suggest that this laudable effort to celebrate the life and times and the conquest of the Hawaiian Islands by King Kamehameha be funded through the organization that has the resources to do so and should be doing so, and that’s the Office of Hawaiian Affairs.

“Mr. President, I believe the record will show that they have somewhere in the reserves of \$300 million. It’s something that they could afford to do and something they should do to preserve the culture and the integrity of Kamehameha’s reign as king of the islands.”

Senator Slom rose to speak against the measure as follows:

“Mr. President, I, too, speak against this bill because of the funding.

“In this case, this appropriation creates a special fund.”

Senator Trimble rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to the measure on yet another grounds.

“We have a process already for parades and celebrations to get state funding. It is inappropriate for the Legislature to do them one by one. I remember that two years ago we had a different one-time appropriation for I believe it was the Martin Luther King Day Parade. So I’ll be voting in opposition.

“Thank you.”

Senator Fukunaga rose to speak in support of the measure as follows:

“Mr. President, I rise to speak in support of this measure.

“To respond to some of the concerns raised by the prior speakers, I note that this bill is based upon a trust fund being established in conjunction with the Hawaii Community Foundation and the King Kamehameha Commission. The King Kamehameha Commission was previously funded through state funds through 1996 when it lost all of its state funding; since then, it has had to rely entirely on donations and grants for support.

“This trust fund will build upon an existing children’s trust fund model which has been successfully implemented by the Hawaii Community Foundation over the past 11 years. It is intended to provide ongoing support for a holiday that King Kamehameha V decreed by proclamation in 1871 that each June 11<sup>th</sup> be celebrated as King Kamehameha Day.

“For these reasons, I urge my colleagues to vote in support of this measure. Thank you.”

Senator Slom rose and inquired as follows:

“Mr. President, if I may, I’d like to ask the previous speaker if this so-called trust fund would be free from any potential raiding by the Legislature. Is there anything to guarantee that the fund cannot be raided?”

“Thank you.”

Senator Chun Oakland rose to respond as follows:

“Mr. President, may I respond to that?”

“When we established the Hawaii Children’s Trust Fund by the Legislature in 1993, we actually put in only one dollar of state funds. As a result, we now have about \$10 million of private funding not raided.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 882 was adopted and S.B. No. 575, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 884 (S.B. No. 819, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 884 was adopted and S.B. No. 819, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 886 (S.B. No. 1171, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 886 be adopted and S.B. No. 1171, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Fukunaga rose in support of the measure and said:

"Mr. President, I have some remarks in support of this measure that I'd like to have inserted into the Journal."

The Chair having so ordered, Senator Fukunaga's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. No. 1171, S.D. 2, Relating to Electronic Commerce.

"The bill requires Department of Taxation, together with designees selected by the Senate President and Speaker of the House of Representatives, to:

- Identify issues that must be resolved to implement a streamlined sales and use tax that is based on the national Streamlined Sales Tax Project's model Agreement and Act, including issues of conformance with the State's existing general excise tax law and other laws as may be required;
- Draft policy recommendations to resolve these issues for the Legislature to consider; and
- Conduct informational briefings for the Legislature on its recommendations and submit proposed legislation to the 2006 Legislature.

"The bill also deletes the Advisory Council established in 2003 through the Hawaii Simplified Sales and Use Tax Administration Act. To date, the Governor has yet to appoint any members to that Council, which in effect prevents the Department of Taxation from performing its duties under Chapter 255D, Hawaii Revised Statutes.

"The National Conference of State Legislatures (NCSL) estimated that in 2003, Hawaii lost approximately \$112,000,000 to \$117,000,000 in state and local revenues due to the State's inability to capture tax revenues from electronic commerce transactions. By 2008, NCSL projects that Hawaii will lose between \$157,000,000 and \$245,500,000 if nothing is done by that time – making it one of the top ten states in terms of tax revenues lost in electronic commerce transactions.

"During the 2003 Session, Senator Steve Rauschenberger (Illinois) met with legislators in a series of briefings on the Streamlined Sales & Use Tax Interstate Agreement, and his expertise was invaluable in passage of Act 173, SLH 2003, mentioned previously, Senator Rauschenberger has agreed to an additional round of meetings with Hawaii legislators and critical stakeholders March 23<sup>rd</sup> and 24<sup>th</sup>, when he will provide us with further information on states efforts at compliance.

"At present, Department of Taxation opposes S.B. No. 1171, S.D. 2, and particularly objects to the deletion of the Advisory Council. However, given the fiscal implications upon the State's revenues picture of the Department's failure to act, I believe that the Legislature must take the lead in advancing multistate discussions – and seek to persuade the department to join in the effort.

"To address questions that have arisen on the subject of Streamlined Sales Tax compliance, I am also inserting the following discussion of commonly-asked questions and answers into my remarks for the Senate Journal. I ask my colleagues' support of our legislative efforts to pursue compliance of the Streamlined Sales & Use Tax embodied in Senate Bill No. 1171, S.D. 2."

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**Q. What is the Streamlined Sales Tax Project (SSTP) – is this a new tax?**

**A. No. It provides a more efficient way of collecting Hawaii's existing tax.**

Briefly, SSTP is an effort created by state governments – with input from local governments and the private sector – to simplify and modernize the collection and administration of the sales and use taxes. SSTP's proposals include tax law simplification, more efficient administrative procedures, and implementing emerging technologies to substantially reduce the burden of tax collection.

Proposals are focused on improving sales and use tax administration systems for both local businesses and remote sellers of all types of commerce – including fast-growing Internet sales.

What the Agreement does is to facilitate collection of pre-existing sales (or in the case of the State of Hawaii, general excise and use) taxes in an efficient manner by making it easier for businesses that are responsible for assessing and collecting a sales, general excise, or use tax to do so via electronic means. Doing so will assist in the equitable dispersal of general excise and use tax liability within the State so that persons who do not shop online do not end up paying an inordinate share of such taxes.

**Q. Why should Hawaii be involved?**

**A. In 2003, it is estimated that Hawaii lost approximately \$112,000,000 to \$117,000,000 in state and local revenues due to the State's inability to capture tax revenues from electronic commerce transactions.**

The National Conference of State Legislatures (NCSL) estimates that by 2008, Hawaii could lose between \$157,000,000 and \$245,500,000 if the State does not participate in the SSTP. Hawaii stands to be one of the top ten states in terms of tax revenues lost in electronic commerce transactions.

**Q. Since Hawaii doesn't have a sales tax, will Hawaii have to adopt a whole new tax framework?**

**A. Not necessarily. Hawaii's general excise and use taxes are statewide taxes – and because the counties do not currently assess additional regional sales taxes – adoption of modifications to its excise and use tax laws should be fairly simple.**

**Q. What about the proposal to give the counties taxing authority for transportation projects?**

**A. Participating in the Streamlined Sales Tax Agreement will not affect county taxing proposals pending this year.**

As long as the applicable tax rate of a county has been reported to the entity or agency responsible for making sure Hawaii's tax rates are being imposed under any sale that is subject to the Streamlined Sales Tax, then any county taxing authority would be unimpaired and unaffected by the Streamlined Sales Tax Agreement.

**Q. When will the Streamlined Sales Tax be fully implemented so that Hawaii will be able to start receiving revenue from it?**

**A. The national Streamlined Sales and Use Tax Agreement will take effect in October 2005 for those states that have approved conforming legislation. Since Hawaii is not one of these states, conforming legislation would have to be approved by the 2005 or 2006 legislatures to take advantage of the Agreement.**

**Q. How will Hawaii's share of sales tax revenues be calculated?**

**A. Calculating the appropriate tax revenue will be based on the buyer's destination – therefore, if the buyer has a Hawaii zip code, the buyer pays Hawaii's existing 4% use tax and the seller is responsible for transmitting that tax to the State of Hawaii.**

The identity of a purchaser remains confidential and secure regardless of whether the tax operating system is administered by the State or contracted out to a private contractor.

**Q. Is there a downside for Hawaii-based businesses?**

**A. No. In fact, it will help Hawaii businesses offering the same products as businesses located outside of the State be more competitive with out-of-state businesses. This is because businesses domiciled in participating states will have to assess and collect the Hawaii use tax on purchases made by Hawaii residents and delivered to Hawaii.**

**Q. Will Hawaii lose any authority to administer state taxes if it participates in the SSTP?**

**A. No. Although there will be national standards – such as standard definitions for taxable items – Hawaii will still choose whether or not to tax those items at all. Each state retains its sovereignty over its own tax systems.**

The motion was put by the Chair and carried, Stand. Com. Rep. No. 886 was adopted and S.B. No. 1171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," 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 (Ihara).

Stand. Com. Rep. No. 889 (S.B. No. 1695, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 889 be adopted and S.B. No. 1695, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the measure.

"This is a tax credit that will remain on the books for quite a while and will be potentially liable for future generations to pay. I agree that we do need sources of funds for investment in start-up companies and high technology companies, however, the simple approach is the best approach. We passed out another measure this morning on a vote that kind of told the employees retirement system that it's okay, they can take money up to a certain percent and invest in venture capital funds. Even in Hawaii they can invest in venture capital.

"So I'm voting against the measure not because I oppose investment in start-ups, but I think the appropriate mechanism is first to look at the employee retirement system instead of creating a series of tax credits that will be on the books many years in the future for somebody else to potentially pay.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 889 was adopted and S.B. No. 1695, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hemmings, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 891 (S.B. No. 1702, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 891 be adopted and S.B. No. 1702, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

"Mr. President, I rise in opposition to this measure.

"I speak against the measure because I'm a firm believer in keeping it simple and keeping it as transparent as possible and keeping things in the public sector as close as possible to the public sector. So I am opposed to the creation . . . and can we note for the record that the High Technology Development Corporation is a nonprofit corporation already. So, I have a problem with creating the new attached high technology nonprofit corporation.

"So I'll be voting in opposition to this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 891 was adopted and S.B. No. 1702, S.D. 1, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 892 (S.B. No. 1721, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 892 be adopted and S.B. No. 1721, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to oppose the measure and said:

"Mr. President, I speak in opposition to this bill.

"I don't know why we need a state run, state operated, state designed cultural public market. We have cultural meeting places and gathering places all over the island that have already been developed. We certainly have people's markets and agricultural markets. To set aside 10 acres in Kakaako at this time is premature because we may have higher and better use for that land.

"Thank you."

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the measure.

"I want to note or follow-up on what the good Senator from Hawaii Kai said – 10 acres on something that was built for all the smells and tastes and sounds of Hawaii. I note by comparison that the Polynesian Cultural Center, that does not attempt to do as large a job, has 42 acres or four times the size.

"When we look at tourism, I would hate to see that we had one group that marketed themselves as representing all of Hawaii. I think it would adversely affect other tourist destinations on this island and our other islands if we went forward with the public development of this project.

"Thank you."

Senator Kim rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in support of this measure.

"Mr. President, this would create a cultural market in the Kakaako area. It does not take up all 10 acres. It is not going to be state-operated and state-run. What this measure will do is advise or recommend to the HCDA that the RFP would include that whatever commercial development goes in that area to include some sort of cultural market because we are culturally diverse here in Hawaii. It's about time that we showcase us as a melting pot and we showcase all of our rich cultures and the different nationalities and cultures that make up Hawaii and make up the melting pot of this world.

"We have tried for years to put some kind of development, private development over at Kakaako, and to this date, we have not been successful in doing that. And so this goes ahead and recommends to the developers that are proposing to put a development there that part of the development should highlight our culture. It will also be a place that local people can go to buy different kinds of foods and whatever the different nationalities have to offer. We could showcase all of the talent of the people here in Hawaii and our tourists would have someplace to go for activity. It would create businesses. It would create places for us to have entertainment in the evening time. It would be like a Pike's Market in Seattle or some world class area throughout the world. It's about time that we start to direct how we would like our activity on our waterfront to occur and not just sit here and be at the mercy of the developers.

"I urge my colleagues to vote in favor. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 892 was adopted and S.B. No. 1721, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET," 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. 893 (S.B. No. 1792, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 893 be adopted and S.B. No. 1792, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"First of all, I think we have a very difficult time providing international incubators because the countries around the world already do such a good job in that already. The only problem is they're still not taking Hawaii seriously as a business location.

"This should be our first and foremost venture and it's not by creating incubators, because an incubator is an artificial situation where you put a business there, you give them subsidized rent, subsidized employment, exempt them from many of the laws that we have, and then send them out into the real world.

"Also, this bill provides for unspecified amounts of fees. Thank you."

Senator Trimble rose to speak in support of the measure as follows:

"Mr. President, I rise in support of this bill.

"My interpretation of what I read is that it would allow High Tech Development Corporation to charge for services they provide. And in many cases when a company is looking at Hawaii from abroad, they tend to trust the public sector more for the initial step. So this would enable High Tech Development Corporation to charge what it costs them for providing services.

"What I would hope would happen over the long run is that it would mean more business for people in the private sector after the initial level of service was provided.

"Thank you for the opportunity to speak in favor of this bill."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 893 was adopted and S.B. No. 1792, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 894 (S.B. No. 1186, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 894 be adopted and S.B. No. 1186, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the measure.

"When the hotel tax credits were originally talked about, we were in a period of higher unemployment. It had been following 9/11, SARS, and it was advertised, promoted as a

way to increase employment, particularly in the construction trades. If you want to note today, our unemployment rate is among the lowest, construction is booming. If anything, to pass this measure at this time could be considered by many to be inflationary. Therefore, I will be voting against this measure.

“Thank you.”

Senators Hooser 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. 894 was adopted and S.B. No. 1186, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 896 (S.B. No. 1730, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 896 be adopted and S.B. No. 1730, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak against the measure as follows:

“Mr. President, I vote against this measure because what this measure seeks to do is to go against what’s happening in the real world economy and marketplace, and that is the conversion of hotel rooms to transient accommodations or to timeshare. So it seeks to punish timeshare, which of course is a private sale in the first place, and should not be subject to the transient accommodations tax.”

Senator Trimble rose to speak in opposition to the measure and stated:

“Mr. President, I also am rising in opposition to the measure.

“I think, colleagues, that we ought to remember that it’s easy for us to mandate something. It is easy for us to tax something. But when we do that, the private sector responds, and the private sector has been responding to the TAT even though it took them some years in the form of cruises and timeshares. I think that it’s appropriate before we get unhappy that businesses are responding rationally to an increase in tax, that we step back and we study the impact and projected further impact of our current TAT tax.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 896 was adopted and S.B. No. 1730, S.D. 2, 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, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 897 (S.B. No. 1863, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 897 be adopted and S.B. No. 1863, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to oppose the measure and said:

“Mr. President, the same remarks are appropriate for this bill as the last, so I will be voting in opposition.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 897 was adopted and S.B. No. 1863, S.D. 2, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 899 (S.B. No. 609):

Senator Taniguchi moved that Stand. Com. Rep. No. 899 be adopted and S.B. No. 609, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition and said:

“Mr. President, I’m casting a ‘no’ vote because it’s the doubling of motor vehicle registration fees.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 899 was adopted and S.B. No. 609, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,” 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. 907 (S.B. No. 1244, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 907 be adopted and S.B. No. 1244, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to oppose the measure and said:

“Mr. President, I rise in opposition because it taps the rainy day fund.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 907 was adopted and S.B. No. 1244, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 909 (S.B. No. 1591, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 909 be adopted and S.B. No. 1591, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise, I guess, in opposition.

“It has to do more with we’re appropriating money to match funds for roads that were created under somewhat unusual circumstance or unsettled circumstance now. I think what I’d

like to see is if we want to do these repairs, that we be provided a list to review or the legislative auditor reviews a list and determines what roads potentially are out there in limbo and prioritize those so that this Body knows where the money is actually going to be spent and who it's going to benefit.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 909 was adopted and S.B. No. 1591, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'ROADS IN LIMBO' PROGRAM IN HAWAII COUNTY," 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. 910 (S.B. No. 1732, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 910 was adopted and S.B. No. 1732, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 911 (S.B. No. 1752, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 911 be adopted and S.B. No. 1752, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise in opposition to this bill.

"Last year when this bill came up, one of our colleague's major complaint was that she had difficulty in getting an additional parking pass and that was the reason to transfer the operation of this Capitol building to the Legislative Committee. Now, however, thank God that problem has been solved. We can all sleep at night now and so we don't need to transfer this to the Legislative Committee.

"Can you imagine how slow the elevators could really be if the Legislature ran them. Thank you."

Senator Taniguchi rose to speak in support of the measure and said:

"Mr. President, I have comments in support of this measure I'd like inserted in the Journal."

The Chair having so ordered, Senator Taniguchi's remarks read as follows:

"Mr. President, I rise to speak in support of S.B. 1752, S.D. 2.

"Mr. President, I introduced this bill because the State Capitol is primarily used by the Legislature. We occupy five levels of the six in the Capitol. Currently, the Department of Accounting and General Services (DAGS) controls the management and maintenance of the Capitol. I am not sure whether our best interests are considered when it comes to our offices, including our parking, even though we have communicated many times to DAGS what are our needs.

"Transferring control will assure that we, as the main occupants, will decide how best to allocate resources and determine where these resources should go first, especially when we are facing further damage and repairs to our building.

"Finally, this bill would ensure that the Legislature would have a mechanism to provide direct input into the management and maintenance of its facilities and offices, that is now sometimes overlooked by DAGS.

"For the above reasons, I ask my colleagues to support this measure. Thank you Mr. President."

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. 911 was adopted and S.B. No. 1752, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Hogue, Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 914 (S.B. No. 834, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 914 be adopted and S.B. No. 834, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support with reservations.

"My reservations I've had every year and that is that in Hawaii a person is worth less than on the mainland because the federal code provides for a \$2,000 per person exemption and here in Hawaii the person is worth \$1,040. We were told by the Tax Department and others that we have other considerations within our tax program, but I would suggest that people that are filling out their 1040s really want conformity and they want conformity in the benefits that they receive and one of the major benefits should be equality of personal exemptions. It's not in this bill.

"I support all the others. I wish we would get in step with the federal IRS. Thank you."

Senator Trimble rose to speak with reservations on the measure as follows:

"Mr. President, I also will be voting for this measure with reservations because it's my understanding the personal exemption on the federal level is \$3,000 and not \$2,000, but I could stand corrected.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 914 was adopted and S.B. No. 834, 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, 24. Noes, none. Excused, 1 (Ihara).

Stand. Com. Rep. No. 916 (S.B. No. 669, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 916 was adopted and S.B. No. 669, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE 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. 920 (S.B. No. 1267, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 920 be adopted and S.B. No. 1267, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak against the measure and said:

"Mr. President, I am forced to vote against this bill.

"I believe in the equality of everyone, including sharks, and I think the sharks on the Windward side and the East Honolulu side are just as valuable as the ones on the Leeward Coast. I'm afraid that if we start monitoring the sharks on the Leeward side that they're going to wind up in the landfill and that would create more problems.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 920 was adopted and S.B. No. 1267, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SHARK MONITORING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 925 (S.B. No. 1592, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 925 be adopted and S.B. No. 1592, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak with reservations on the measure as follows:

"Mr. President, I rise with reservations.

"As a society, as individuals, we tend to optimize at the margin. It's a continuous process. I remember 40 years ago, no, 50 years ago going through Disneyland and going through Tomorrow Land and my memory of the whole thing was that nothing that was displayed there actually came to pass. My problem with this is that it's going to create a mindset that will not be flexible. So I do have reservations."

Senator Kokubun rose and said:

"Mr. President, may I have comments inserted in the Journal. Thank you."

The Chair having so ordered, Senator Kokubun's remarks read as follows:

"Mr. President, as all of you are aware, in the 2004 Session a bill was passed by the Legislature to re-institute and to review the Hawaii state plan, the state functional plans. The Governor vetoed that measure. In her veto message, essentially what she said was that the administration did not consider planning a priority and in fact she had left the position of director of the Office of Planning vacant since she had taken office.

"Mr. President, for that reason, during this Session we re-looked at the bill and feeling again that there is a great necessity for us to look forward and that for the Legislature to set goals through a planning measure for the State of Hawaii was a very, very good idea and something that we needed to carry through.

"For that reason also, and remembering the Governor's veto message from the previous Session, we made this a legislative measure. We asked that the state auditor provide the staff that would help develop that plan so that it wouldn't really put burdens on the administration. But again, it's the essence of the measure that we thought needed to move forward."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 925 was adopted and S.B. No. 1592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE 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. 926 (S.B. No. 1593, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 926 be adopted and S.B. No. 1593, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hooser requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Hee rose and said:

"Mr. President, will you please note that nothing interests me on this bill." (Laughter.)

Senator Inouye 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. 926 was adopted and S.B. No. 1593, S.D. 2, 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. 927 (S.B. No. 1877):

Senator Taniguchi moved that Stand. Com. Rep. No. 927 be adopted and S.B. No. 1877, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and stated:

"Mr. President, I speak in opposition to this measure.

"To continue the remarks I was saying earlier, if we look at the functions that are currently in the Office of State Planning, it includes the land use division, it includes GIS, and it includes coastal zone management. It is not clear in my own mind whether these functions should be more closely associated with DBEDT than they should be with the Department of Land and Natural Resources. I think that a call such as this should be made by the executive branch where the actual work of the department is being carried out. So I'll be voting in opposition to this measure.

"Thank you."

Senator Kokubun rose to speak in support of the measure as follows:

“Mr. President, I stand in support of this measure.

“Just for the record, Mr. President, I wanted to point out that, at this point, by Hawaii Revised Statute, the Office of Planning is administratively connected to the Department of Business, Economic Development and Tourism, and if the administration wishes to change that relationship, then they should come and seek an amendment to the statute.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 927 was adopted and S.B. No. 1877, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 930 (S.B. No. 1891, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 930 be adopted and S.B. No. 1891, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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. 930 was adopted and S.B. No. 1891, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BOATING,” 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. 1897, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 931 be adopted and S.B. No. 1897, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

“Mr. President, I rise in opposition to this bill.

“What this bill seeks to do is to utilize a portion of the conveyance tax for the purpose of preserving land. I’m all for preserving land. The idea of legacy land and private contributions to hold that land is great. What I’m opposed to is the ever-increasing use of the conveyance tax to do everything other than the simple cost and recovery of expenditures for conveying real property titles or leases.

“If we take the section out of this bill, 25 percent for conveyance tax, we are guaranteeing that the tax will go up yet again. And again, this adds to the cost of housing and rentals.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 931 was adopted and S.B. No. 1897, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND CONSERVATION,” 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. 933 (S.B. No. 140, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 933 be adopted and S.B. No. 140, S.D. 2, 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 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 in support of S.B. No. 140, S.D. 2 which will prohibit health insurers, mutual benefit societies and HMOs from including ‘broad discretionary authority’ clauses in any contract signed after December 31, 2005. This is a significant consumer protection matter.

“These clauses shift certain liability to employers, give insurers broad powers to define medical coverage and allow the insurers to not renew policies for any reason. Last August after numerous complaints the Insurance Commissioner by memorandum halted this unfair and deceptive practice that had become routine within the industry. While the health plan providers seem to have complied, the memorandum by the Insurance Commissioner could be challenged. Setting forth the prohibition in statute is the better way to ensure that HMO’s mutual benefit societies and health insurers will not have unfettered discretion to set the type and scope of medical coverage provided or to deny benefits or cancel coverage. Although the Insurance Commissioner did not request this legislation, he has wholeheartedly support this legislation. I would note that these clauses are outlawed by statute in Maine and Minnesota and administratively prohibited in California, Illinois, Indiana, Montana, Nevada, New Jersey, Oregon, Texas and Utah. The prohibition of these clauses is part of the National Association of Insurance Commissioners model legislation and that legislation served as the basis for this bill.

“Mr. President, I have a copy of a lengthy memorandum prepared by the Insurance Commissioner addressing the legal basis for this legislation as well as refuting some of the arguments proffered by Kaiser and HMSA. I would like to have that document inserted into the Journal.

“Mr. President and colleagues, I ask your support to adopt S.B. No. 140, S.D. 2. Mahalo.”

The insert of the memorandum prepared by the Insurance Commissioner is identified as “ATTACHMENT A” to the Journal of this day.

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. 933 was adopted and S.B. No. 140, S.D. 2, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

At 3:06 o’clock p.m., the Senate stood in recess subject to the call of the Chair.



The Senate reconvened at 3:16 o'clock p.m.

Stand. Com. Rep. No. 934 (S.B. No. 568, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 934 be adopted and S.B. No. 568, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Inouye rose to speak with reservations on the measure as follows:

"Mr. President, I speak on this measure with reservations.

"I have spoken with the Chair of CPH and I have grave reservations even with the amendments that the Committee Chair did say was indicated because of the opposition. However, I think there are still some grave concerns with regards to licensure, so I would like to add some of my comments and send it to the Clerk."

The Chair having so ordered, Senator Inouye's comments read as follows:

"Mr. President, I am voting with reservations on S.B. No. 568 due to concerns voiced by the Hawaii Dental Association, which believes that the bill will discriminate against all non-specialist dentists who are general practitioners. Although the bill is aimed at trying to facilitate access to specialized dental treatment, it will in the end actually decrease access to care in under-served areas.

"Also, I am concerned that this bill will allow a 'back-door' method for people who have failed the Hawaii examination, but who could then gain licensure in another state with different standards."

Senator Hogue rose to speak with reservations and said:

"Mr. President, I also speak with reservations.

"A lot of people in the dental community are very concerned. I know I was stopped by my own dentist when I had my mouth wide open and I was very concerned I was going to get a bad shot if I gave him the wrong answer. So, I have strong reservations and am hopeful that the concerns can be cleaned up along the way.

"Thank you."

Senator Slom rose and said:

"Reservations, please. I'm scared." (Laughter.)

The Chair so ordered.

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure.

"I know that there are some members of the dental community who see this as the precursor to licensure by credentials, and I assure them that it is, but it's not any measure from the Legislature. It's from the fact that the Board of Dental Examiners has moved to accept a national exam, regional exams in the interim because it's been noted that Hawaii dentists cannot access Pearl Harbor in order to take a state exam.

"This is a measure whose time has come. This one deals specifically with specialists. The problem in this state is we don't have a special category for dental specialists like orthodontists who don't do general dentistry but are only licensed in a particular area.

"Your Committee heard compelling testimony from individuals who have family in this state, who live in this state and desperately want to be able to work in this state in their chosen profession but cannot because of our rules.

"This measure is fashioned after the community service license that this Legislature passed and was signed into law last year. I acknowledge that some of those in the dental community still have some concerns with this, but I would just say to them that change is painful and I hope that as we continue to work on this measure they will come to understand that they have nothing to fear from measures like this.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 934 was adopted and S.B. No. 568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," 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. 1003, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 935 be adopted and S.B. No. 1003, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"I don't know why we're discussing this bill. We just passed a law last year. It hasn't even gone into full effect and we're talking about changing the cap on the net meter energy provisions. I noticed from the committee report that everybody in the Committee voted with reservations.

"So, it looks like this is a bill whose time has not come. The defective date is 2050. I think the bill is defective all the way through and we should vote 'no.'

"Thank you."

Senator Espero rose to oppose the measure and said:

"Mr. President, I'd like to stand opposed to this bill as well.

"Due to the testimony of DCCA and HECO, I'd like to ask my colleagues to consider that.

"Thank you."

Senators Ige, Trimble, Baker 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. 935 was adopted and S.B. No. 1003, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Espero, Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 936 (S.B. No. 1100, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 936 be adopted and S.B. No. 1100, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senators Hanabusa, Taniguchi, English, Trimble and Ige 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.

"While I certainly understand the effort to control terrorism and the effort to control ice use, I think we get a little ridiculous at times when we're going after people that are using products like Sudafed – put them behind locked gates, have registries, follow people, give them limitations on how much they can buy. I think it's a bad policy and I can't support it."

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I have remarks in support of this measure but would just note that this measure came from the community. It's in response to a community that's very concerned about the spread of this drug, and so I'd like my remarks to be 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. 1100, S.D. 2, a measure that will help foil the clandestine manufacture of crystal methamphetamine or 'ice' in our State.

"Pseudoephedrine, a key ingredient in many over the counter cold medications, is also a key ingredient in making 'ice.' This measure attempts to strike a balance between what our narcotics enforcement administration wants and concerns expressed by lobbyists for some of our retailers. The bill would require that products like Sudafed, in their tablet or granulated capsule form, be dispensed only from a pharmacy, behind a counter or other space inaccessible to the general public or from a locked display case. This would be similar to what many retailers already do for cigarettes, products like nicorette or expensive liquors. A display box of the product may be on the shelves, but with a sign noting that to purchase the product a customer must go to the customer service desk, for example, to purchase it. Retailers report that products like Sudafed literally walk out the door and some have already taken measures to make this product less accessible.

"The bill also provides that no more than 9 grams or three packages of the product may be sold within 30 days without a valid prescription. However, liquids, liquid capsules or gel caps are exempt from the provisions of this bill as pseudoephedrine products in these forms are not easily convertible into 'ice.'

"Industry lobbyists have handed out sheets of products noting many items that would be placed behind the counter rather than on floor shelves. What they fail to point out is that very few retailers, if any, carry all those products, especially small retailers that typically carry one brand line in various forms. Larger stores might carry two or three, plus a generic or store brand. Only the table or granulated filled capsule would be affected, not the other formulations. Thus, the small retailers will not be overly inconvenienced and neither will the public.

But potential 'ice' manufacturers will be. Cold sufferers will still be able to pop in to a 7-11 and get a product to relieve their symptoms when they need it.

"Mr. President, the impetus for this measure came from a community meeting I held in Kihei shortly after this Legislative Session opened. The Kihei community has recognized the problem of drug abuse in South Maui, especially 'ice' use, and are working with their community prosecutor to take steps to take back their community. They believe this measure will help. So do I. The provisions of S.B. No. 1100, S.D. 2 are prudent ways to reduce the availability of ice's main ingredient. Limiting the purchase of these cold medicines to 9 grams per purchaser and requiring the purchaser to show identification and sign a logbook with the purchaser's name, the date, and the type and amount of product are prudent ways to reduce the availability of ice's main ingredient. Similar measures have proven to be of great success in other states and a number of states are contemplating similar measures this year.

"Like most measures at this stage of the legislative process, this is not a perfect bill, but I believe it provides a mechanism to help us wage a successful war on 'ice' – a battle the Senate began in earnest last Session. These minimal inconveniences placed on consumers and retailers cannot overshadow the good that will come to our communities with the decreased manufacture and use of ice.

"I urge my colleagues to join me in supporting this bill. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 936 was adopted and S.B. No. 1100, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Kim, Slom). Excused, 1 (Ihara).

Stand. Com. Rep. No. 937 (S.B. No. 1228, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 937 be adopted and S.B. No. 1228, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise in opposition to this bill.

"This bill further broadens and expands the coverage under the prepaid healthcare act and the costs and expenditures to small businesses particularly."

Senator Baker rose in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Contrary to the previous speaker, this does not expand any coverage. It merely expands providers.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 937 was adopted and S.B. No. 1228, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," 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. 939 (S.B. No. 1239, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 939 be adopted and S.B. No. 1239, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose to oppose the measure and said:

“Mr. President, I rise in opposition.

“Mr. President, this is once again one of those bills where we’re asked to referee a turf battle between the psychologists and the psychiatrists. I’ve always been hopeful as I’ve talked with Committee Chairs as well that somehow these groups could settle their differences amongst themselves. I am heartened by the fact that I received an e-mail from the psychiatrist association indicating ways that they feel that the measures that are covered in this particular bill can be handled by other means other than giving prescriptive authority to some psychologists, which they consider to be unfair and potentially dangerous.

“So I will pass along this e-mail to the Chair and I am hopeful that this measure can ultimately be defeated as it has been every time it’s been introduced since 1984.

“Thank you.”

Senator Inouye rose to speak against the measure as follows:

“Mr. President, I speak against this measure.

“I believe that psychologists should not be authorized to prescribe psychotropic medications for the treatment of medical illnesses. Since the bill passed out of Committee, I have been deluged as well with letters, e-mails, phone calls, personal visits – all in opposition to this bill. I am convinced that it is not in the interest of those in need of medical attention and that this bill could compromise their safety.

“Psychologists have not received the medical training necessary to prescribe medications. Training outlined in the bill is also inadequate. I recognized that there is a problem of limited access to medical care in rural areas of Hawaii, however, I believe there are other viable solutions.

“Thank you, Mr. President.”

Senator Baker rose to speak in support of the measure and stated:

“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 usable automobile fuel – biodiesel. We can reduce the strain on our landfills by eliminating the need to dispose of grease and grease traps 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.”

Senators Taniguchi, Ige, Chun Oakland and Hooser requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair, Stand. Com. Rep. No. 939 failed to be adopted and S.B. No. 1239, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS,” having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 12 (Espero, Hanabusa, Hee, Hemmings, Hogue, Inouye, Kim, Nishihara, Sakamoto, Slom, Trimble, Whalen). Excused, 1 (Ihara).

At 3:25 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:27 o’clock p.m.

Stand. Com. Rep. No. 940 (S.B. No. 1557, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 940 was adopted and S.B. No. 1557, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 941 (S.B. No. 1889, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 941 was adopted and S.B. No. 1889, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO APPRENTICESHIPS,” 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. 942 (S.B. No. 1903, S.D. 1):

Senator Menor moved that Stand. Com. Rep. No. 942 be adopted and S.B. No. 1903, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

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. 942 was adopted and S.B. No. 1903, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING,” 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. 1851, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 946 be adopted and S.B. No. 1851, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to this bill.

“Again, it raids the rainy day fund.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 946 was adopted and S.B. No. 1851, S.D. 2, entitled: “A BILL FOR AN ACT APPROPRIATING FUNDS FOR HOMELESS AND TRANSITIONAL HOUSING PROJECTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hogue, Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 949 (S.B. No. 950, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 949 was adopted and S.B. No. 950, 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 (Ihara).

Stand. Com. Rep. No. 951 (S.B. No. 1636, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 951 was adopted and S.B. No. 1636, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TEACHERS,” 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. 952 (S.B. No. 1642, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 952 be adopted and S.B. No. 1642, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to this bill.

“This bill has not one but two special funds in it. Thank you.”

Senator Trimble rose to speak in opposition as follows:

“Mr. President, I rise for a different reason.

“It’s a tax credit and it’s a \$250 tax credit. It’s only given to public school teachers and they will get the tax credit back just in time to plug into the election process.

“Thank you, Mr. President.”

Senator Sakamoto rose in support of the measure and said:

“Mr. President, I rise in support of the measure.

“Mr. President, I had remarks for the Journal but I feel I need to expound a little.

“Members, I think one of the major things, one of the most important problems facing our public education today is the recruitment and retention of teachers. Some of you have heard it before, but I’d like to let you hear it again and some of what’s in this bill.

“The Department of Education hires approximately 1,500 new teachers annually and our teacher training programs here in Hawaii produce only about 600. That presents a shortfall of roughly 900 teachers per year that need to be recruited primarily on the mainland or elsewhere – 60 percent of the new hires. Unfortunately, sticker shock of our islands in terms of cost of living, or the scarcity of affordable housing, or difficulties with Hawaii’s unique culture, or frustration with the department bureaucracy causes many of those hired to leave shortly after they’re hired. In fact, only one of five teachers recruited from the mainland is still teaching here three years later. By contrast, 80 percent of our kama’aina teachers are still on the job after their third year.

“Although these facts and figures highlight the seriousness of the shortage, there’s also grounds of optimism. There are many positive developments that people should know about. One of them is that the University of Hawaii has teacher training on every neighbor island except Niihau and Kahoolawe. There are many other initiatives that show great promise, including the teacher cadet program which mentors high school students. This has been successful in other areas of the mainland and it started here. There’s an emerging associate of arts and teaching degree at Leeward Community College for the first two-year students. West Oahu is developing a baccalaureate in early childhood education. Clearly, we must work together.

“This bill has many different parts, part of it starting again with the potential teachers in high school, teacher training in colleges and universities, supporting teachers in the initial phases of their teaching career, professional development for the in-service teachers, master teachers. This bill has a part two dealing with a teacher cadet, part three dealing with the associative of arts and teaching, part four dealing with various measures including loan forgiveness programs, asking the university to look at their entering freshmen because currently they take about 5½ years for someone who wants to become a teacher, but they’re not enrolled into teaching as freshmen. In some other schools, you can become a teacher in four years, and I think our university needs to look at how to improve that.

"Part five of the bill deals with improving a teacher induction program, creating a new teacher orientation handbook that really would help the new teachers.

"Part six looks at the licensure of employees, expanding the means of how people can become licensed, increasing the pool of highly qualified teachers, in part, licensure by experience, not necessarily just by degree. The bill includes a provision for reciprocity of a number of states, includes national board certification. We look at the PRAXIS exam and how this is used. To help the teacher standards board it converts temporary positions to permanent positions before they were tasked to keep the standards high. The bill looks at professional development, emerging trends that are cutting edge, encouraging our teachers to really be able to be better teachers.

"Yes, it includes tax incentives to help them with their out-of-pocket costs, help looking at housing, master teacher program, etc.

"The bottom line is, while this bill is not a panacea and we hope that it can survive our process where there's enough dollars to fund many of the good things, I do feel that there are substantive and systematic things in this measure that can really help and be a rallying point so we can more comprehensively address our teacher recruitment, teacher shortage program. This is an ongoing effort.

"Members, as you report back to your communities and look at this bill, I think unless we can help our teachers, this generation of students that soars to struggle through Felix, now struggling through 'No Child Left Behind' will be struggling through teachers left behind unless we can do more to help them. So we ask you to support all measures we can to support our teachers.

"Thank you very much."

Senator Hogue rose to speak in support of the measure and stated:

"Mr. President, I rise in support.

"I want to publicly acknowledge the Education Chair, who I thought did a very good job of molding together a number of ideas from different committee members. The junior Senator from Waipahu, for example, had some good ideas. The Vice Chair from the Garden Isle had some good ideas. The good Senator from Liliha has some great ideas. The good Senator from Maui had some good ideas. And how about this, there were even a few bipartisan ideas from the big fellow from the Windward side.

"So, thank you very much for advancing many of these ideas, and I'm hopeful that as this measure moves forward it does a great deal in the areas of recruitment and retention because teachers and the children that they teach are our greatest resource.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 952 was adopted and S.B. No. 1642, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," 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. 954 (S.B. No. 1660, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 954 was adopted and S.B. No. 1660, 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, 2 (Slom, Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 955 (S.B. No. 1816, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 955 be adopted and S.B. No. 1816, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak with reservations on the measure as follows:

"Mr. President, I rise with reservations.

"This is an issue we've discussed, we've discussed. Why don't we make a decision instead of postponing it and asking for further study? So that is why I'm voting with reservations."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 955 was adopted and S.B. No. 1816, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Menor).

Stand. Com. Rep. No. 957 (S.B. No. 1002, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 957 be adopted and S.B. No. 1002, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to the measure.

"I rise in opposition to the measure because I really think this is a measure about waste and how we regard the processing of that waste. What is appropriate is that we look at those who process, the public as well as the private sector, and have a uniform set of standards. In this case, we're only looking at one segment. If we're truly concerned about health and safety, we should be truly concerned about what happens on the island of Oahu and we should be even more concerned when these bills occur on land than when they occur in salt water.

"For this reason, while I support strict standards, I think it should be applied to everyone, the public sector as well as the private.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 957 was adopted and S.B. No. 1002, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Ihara, Menor).

Stand. Com. Rep. No. 967 (S.B. No. 979, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 967 be adopted and S.B. No. 979, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

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. 967 was adopted and S.B. No. 979, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Ihara, Menor).

Stand. Com. Rep. No. 970 (S.B. No. 1689, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 970 be adopted and S.B. No. 1689, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to oppose the measure and said:

"Mr. President, I rise in opposition to this bill.

"We've watched this bill develop in various phases over the last seven years, and particularly in the last couple of years we've had people come before various neighborhood boards to explain the bill. This is the public financing bill. The problem is that it depends on what day, what time, what night, what location it is because you get a different explanation. There's been information. There's been misinformation.

"One thing is clear, however, and that is that the campaign spending executive director opposes this bill. Also, his figures, in terms of what I would cost the taxpayers of this state are substantially higher than the paid advocates for this bill.

"In addition to that, the issue has always been posed as this being a clean election bill, therefore, if you don't have public funding, somehow it's not clean. They're not clean elections. Also, that if you have public funding, you will get better candidates, you will get more contestants, you will have more people running for office and a better balance of people in the Legislature. None of that can be substantiated by this particular legislation, which has to do with one thing and one thing only – and that is to shift the burden of financing to the taxpayers of this state.

"Mr. President, I have talked to many people in the last several weeks and months about this bill, and with very few exceptions, there are very few individuals that I've talked to that want to take on the responsibility, the care, feeding, and adoption of politicians. They're already busy with their rent payments, their mortgage payments, their food payments, their car payment, everything else. They don't want to subsidize politicians who want to run for office.

"The argument is made that it's because of money that we have bad laws, bad politicians, and corruption in government. I would suggest to you that it's the lack of transparency. I would suggest to you that it is bills like the one we passed earlier today, which exempts certain special interest groups from having to undergo the same rigors that other people, notably businesses, have to undergo.

"So, this bill is really a bill that makes a lot of promises but cannot deliver, because the only thing that it can deliver are higher costs for the taxpayers of this state. It is pointed out that there are two states in the Union that have worked with this very well and they've had great success with it. However, the

vast majority of states have not, and one of the states that tried this wound up changing their law because they had lawsuits trying to get the taxpayers to pay more and greater funds.

"I'm very concerned about the people that are advocating this and where their money comes from to make the advocacy. We've asked, and they don't seem to have clear information about the mainland foundations and the grants that they are accepting.

"For these and other reasons, I think that the public, particularly, is already concerned about the politicians. This bill will not give us better politicians. It will give us the same politicians, only at public expense. So I urge a 'no' vote on this bill.

"Thank you."

Senator Tsutsui requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Hooser rose in support of the measure and said:

"Mr. President, I rise in support of S.B. No. 1689, S.D. 2.

"Mr. President, this is not a new idea. It's not an unproven concept. The benefits are clear and many and have been proven in Arizona and in Maine. This is not a groundbreaking thing. It broke the ground in Maine, and it broke the ground in Arizona. Overwhelmingly, the people in both of those states like the changes that were made. It's very clear that those changes have resulted in more candidates, additional candidates, a broader representation of people running and getting elected to public office.

"I would suggest, Mr. President and colleagues, that the system we have now is out of control. I mentioned this in Ways and Means. We've had discussions on the earlier bill, the campaign finance reform bill, and the complexity of that bill is incredible. When you add that to the central legislation and the loopholes that are there, we have tax jumping out of nowhere, political action committees. We have rules about who can give us money, who can't give us money, what we can spend money on, what we can't spend money on. People get in trouble because they're not aware of the law, they're not familiar with the law, both donors as well as users. It's just a rip-roaring mess.

"This provides an alternative. It doesn't mandate an alternative, but it does provide a good alternative. We each get checks in the mail when we raise money, and sometimes we're not always sure who those checks are from. We get donations of \$200, \$300, \$500 from some corporation. It could be Al Capone for all we know. To do the investigation to check it out is just a real mess and this option offers us a viable alternative that can help restore the faith and confidence in the election process by the citizens in our state.

"In addition, the system we have now is an incredible burden for new candidates coming in as well as existing candidates. If a new candidate wants to run, it's impossible or very impractical for most people to run. To raise \$100,000 for a Senate race, or millions of dollars for the governor's race, or \$30,000-\$40,000 for a House race, to the man and woman on the street, it's impractical; it's impossible. There are many good people in our community, many qualified people in our community, as qualified as any of us that are here today, that would like to serve, but they're unable to serve because they don't have the connections to business, they don't have the connections to labor to raise the kind of money it takes to run a viable campaign. I'll acknowledge there are exceptions to the

rules. There are people here that manage to run successful campaigns for smaller amounts of money.

"I would also suggest that this burden is ongoing. Many of us, myself included, are running campaign fundraisers on an annual basis. I suspect there are numerous candidates, both winners and losers, who are still trying to pay for their last campaign that they ran. It's a roadblock to far too many people. It limits candidates. It limits good people, qualified people.

"This bill is good for the process. It's good for democracy. It puts people first and money second. The perception of cynicism of crooked politicians has been discussed before and I have great respect for my colleagues here in the room, and I know that's not the case. But we also have to face the reality of we have to face that cynicism out in the community. This proposal will help us get past that.

"Taxpayers already pay. They pay in many, many ways. The people that donate money to our campaigns could be donating money to little league. They could be donating money to the opera. The people pay. Again, it's been stated earlier in Arizona and in Maine that people have overwhelmingly in polls done after this has been in effect have said they liked the process. Even local polls of those people who have an opinion, and I'm surprised at the number of people that don't have an opinion, but of the people that have an opinion, they say that public funding is a good thing and public funding is something that people want.

"I encourage my colleague to vote in support. Thank you."

Senator Trimble rose to speak with reservations and said:

"Mr. President, I rise with reservations and I would like to mention a few of them.

"Yes, the public has a low opinion of this Body and the one across the way. I don't think it's because of the way that we got here. I think it is the way that we organized and the way we have a clear and open deliberation on the bills and the way we conduct our public hearings, and the way we treat the people that come and half of the confusion that exists because this year we decide to listen to 1,904 bills. I don't think it is us as individuals. I think it is the way that we're organized.

"We had two measures today. One is revamping the old law. The other one is this. If we go forward with this, I think what we'll see over time is a proliferation of one-issue candidates.

"The other thing is this discussion is valuable because the people really aren't satisfied with the current system, and we really haven't described what the true costs of corruption is. It's my sense that it is several orders of magnitude greater than what it would cost to have public funding.

"I don't think that this is the best answer. I also don't think that we should change everything at one time. If we wanted to look at it in reference to one house, make it so that it would sunset, then it would be a fair test of the system.

"So, for those reasons, I'm voting with reservations now. I want to see what comes back from the other side of the House later on in the Session.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 970 was adopted and S.B. No. 1689, S.D. 2, 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, 21. Noes, 3 (Kim, Slom, Whalen). Excused, 1 (Ihara).

At 3:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:53 o'clock p.m.

Stand. Com. Rep. No. 972 (S.B. No. 290, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 972 and S.B. No. 290, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 973 (S.B. No. 1190, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 973 be adopted and S.B. No. 1190, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition as follows:

"I gather by the bill and the way it's moving from state income taxes to wages of our police department, I don't feel that giving them a tax credit equal to their wages is the appropriate way to handle this. I think this is appropriately a city and county issue, not a state issue. When we're looking at funding all of the different kinds of tax credits – \$2,000 for the residents of Manoa; \$250 for teachers – I don't think tax credits or exemption from income tax is my way to go. So I'll be voting in opposition."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 973 was adopted and S.B. No. 1190, 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, 23. Noes, 1 (Trimble). Excused, 1 (Ihara).

Stand. Com. Rep. No. 974 (S.B. No. 1888, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 974 be adopted and S.B. No. 1888, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, my question here is how did we come up with the number of 10 years and why are we doing it now? So, I'll be voting in opposition.

"Thank you."

Senator Kanno rose to speak in support of the measure and stated:

"Mr. President, I rise to speak in support of the measure.

"Ten years is based on a couple of items. One is we look at the Hawaii Labor Appeals Board. Their term is currently 10 years. If you look at circuit court judges, their term is also 10 years.

"So the measure attempts to take advantage of the expertise of the members of the board and provides some transitional continuity as we move forward.

“Thank you. I urge my colleagues to vote ‘aye.’”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 974 was adopted and S.B. No. 1888, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD,” 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. 976 (S.B. No. 1114, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 976 be adopted and S.B. No. 1114, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak with reservations and said:

“Mr. President, this is a tax credit, but I rise with reservations.

“I noticed an energy tax credit, and intellectually I support decreasing our dependence on fossil fuel, but my problem is, in this bill it gives a percentage of the cost as a tax credit. I think it’s more appropriate to have the tax credit tied to a certain standard in terms of what it could do to relieve how efficient the thing that is installed is.

“So, I’m willing to change my vote from a w/r to a ‘yes’ or a ‘no’ later on if we can come up with a better way instead of just saying we’re giving you a third of the cost and having some kind of standard that would apply at the same time.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 976 was adopted and S.B. No. 1114, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AN ENERGY STORAGE SYSTEM TAX CREDIT,” 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. 978 (S.B. No. 790, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 978 be adopted and S.B. No. 790, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senators Hanabusa and Hooser 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. 978 was adopted and S.B. No. 790, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS,” 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. 979 (S.B. No. 470, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 979 be adopted and S.B. No. 470, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and stated:

“Mr. President, I support everything about the bill except the creation of this special fund, so I have to vote ‘no.’ Thank you.”

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, that’s not my problem. My problem is that the tax or the fee is applied or taken out of things that would include traffic fines. I don’t think there’s any nexus between traffic fines and what we’re seeking to do.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 979 was adopted and S.B. No. 470, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEOXYRIBONUCLEIC ACID FOR THE DNA REGISTRY,” 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. 980 (S.B. No. 696, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 980 was adopted and S.B. No. 696, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION,” 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. 982 (S.B. No. 629, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 982 be adopted and S.B. No. 629, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak with reservations on the measure as follows:

“Mr. President, I rise with reservations.

“If this leads to an increase of viewership, I think the result is the people in this Body will tend to speak longer.

“Thank you.” (Laughter.)

Senator Hemmings rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor, but in view of the previous remarks, I may reconsider, Mr. President. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 982 was adopted and S.B. No. 629, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET,” 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. 983 (S.B. No. 1698, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 983 be adopted and S.B. No. 1698, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.



Senator Trimble rose to oppose the measure and said:

“Mr. President, it’s a tax credit again. It’s also a tax credit that relates to services provided. I have a problem with trying to monetize services, so I’ll be casting a vote in opposition.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 983 was adopted and S.B. No. 1698, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 985 (S.B. No. 1278, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 985 was adopted and S.B. No. 1278, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT,” 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. 987 (S.B. No. 965, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 987 be adopted and S.B. No. 965, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senators English, Hooser and Baker 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. 987 was adopted and S.B. No. 965, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC SURVEILLANCE,” 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. 294, S.D. 3):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 988 was adopted and S.B. No. 294, 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, 18. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 993 (S.B. No. 1808, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 993 be adopted and S.B. No. 1808, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak against the measure as follows:

“Mr. President, I rise to speak against this bill.

“The number one issue for small businesses in the State of Hawaii is workers comp reform. We had good bills introduced last year and this year. They have gone nowhere. The Legislature continues to ignore what the problem is not to deal

with workers comp fraud and to put additional burdens on employers.

“This does not help the premium picture. It does not help employers. This is not reform.”

Senators Sakamoto, Ige and Nishihara 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. 993 was adopted and S.B. No. 1808, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION LAW,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Hee, Ihara).

Stand. Com. Rep. No. 995 (S.B. No. 1643, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 995 be adopted and S.B. No. 1643, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hogue rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this measure.

“This is about charter schools, colleagues, and I wanted to say how much our Caucus supports charter schools and I know many of you also support charter schools.

“Charter schools have gone a long, long way to develop curriculum to help young people who in many cases are in dire need or need just an alternative system, and they’ve done a fantastic job. We have a couple of charter schools in my district, and I know when I visit them I’m just amazed at the results that they personify.

“I would hope that as this measure goes forward and it is discussed in future years, however, that we think about going one step further – that is removing the cap that we currently have on charter schools, that we look for ways to help with facilities, that we help the charter schools use these alternative methods of education, and really help the youngsters who are already being enhanced. There are already just a great number of young people who are going through the charter school system, and they are doing so on all of the islands in all of our districts.

“So, as you think about this one, say it’s just the beginning. It’s just the beginning of a great movement. Charter schools are doing great work, not only here locally, but nationwide. Let’s work to expand it.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 995 was adopted and S.B. No. 1643, 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, none. Excused, 3 (Hee, Ihara, Menor).

Stand. Com. Rep. No. 996 (S.B. No. 1620, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 996 be adopted and S.B. No. 1620, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“This is the granddaddy of the raid bills for 2005. There are no less than 56 separate appropriations. Of course we don’t know how much they are because they’re all blank. We do know that again we are subverting the purposes of the emergency budget and reserve rainy day fund, which as of March 4<sup>th</sup> of this year stood at a balance of \$47,392,534.14.

“We saw that one occurrence at the University of Hawaii, which truly was a rainy day event, has now exceeded in cost over \$100 million. If we keep raiding this fund, we’ll make a mockery and a joke out of having an emergency fund because we don’t have it. We’re tapping it for all kinds of purposes that should be appropriated separately.

“Thank you.”

Senator Hooser rose to speak in support of the measure and stated:

“Mr. President, I rise in support of S.B. No. 1620, S.D. 2.

“There’ve been several bills that we’ve talked about that have passed where they had funding from the rainy day fund. Several members have expressed opposition to those bills because of the source of the funds. I stand here today to say that the needs of these funds are so important it shouldn’t matter which pocket the money comes out of. We should look at the need of the people, the need of the programs, the needs of the services, and not quibble over which pocket of money it comes out of. In the end, it all comes out of the state budget. In the end, the state budget is balanced.

“There was some discussion about what exactly this money is used for. It’s used for youth. We have a thousand homeless street youth on our streets today. Children account for nearly one-half of our poverty population. Every two hours, every two hours a child is reported as being abused and neglected. That’s what this money goes to. It goes to help those kinds of folks. It goes to help seniors. Seven-and-a-half percent of our seniors or elderly are living in poverty or below poverty. Six-hundred-sixty-four victims on Oahu sought services at the sex abuse treatment center, and it’s estimated that 64 percent of rape survivors don’t even go to the police. Twenty-eight percent of those who sought counseling services were less than 10 years old. That’s where this money goes to. Why should we worry about which pot it comes out of? Let’s balance the budget and fund the programs.

“Currently estimated, there are 20,000 homeless people in Hawaii and that doesn’t include the hidden homeless. Two-thirds or 80 percent of the homeless are not in shelters. Forty percent of the population is estimated to be two paychecks away from homelessness. Honolulu has 10,000 people on a waitlist for section 8 vouchers. Kauai’s waitlist has been closed for more than a year. Twenty-five percent of the homeless have jobs. Thirty-seven percent of homeless are Hawaiian or part Hawaiian. The arrest rate for homeless people committing violent felonies is about half of those good people living in the homes.

“I would suggest that these funds are needed. These are important programs. Most of these people live in desperate and

dangerous circumstances. They need our help and support, and they need it now. They don’t need us to quibble over which pocket of money the money is going to come from.

“Some may advocate to wait – wait for someone else to take care of these folks, wait for business to step up to the plate, wait for our churches to expand their rows even further. But I say it’s up to us. It’s up to us to do it now, and I urge my colleagues to vote ‘yes’ on this very important piece of legislation.

“Thank you.”

Senator Hemmings rose to speak against the measure and said:

“Mr. President, I rise to speak against this legislation.

“Mr. President, it’s rather paradoxical that I stand and speak against this bill for the very reasons the previous speaker spoke in favor of it. We do have different pockets, and the rainy day fund is a fund that’s set aside for a rainy day. If it was all one big budget, then we should get rid of the rainy day fund and appropriate accordingly. But how sad it is, and I might add how hypocritical it is to say how important these programs are to the truly needy in our society and we fund them out of a bill that’s raiding money from a rainy day fund – not a reliable source and not the way that we would think we’d put the highest priority on our neediest to be the first thing we’d fund out of the existing budget.

“We’re going to have a budget come from the House of Representatives that’s going to spend many billions of dollars a year of our taxpayer’s money over the next several years. If this is so important, why isn’t it in that budget? Why isn’t it an expenditure out of the general fund that goes on year-in and year-out? Why are the most needy in our society held hostage as an excuse to raid the rainy day fund that could disappear with one big catastrophic incident, incidentally like a hurricane on Kauai? It just doesn’t make sense and it’s not fair to the human service programs that are funded by this bill to make them a stepchild of the legislative process every year.

“I might agree with the previous speaker that ultimately it all comes out of the same pocket, but that’s not the way this system works. The very reason we have a rainy day fund is for rainy days – unforeseen circumstances beyond our control that we need to be prudent and save money for.

“I would suggest to the previous speaker and the Majority Party that not one of these qualifies as an unforeseen circumstance beyond our control. This is help to the truly needy in our society, and to put them in the rainy day fund is an insult to all of them. We should stop playing games with them and put this in the fund out of the general fund every year and let them know from year to year that they’re part of programs that the human services and the Department of Health are going to fund regularly through the general fund process.

“I would urge you all to vote ‘no’ and when we get the budget to put all these programs in the state budget where they belong. To think that the needy in our society are being used politically for a raid on a special fund is unconscionable, and quite frankly, I’d be ashamed to vote for it.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 996 was adopted and S.B. No. 1620, S.D. 2, 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, 18. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Ihara, Kanno).

Stand. Com. Rep. No. 997 (S.B. No. 1729, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 997 was adopted and S.B. No. 1729, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Ihara, Kanno).

Stand. Com. Rep. No. 999 (S.B. No. 1236, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 999 be adopted and S.B. No. 1236, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"We've heard a lot of talk today about it's not about money, it's about the people. It's not true. It wasn't true in the bills where that argument was made, and it's certainly not true here because here it's all about the money.

"We used to have the public health argument that smoking is bad – primary smoke, secondary smoke, smoke for keiki, smoke for this, smoke for that. Then we had the tobacco settlement, which depends on people that continue to smoke so that we can continue to get money so we can pay for various things – some related to health and a lot of others not related to health. But in the meantime, one thing has remained constant – we continue to raise taxes, and we raise taxes. Rather than saying, if we truly were concerned about people and not money, truly concerned about health and not revenues, we would say that smoking is so bad we're going to ban it, just like we're trying to ban Sudafed and all the other things that we've tried to ban today. But nope, we don't do that. We want to keep these folks alive. We want to make sure that they're cash cows for the state and keep milking them of taxes.

"I'm sorry, but I can't be a part of it, and I vote 'no.'"

Senator Baker rose to speak in support of the measure as follows:

"Mr. President, I rise in support of S.B. No. 1236, S.D. 2.

"This is not a revenue bill. It's a deterrent bill, and it's a very important measure which is designed to reduce smoking in Hawaii, especially for Hawaii's youth, by increasing the tax on cigarettes. Research indicates that increasing the cost of tobacco products is the most effective deterrent to smoking. In fact, the price of tobacco has a direct effect on tobacco use by young people. It's been shown that increasing the price of cigarettes by 10 percent could reduce the incidents of smoking by youth by as much as 7 percent. This measure will increase the cigarette tax by 40 cents a pack for three consecutive years and help us keep more young people from ever becoming addicted to tobacco products.

"Over 82 percent of Hawaii's population are nonsmokers, so the increase in the cigarette tax is not going to negatively affect

the vast majority of taxpayers living in Hawaii. In addition, decreased tobacco use will decrease healthcare costs for all of Hawaii's taxpayers. It's estimated that tobacco use alone adds over \$525 million to the cost of healthcare in our state, not to mention the 1,100 lives lost every year in Hawaii due to smoking.

"This bill specifies that the overwhelming majority of the revenue from this tax increase will go towards programs to promote healthy lifestyle choices and to prevent tobacco use. Twenty-five percent of the increase goes to the 'Healthy Hawaii' initiatives; 50 percent in the tobacco trust fund to help with smoking succession, deterrent and preventive measures; and only 25 percent gets deposited into the general fund.

"This measure is a critical piece of legislation sponsored by the Senate Health Committee to help improve your state's overall health by helping prevent young people from starting smoking and encouraging others to quit.

"I urge my colleagues to join me in supporting this healthy measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 999 was adopted and S.B. No. 1236, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hogue, Ige, Slom, Trimble, Whalen). Excused, 1 (Ihara).

Stand. Com. Rep. No. 1001 (S.B. No. 579, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1001 be adopted and S.B. No. 579, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senators Nishihara, Taniguchi and Hee 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. 1001 was adopted and S.B. No. 579, S.D. 2, 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, 20. Noes, 4 (Hanabusa, Kokubun, Slom, Trimble). Excused, 1 (Ihara).

At 4:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:19 o'clock p.m.

S.B. No. 631, S.D. 1:

Senator Taniguchi moved that S.B. No. 631, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"This is another one of those bills that would put additional restrictions and burdens on both the Governor and the Director of Budget and Finance."

Senator Taniguchi rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor of this bill.

“Mr. President, the purpose of this measure is to require the Governor to explain in a more public manner, the reasons for restricting or delaying the expenditure of legislative appropriations. Specifically, this measure requires the Governor to hold public hearings to explain her reasons for restricting or delaying such expenditures.

“By way of background, the need for this measure came about last year when the Governor delayed the expenditure of certain appropriations we made through Act 40, or what we referred to as the ‘ice’ bill.

“We crafted Act 40 after a tremendous amount of input from the public, government officials, and especially our service providers of the community. When we passed those appropriations, the public’s expectation was that we as a state would address the problems associated with ice through much needed prevention, treatment and other intervention programs. However, even while those appropriations were authorized to begin on July 1, 2004, many of them were not immediately released. The public and the providers were kept completely in the dark as to the reasons why these funds were not being released – as well as if they would ever be released. It took months of begging by these providers to have portions of these appropriations released and in fact to this day, some funds are still being withheld.

“These restrictions initially caused many providers to delay or cancel services that were, and still are, crucial to addressing the problems of ice. The continual lack of communication also kept these providers from making adequate plans for the future. As one provider expressed to us during our recent hearing, it wasn’t so much that they needed to know if the Governor agreed or disagreed with their program, but they just wanted to know one way or the other if she planned to release the money as the Legislature had authorized – that way they could move forward with a degree of certainty.

“I think it is a shame that many opportunities were missed to address the ever-present problems of ice. And my personal feeling is that this Governor simply continued to object to many of these appropriations as she did when she vetoed H.B. No. 2004 last year. However, I also feel that a governor must put those objections aside once a veto is overridden. As they are clearly delineated in statute, the Governor’s powers to restrict expenditures are not without limit. While a governor should always have the power to keep our government financially solvent, they cannot effectuate their own policies by choosing to spend or not spend when those policies differ from those effectuated by the passage of law – veto override or not.

“Despite what many critics have called this proposal, it is not about taking away any of the Governor’s powers. This measure does not take away the Governor’s ability to restrict expenditures. She needs those powers to keep our expenditures in line with revenues.

“What this bill is about is communication. It is about requiring what should already be practiced even without law. This measure is simply about explaining to the public why funds appropriated through the legislative process – a process that includes and involves public input – are being curtailed. If we are to have a truly transparent budget process, I believe that asking the executive branch to explain restrictions in a public forum is a step in the right direction.

“I ask all of my colleagues to support this measure. Thank you.”

The motion was put by the Chair and carried, S.B. No. 631, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET,” 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).

S.B. No. 1749, S.D. 1:

Senator Taniguchi moved that S.B. No. 1749, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

“Mr. President, again I rise in opposition to this bill and the next two bills.

“What they do is an attempt by the Legislature to erode the executive’s power. We’re not talking about communication here. If we were talking about communication, communication is a free and voluntary process. We’re talking about legislation which attempts to change the direction of what the Governor, what the budget director can and have always done before. It’s an attempt by the Legislature to require and restrict what those executive powers are.

“I’m convinced that if all these bills pass and if they are challenged, they will be found to be in violation of the separation of powers.

“Thank you.”

Senator Taniguchi rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, as was in S.B. No. 631, which we discussed earlier, this is another measure that addresses concerns we have with the Governor’s restriction practices.

“However, this measure, instead of requiring the Governor to hold public hearings on restrictions, allows the Joint Legislative Budget Committee to hold such hearings. For your information, the Joint Legislative Budget Committee is already in statute.

“For the same reasons I urged passage of S.B. No. 631, I do the same for this bill. Thank you.”

The motion was put by the Chair and carried, S.B. No. 1749, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET,” 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).

S.B. No. 1748, S.D. 1:

Senator Taniguchi moved that S.B. No. 1748, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Taniguchi rose and said:

"I have some comments in favor that I want to insert in the Journal. Thank you."

The Chair having so ordered, Senator Taniguchi's remarks read as follows:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, this is the third bill of three your Committee on Ways and Means passed that address concerns we have with the Governor's restriction practices.

"This measure, unlike the previous two that we discussed, S.B. No. 631 and S.B. No. 1749, takes a slightly different tact.

"While the measure addresses the issue of the executive's power to restrict like the above mentioned bills, this one tightens up statute and specifies exactly how the Governor determines a revenue shortfall that triggers expenditure restrictions. As it is written now, the statute is vague as to how a revenue projection is determined. This measure proposes that the Governor use actual revenue collections, instead of projections to determine if a shortfall exists.

"This measure also requires the Governor to give adequate notice to grant recipients on whether or not they will receive funds appropriated to them. As I explained in an earlier floor speech on S.B. No. 631, many of our providers, especially those who we specifically asked to provide much needed ice prevention or treatment services to our public, are being kept in the dark as to the status of the release of their funds.

"This requirement will, at the least, force the Governor to openly communicate to these providers the status of their funding.

"I ask my colleagues to support this measure."

The motion was put by the Chair and carried, S.B. No. 1748, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ihara).

S.B. No. 1673, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, S.B. No. 1673, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Ihara).

**THIRD READING**

**MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

Stand. Com. Rep. No. 972 (S.B. No. 290, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 972 and S.B. No. 290, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were recommitted to the Committee on Ways and Means.

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Friday, February 18, 2005; Tuesday, February 22, 2005; and Wednesday, February 23, 2005:

- |                                    |   |
|------------------------------------|---|
| Senate<br>Concurrent<br>Resolution | Referred to:  |
| No. 41                             | Committee on Water, Land, and Agriculture   |
| No. 42                             | Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means         |
| No. 43                             | Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations |
| No. 44                             | Jointly to the Committee on Health and the Committee on Transportation and Government Operations                                    |
| No. 45                             | Committee on Education and Military Affairs   |

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Friday, February 18, 2005; Tuesday, February 22, 2005; and Wednesday, February 23, 2005:

- |                      |   |
|----------------------|---|
| Senate<br>Resolution | Referred to:  |
| No. 20               | Committee on Water, Land, and Agriculture   |
| No. 21               | Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means |
| No. 22               | Jointly to the Committee on Health and the Committee on Transportation and Government Operations                            |

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

"Mr. President, just a short point of personal privilege.

"I guess in your rapid fire, I wanted to say something about the minimum wage bill. I think, Mr. President, we need to re-look at how we can support our employees in this state. Part-time workers earn a small amount, in part, because they only work up to 20 hours. So if a part-time worker made \$7.00 an hour and worked only 1,080 hours a year, that worker would make approximately \$7,500.

"The cost of health insurance, if you just say in round numbers, \$600 times 12 months, which is a low for a family plan, is \$7,200. I think we need to re-look at the bills that we're trying to support our workers with, look at how we're making harder for employers to hire workers full-time. As we do minimum wage bills, we should integrate our thinking with health insurance, unless, and I don't believe we're going to in the near future, we change the law.

"We need to look at perhaps there can be a minimum wage for workers less than 20 hours and there can be a different kind of wage for workers who get health insurance provided through the employer, and looking at workers who make tips probably in excess of \$40 an hour in some establishments. We need to look at individual circumstances as opposed to one size fits all. We need a better solution than trying to have somebody jump from this floor to the balcony in one leap. We need to look at ways that employers and workers can work on a stairway of benefits so we can get better access to a better future for all of our employees without punishing our employers."

Senator Hooser rose on a point of personal privilege and stated:

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

"I also had intended to speak on that particular bill, and I'll just have real brief comments on the minimum wage bill that we were going through quite quickly.

"Just for the record, I want to remind the members that a living wage – that is the wage at the poverty line – is somewhere around \$11.00 or \$12.00 an hour. So the \$7.00 proposal that's on the table has still a long way to go to reach a living wage that people are entitled to.

"Thank you."

Senator Slom rose to speak on a point of personal privilege as follows:

"Mr. President, point of personal privilege.

"I didn't know we were going to have the debate on minimum wage now, but I want to add a couple of comments.

"First of all, the minimum wage is not a living wage. It was never intended to be. It is an entry level wage. By testimony from the Department of Labor and by CLEAR from up at the University of Hawaii, there's less than 3 percent of the people at any one time in this state that are earning minimum wage. And the reason for that is it's a moving wage – people enter, they start with that wage, they get proficient, they get trained at what they're doing, and then their salaries increase.

"As was testified year, after year, after year, including this year too, the bill that forcibly raises minimum wage doesn't raise profits, doesn't lower costs for healthcare, or for electricity, or for rent, or for anything else. So all we do is add to the cost of these costs every year. Those people that are not getting minimum wage, that are getting more than minimum wage, they stand in line and say, 'hey, how come the co-workers got an increase and we didn't?' And so it forces those wages up.

"In addition to that, the mandates that every employer in Hawaii pays, which adds between 37 and 55 percent to whatever their compensation rate is, these are mandated benefits, not additional benefits that they do voluntarily like sick pay and vacation, but mandated benefits. They go up as well because they're based on the total amount of payroll as well as the experience such as workers compensation.

"So we continue to not only raise the cost of doing business here, but also to have the fiction that it is the employers who are supposed to provide for a transitional or for a living wage. They provide the jobs. They provide the opportunities for income. It is up to workers and employees to provide the wherewithal to better themselves and earn additional money.

"We've heard testimony from even the fast-food restaurants, which probably are the biggest single source of minimum wages, that they create owners and managers and people that have done very well within this community.

"And so, instead of denigrating businesses, which we do, saying that they don't do enough and then we call on them to do more, we should really be concerned about why the State of Hawaii continually now ranks at the bottom of every major national list in terms of economic vitality, in terms of economic incentives, and why we are passed over in this state. It's because of legislation like this.

"Thank you, Mr. President."

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

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

"Hawaii is at the top of the list that taxes people that are earning a minimum wage. So I suggest that before we talk about raising the minimum wage, why don't we look at our standard deduction and personal exemption and raise that so that the people that are earning the minimum wage aren't faced with the situation of paying state income tax and itemizing state income tax because the standard deduction and personal exemption are too low.

"Thank you."

#### ADJOURNMENT

At 4:32 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 10, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

ATTACHMENT "A"

LINDA LINGLE  
GOVERNOR

JAMES R. AIONA, JR.  
LT. GOVERNOR



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March 2, 2005

The Honorable Ron Menor  
Chair, Senate Committee on Health  
Twenty-Third Legislature  
State Capitol, Room 219  
Honolulu, HI 96813

**FAX 586-6829**

Re: **S.B. No. 140, SD1 – Relating to Health Insurance**

Dear Chair Menor:

This letter is to follow-up on amendments suggested by HMSA and Kaiser to S.B. No. 140 SD1 – Relating to Health Insurance. I have had my legal staff review the proposed amendments and have concluded that the amendments proposed by HMSA and Kaiser are neither needed nor helpful.

Kaiser takes the position that the term “discretionary authority clause” requires a definition. We note that the NAIC Model Act 42 does not define the term “discretionary clause” (copy attached for your review) and that the essence of the discretionary clause is, as stated in S.B. 140, SD1, a clause which grants “broad powers” to the insurer to interpret the insurance contract. (See, e.g., *Smith v. CMTA-IAM Pension Trust*, 654 F.2d 650 (9<sup>th</sup> Cir., 1981)). Therefore, contrary to Kaiser’s position, we do not view S.B. 140, SD1 as being overly broad or ambiguous. Although S.B. No. 140, SD1 was not drafted by or introduced at the request of the Insurance Division, we support the bill in its present form, without reservation.

Kaiser noted that no states have adopted the NAIC Model Act and while that is true, S.B. 140, SD1 also does not adopt the NAIC Model Act – that fact by itself proves nothing. Kaiser contends that states have not adopted the NAIC Model Act because nothing is “broken” and, consequently, that there is no need for a bill to prohibit discretionary clauses. Allow me to note that my December 8, 2004 Memorandum prohibiting use of discretionary clauses (copy attached) was issued (as stated in its first sentence) in response to consumer complaints.

The Honorable Ron Menor  
March 2, 2005  
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HMSA's customers believe very strongly that something needs fixing and, in this regard, it should be noted that although only two states (Maine and Minnesota) have adopted statutes prohibiting discretionary clauses, such clauses are also prohibited by Insurance Commissioner action in California, Illinois, Indiana, Montana, Nevada, New Jersey, Texas and Utah. It is fair to conclude that something is indeed broken and that there is a need for governmental action. As an aside, you should be aware that although I have only acted with regard to health insurance, other Commissioners have prohibited discretionary clauses in other types of insurance contracts. California prohibits use of discretionary clauses in disability insurance and Utah prohibits use in accident and health, life and annuity insurance. In addition, the NAIC is presently considering broadening its Model Act to include disability insurance. Therefore, contrary to the testimony presented at hearing, it would not be amiss for the legislature to include disability insurance in S.B. No. 140, SD1.

HMSA's amendments seem to be premised upon its objection to a prohibition that "potentially removes an insurer's ability to determine which benefits should be covered." In support of this position, Kaiser notes that insurers have a fiduciary duty to act reasonably in making such interpretations. Although I appreciate HMSA's and Kaiser's advocacy in this matter, in my view, the critical point is that discretionary authority granted to or retained by an insurer takes away what would otherwise be the insured's right to have a court review coverage decisions *de novo* – without bias in favor of the insurance company. In *Firestone Tire and Rubber Co. v. Bruch*, 489 U.S. 101 (1989) the U.S. Supreme Court held that:

**... the validity of a claim to benefits under an ERISA plan is likely to turn on the interpretation of terms in the plan at issue.** Consistent with established principles of trust law, we hold that a denial of benefits challenged under §1132(a)(1)(B) is to be reviewed under a *de novo* standard unless the benefit plan gives the administrator or fiduciary discretionary authority to determine eligibility for benefits or to construe the terms of the plan.

489 U.S. at 115. (emphasis added)

It is my position that a provision granting to a plan administrator discretionary authority so as to deprive the insured of a *de novo* review is an unfair or deceptive act or practice in the business of insurance in violation of Hawaii's unfair and deceptive trade practice statute. As stated in my December 8, 2004 Memorandum prohibiting use of discretionary clauses, discretionary clauses in insurance contracts constitutes not only an unfair trade practice but, in addition, breach an insurer's fiduciary duty by creating a conflict of interest. This issue is also the basis for the NAIC's Model Act; the rationale underlying NAIC Model Act 42 is to "assure that health insurance benefits are contractually guaranteed, and to avoid the conflict of interest that occurs when the health carrier has unfettered authority to decide what benefits are due."



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It is not the case as argued by HMSA that S.B. 140, SD1 “removes an insurer’s ability to determine which benefits should be covered.” What S.B. 140, SD1 removes is what the U.S. Supreme Court characterized as the insurance company’s “unfettered discretion” to make such determinations – unfettered discretion that takes away from the insured the right to *de novo* judicial review of the insurance company’s decisions. By imposing “terms congenial to its own interests” the insurer denies its members the level playing field that the law would otherwise require and imposes upon the insured the uphill battle of proving that the insurer acted arbitrarily, capriciously, or in abuse of its discretion – effectively shielding the insurer from judicial reversal of its denial of meritorious claims. (See, *Rush Prudential HMO, Inc. v. Moran*, 536 U.S. 355 (2002) quoted more fully below).

The critical point is that if discretionary clauses are prohibited a court will review the insurance company’s interpretation of the contract under a *de novo* standard but if discretionary clauses are allowed the court is required to approve the insurance company’s interpretation and decision regarding plan benefits unless the interpretation and decision are arbitrary or capricious or an abuse of discretion. (*Firestone Tire and Rubber Co. v. Bruch*, 489 U.S. 101 (1989); *Pokratz v. Jones Dairy Farm*, 771 F.2d 206 (7th Cir. 1985)).

In *Firestone Tire* the Supreme Court noted, as testified by Kaiser, that a health plan benefit decision “is generally a fiduciary act.” In my view, (and in the view of the NAIC) discretionary authority clauses sanction, and may even encourage, a breach of that fiduciary duty. If an insurer is allowed discretionary authority to interpret the plan as it wishes, its manifest interest in maximizing income and increasing its reserves conflict with the interests of its plan members in obtaining coverage for medical care. A fiduciary’s main duty is to act solely in the interests of beneficiaries. 60A Am. Jur. 2d *Pensions and Retirement Funds* § 437 citing *Lang v. Long-Term Disability Plan of Sponsor Applied Remote Technology, Inc.*, 125 F.3d 794 (9<sup>th</sup> Cir. 1997). By imposing the discretionary clause upon its insureds, the insurer/fiduciary takes away from its insured/beneficiaries the right to *de novo* judicial review and imposes upon its insured/ beneficiaries a heavy evidential burden – effectively shielding the insurer from reversal of the denial of meritorious claims. In so doing an insurer/fiduciary places its own interests above the interests of its insured/ beneficiaries in breach of its fiduciary duty.

Although testimony was presented that insurance companies must exercise such discretion “reasonably” and Kaiser proposes amendments purporting to codify this standard, the testimony and amendments are disingenuous. The law is abundantly clear that discretionary clauses require that discretionary determinations are entitled to deference, and “an appellant has a high burden to surmount that deference.” *Paul’s Elec. Service, Inc. v. Befitel*, 104 Hawai’i 412, 419, 91 P.3d 494, 501 (Hawai’i 2004). Although there is a requirement of “reasonableness”, a court will **deem** a discretionary decision to be reasonable if “a reasonable person *could* have reached a similar decision, given the evidence before him, not that a reasonable person *would* have reached that decision.” *Cash v. Wal-Mart Group Health Plan*, 107 F.3d 637, 641 (8<sup>th</sup> Cir. 1997) (quoting *Cox v. Mid-America Dairymen, Inc.*, 965 F.2d 569, 572 (8<sup>th</sup> Cir.1992) emphasis in original).

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In *Pokratz*, a case involving ERISA plan benefits, the court stated:

Although it is an overstatement to say that a decision is not arbitrary or capricious whenever a court can review the reasons stated for the decision without a loud guffaw, it is not much of an overstatement. The arbitrary or capricious standard is the least demanding form of judicial review....

*Pokratz v. Jones Dairy Farm*, 771 F.2d at 209.

In my view a “loud guffaw” standard of review is a one-sided standard improperly imposed by an insurer/fiduciary to benefit the insurer/fiduciary to the detriment of its insured/ beneficiaries. S.B. 140, SD1 is clear (to the Insurance Division, at least) in its language and in its intent to preclude the application of the “arbitrary or capricious” standard of judicial review and require that the court’s review the insurance company’s interpretation of the contract under the *de novo* standard of review, i.e., without bias in favor of either party.

Finally, I will note that the assertions before your committee that S.B. 140, SD1 is preempted by ERISA or that such clauses have been approved by the Supreme Court and are not subject to state regulation are not only totally without legal support, they are directly contrary to the U.S. Supreme Court decision in *Rush Prudential HMO, Inc. v. Moran*. The NAIC Model Act, the state statutes and the Insurance Commissioner actions prohibiting the use of discretionary clauses are clearly laws regulating insurance within the traditional jurisdiction of the states and, as such, are not preempted by ERISA. This is obvious from even a cursory reading of *Rush Prudential HMO, Inc. v. Moran*. In that case the U.S. Supreme Court stated:

**Not only is there no ERISA provision directly providing a lenient standard for judicial review of benefit denials, but there is no requirement necessarily entailing such an effect even indirectly. . . Nothing in ERISA ... requires that these kinds of decisions be so “discretionary” in the first place;** whether they are is simply a matter of plan design or the drafting of an HMO contract. In this respect, then, **[Illinois’] § 4-10 prohibits designing an insurance contract so as to accord unfettered discretion to the insurer to interpret the contract's terms. As such, it does not implicate ERISA’s enforcement scheme at all,** and is no different from the types of substantive state regulation of insurance contracts we have in the past permitted to survive preemption, such as mandated-benefit statutes and statutes prohibiting the denial of claims solely on the ground of untimeliness.

\*\*\*

Deferential review in the HMO context is not a settled given; § 4-10 operates before the stage of judicial review; the independent

The Honorable Ron Menor  
March 2, 2005  
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reviewer's *de novo* examination of the benefit claim mirrors the general or default rule we have ourselves recognized; and **its effect is no greater than that of mandated-benefit regulation.**

**In deciding what to make of these facts and conclusions, it helps to go back to where we started and recall the ways States regulate insurance in looking out for the welfare of their citizens.** ... While the statute ... undeniably eliminates whatever may have remained of a plan sponsor's option to minimize scrutiny of benefit denials, **this effect of eliminating an insurer's autonomy to guarantee terms congenial to its own interests is the stuff of garden variety insurance regulation** through the imposition of standard policy terms.

536 U.S. 355, 385-387 (Citations and footnote omitted, emphasis added).

And, as stated by the Court in *Metropolitan Life Ins. Co. v. Massachusetts*, 471 U.S. 724 (1985):

As we have indicated, **state laws regulating the substantive terms of insurance contracts were commonplace well before the mid-70's, when Congress considered ERISA.** The case law concerning the meaning of the phrase "business of insurance" in the McCarran-Ferguson Act, 15 U.S.C. § 1011 *et seq.*, also 2391 strongly supports the conclusion that **regulation regarding the substantive terms of insurance contracts falls squarely within the saving clause as laws "which regulate insurance."**

471 U.S. 724, 742-743 (Footnote omitted, emphasis added).

I look forward to the opportunity to meet with you personally on this matter. In the event that you wish to discuss this legislation, please do not hesitate to contact me at (808) 586-2790.

Sincerely,



J. P. Schmidt  
Insurance Commissioner

CC: Honorable Rosalyn Baker, via fax - 586-6071  
Chrisopher Pablo, via fax - 432-4632  
Jennifer Diesman

**042 - PROHIBITION ON THE USE OF DISCRETIONARY CLAUSES MODEL ACT****TABLE OF CONTENTS**

- Section 1. Short Title
- Section 2. Purpose and Intent
- Section 3. Definitions
- Section 4. Discretionary Clauses Prohibited
- Section 5. Penalties
- Section 6. Separability
- Section 7. Effective Date

**Section 1. Short Title**

This Act shall be known and may be cited as the Discretionary Clause Prohibition Act.

**Section 2. Purpose and Intent**

The purpose of this Act is to assure that health insurance benefits are contractually guaranteed, and to avoid the conflict of interest that occurs when the health carrier responsible for providing benefits has unfettered authority to decide what benefits are due. Nothing in this Act shall be construed as imposing any requirement or duty on any person other than a health carrier.

**Section 3. Definitions**

- A. "Commissioner" means the Commissioner of Insurance.
- B. "Health care services" means services for the diagnosis, prevention, treatment, cure or relief of a health condition, illness, injury or disease.
- C. "Health carrier" means an entity subject to the insurance laws and regulations of this state, or subject to the jurisdiction of the commissioner, that contracts or offers to contract to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service cooperation, or any other entity providing a plan of health insurance, health benefits or health services.
- D. "Person" means an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity or combination of the foregoing.

**Section 4. Discretionary Clauses Prohibited**

No policy, contract, certificate or agreement offered or issued in this state by a health carrier to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services may contain a provision purporting to reserve discretion to the health carrier to interpret the terms of the contract, or to provide standards of interpretation or review that are inconsistent with the laws of this state.

**Section 5. Penalties**

A violation of this Act shall [insert appropriate administrative penalty from state law].

**Section 6. Separability**

If any provision of this Act, or the application of the provision to any person or circumstance, shall be held invalid, the remainder of the Act, and the application of the provision to persons or circumstances other than those to which it is held invalid, shall not be affected.

**Section 7. Effective Date**

This Act shall be effective [insert date].

LINDA LINGLE  
GOVERNOR

JAMES R. AIONA, JR.  
LT. GOVERNOR



MARK E. RECKTENWALD  
DIRECTOR

J. P. SCHMIDT  
INSURANCE COMMISSIONER

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HONOLULU, HAWAII 96813

December 8, 2004

MEMORANDUM 2004-13H

TO: HMSA, Mutual Benefit Societies, Health Maintenance Organizations, and Insurers Offering Health Insurance

FROM: J. P. Schmidt  
Insurance Commissioner

RE: Discretionary Clauses in HMSA's Agreement for Group Health Plan and Guide to Benefits

HMSA has sent renewal contracts to employers ("Agreement for Group Health Plan") and the Insurance Commissioner has received a number of complaints regarding various provisions questioned by employers as to legality. Of particular concern is clause 15 of the Agreement for Group Health Plan entitled "HMSA Discretionary Authority" that provides:

The Group hereby designates HMSA to be a fiduciary under the Plan solely for the purposes of (a) determining all questions of eligibility of Plan members; (b) determining the amount and type of benefits payable to any Plan members in accord with the Plan; and (c) interpreting the Plan provisions including those necessary to determine benefits. HMSA shall have complete and full discretionary authority in connection with these determinations and interpretations, and its decisions on these matters shall bind the Plan.

This grant of discretionary authority is mirrored in HMSA's Guide to Benefits as follows:

#### **Interpreting this Guide**

**Agreement** The Agreement between us and you is made up of all of the following:

- This *Guide to Benefits*.
- Any riders and/or amendments.
- The application form submitted to us.

- The agreement between us and your employer or group sponsor.

#### **Our Rights to Interpret this Document**

We will interpret the provisions of the Agreement and will determine all questions that arise under it. We have the administrative discretion:

- to determine whether you meet our written eligibility requirements;
- to determine the amount and type of benefits payable to you or your dependents in accord with the terms of this Agreement; and
- to interpret the provisions of this Agreement as is necessary to determine benefits, including determinations of medical necessity.

Our interpretations and determinations are final, binding, and conclusive to the extent permitted by law. If you disagree with our interpretation or determination, you may appeal.

Discretionary clauses similar to the clauses used by HMSA that give insurance plan administrators what the U.S. Supreme Court has called “unfettered discretion” to interpret plan benefits (*Rush Prudential HMO, Inc. v. Moran*, 536 U.S. 355 (2002)) are prohibited by statute in Maine and Minnesota and by Insurance Commissioners in California, Illinois, Indiana, Montana, Nevada, New Jersey, Oregon, Texas and Utah.

In 2002, the National Association of Insurance Commissioners adopted Model Act 42 titled “Prohibition on the Use of Discretionary Clauses Model Act” which recommends that each member state initiate legislation prohibiting discretionary clauses in health insurance contracts in order to “assure that health insurance benefits are contractually guaranteed, and to avoid the conflict of interest that occurs when the health carrier has unfettered authority to decide what benefits are due.”

On July 29, 2002, the Utah Insurance Commissioner issued a bulletin stating:

Discretionary clauses purport to give an insurer full and final discretion in interpreting benefits in an insurance contract. In the department's view, under Utah Code Annotated (U.C.A.) §31A-21-201(3), those clauses and provisions in accident and health, life, and annuity insurance contracts are inequitable, misleading, deceptive, obscure, unfair, not in the public interest, and otherwise contrary to law, and they encourage misrepresentation and violate a statute.

Hawaii Revised Statutes §431:13-102 prohibits unfair methods of competition or unfair or deceptive acts or practices in the business of insurance.

A “discretionary clause” granting to a plan administrator discretionary authority so as to deprive the insured of a *de novo* appeal is an unfair or deceptive act or practice in the business of insurance and may not be used in health insurance contracts or plans in Hawaii.

This decision is based upon the rationale underlying NAIC Model Act 42 – to “assure that health insurance benefits are contractually guaranteed, and to avoid the conflict of interest that occurs when the health carrier has unfettered authority to decide what benefits are due.” It is also based upon the position taken by the Utah Insurance Commissioner that such clauses are “inequitable, misleading, deceptive, obscure, unfair, not in the public interest, and otherwise contrary to law, and they encourage misrepresentation and violate a statute.”

In reaching this decision it is noted that insurance companies’ rights to contract are subject to regulation because insurance companies are held to a broader legal responsibility than are parties to purely private contracts and the public interest in assuring integrity of insurers’ relations with their insureds and in averting even the potential for conflict of interest situations must take precedence over the parties’ private contractual arrangements (See, e.g., *Pennsylvania General Insurance Co. v. Austin Powder Co.*, 68 N.Y.2d 465, 502 N.E.2d 982, 510 N.Y.S.2d 67 (1986)). In Hawai’i “... insurers have the same rights as individuals to limit their liability... and to impose whatever conditions they please on their obligations, provided they are not in contravention of statutory inhibitions or public policy.” *First Ins. Co. of Hawai’i, Inc. v. State*, 66 Hawai’i 413, 423, 665 P.2d 648, 655 (Hawai’i, 1983) (quoting 6B Appleman, *Insurance Law and Practice* § 4255, at 40 (1979)). The covenant of good faith and fair dealing that exists in every insurance contract requires that neither party will do anything to injure the right of the other to receive the benefits of the agreement, and an insurer is obligated to give the interests of the insured at least as much consideration as it gives to its own interests. *Larraburu Bros., Inc. v. Royal Indem. Co.*, 604 F.2d 1208 (9<sup>th</sup> Cir. 1979).

HMSA, as a nonprofit mutual benefit society, should be held to at least as high a standard as a for-profit insurance company. Beyond that, however, it must be noted that HMSA is not merely a for-profit insurance company required to treat its insureds’ interests on an equal basis with its own interests. HMSA has fiduciary responsibility as a mutual benefit society and has explicitly and implicitly assumed fiduciary responsibility as an administrator of a health plan. As a fiduciary its main duty is to act solely in the interests of beneficiaries. 60A Am. Jur. 2d *Pensions and Retirement Funds* § 437 citing *Lang v. Long-Term Disability Plan of Sponsor Applied Remote Technology, Inc.*, 125 F.3d 794 (9<sup>th</sup> Cir. 1997).

Discretionary authority clauses in health plans sanction, and may even encourage, a breach of fiduciary duty. If HMSA is allowed discretionary authority to interpret the Plan as it wishes, HMSA’s manifest interest in maximizing its income and increasing its reserves conflicts with the interests of its members in obtaining coverage for medical care.

The critical point is that discretionary authority granted to or retained by an insurer takes away what would otherwise be the insured’s right to have a court review coverage decisions without bias in favor of the insurance company. In *Firestone Tire and Rubber Co. v. Bruch*, 489 U.S. 101 (1989) the U.S. Supreme Court noted that “the validity of a claim to benefits under an ERISA plan is likely to turn on the interpretation of terms in the plan at issue. Consistent with



established principles of trust law, we hold that a denial of benefits challenged under §1132(a)(1)(B) is to be reviewed under a *de novo* standard unless the benefit plan gives the administrator or fiduciary discretionary authority to determine eligibility for benefits or to construe the terms of the plan.” (489 U.S. at 115).

The legal impact of HMSA’s discretionary clause is to require that a court approve HMSA’s interpretation unless it can be held to be arbitrary and capricious. The arbitrary and capricious standard holds that a plan administrator’s decision shall not be overturned, absent special circumstances such as fraud or bad faith, if “it is possible to offer a reasoned explanation, based on the evidence, for a particular outcome.” *Exbom v. Central States, Southeast and Southwest Areas Health and Welfare Fund*, 900 F.2d 1138, 1142 (7<sup>th</sup> Cir. 1990) citing *Pokratz v. Jones Dairy Farm*, 771 F.2d 206, 209 (7<sup>th</sup> Cir. 1985). In *Pokratz*, a case involving ERISA plan benefits, the court stated:

The “arbitrary or capricious” standard calls for less searching inquiry than the “substantial evidence” standard that applies to Social Security disability cases. Although it is an overstatement to say that a decision is not arbitrary or capricious whenever a court can review the reasons stated for the decision without a loud guffaw, it is not much of an overstatement. The arbitrary or capricious standard is the least demanding form of judicial review....

*Pokratz v. Jones Dairy Farm*, 771 F.2d at 209.

By imposing the discretionary clause upon its members, HMSA takes away the members’ right to *de novo* judicial review and imposes upon its members a heavy evidential burden – effectively shielding HMSA from reversal of the denial of meritorious claims. In so doing HMSA places its own interests above the interests of its members in breach of its fiduciary duty.

This decision is not affected by whether a plan is an ERISA plan. The U.S. Supreme Court in *Rush Prudential HMO, Inc. v. Moran*, 536 U.S. 355 (2002) stated:

Not only is there no ERISA provision directly providing a lenient standard for judicial review of benefit denials, but there is no requirement necessarily entailing such an effect even indirectly. . . . Nothing in ERISA, however, requires that these kinds of decisions be so “discretionary” in the first place; whether they are is simply a matter of plan design or the drafting of an HMO contract. In this respect, then, [Illinois’] § 4-10 prohibits designing an insurance contract so as to accord unfettered discretion to the insurer to interpret the contract’s terms. As such, it does not implicate ERISA’s enforcement scheme at all, and is no different from the types of substantive state regulation of insurance contracts we have in the past permitted to survive preemption, such

as mandated-benefit statutes and statutes prohibiting the denial of claims solely on the ground of untimeliness.

*Rush Prudential HMO, Inc. v. Moran*, 536 U.S. at 385-86 (citations and footnote omitted).

Additionally, it is noteworthy that for ERISA plans the Federal Regulations (29 CFR § 2560.503-1) require, among other things, an internal review procedure that does “not afford deference to the initial adverse benefit determination” – i.e., a *de novo* review. Although the regulation relates only to internal review procedures, there is no reason that the standard for internal review should differ from the standard for judicial review.

In summary, contractual provisions giving HMSA, or any health insurer, discretionary authority to interpret the plan so as to deprive the insured of a *de novo* appeal constitute unfair or deceptive acts or practices in the business of insurance in violation of HRS §431:13-102 for the following reasons:

1. Such contractual provisions are a violation of the insurer’s obligation to act in good faith and deal fairly because a conflict of interest occurs when an insurer has discretionary authority to interpret the insurance contract in regards to what benefits it will pay.
2. Such contractual provisions are a breach of an insurer’s fiduciary duty to act solely in the interests of its insureds who are plan participants and beneficiaries.
3. Such contractual provisions may mislead the members to believe that they have no recourse to contest an insurer’s plan interpretations when, in fact, the insurer’s authority regarding determinations of coverage are not complete, full, final, binding, or conclusive. For ERISA plans *de novo* internal review is required and plan beneficiaries have the right to appeal to court. And, for plans not covered by ERISA, insureds have the additional right to external review pursuant to the Hawai’i’s Patients’ Bill of Rights and Responsibilities Act, HRS Chapter 432E. However, a member mislead to believe that HMSA has “complete”, “full”, “final, binding, and conclusive” discretionary authority to interpret the Plan may well forgo the right to appeal HMSA’s decisions to an impartial reviewer.

The following language is approved for use by health insurers:

The Group hereby designates [INSURER] to be a fiduciary under the Plan solely for the purposes of (a) determining all questions of eligibility of Plan members; (b) determining the amount and type of benefits payable to any Plan members in accord with the Plan; and (c) interpreting the Plan provisions including those necessary to determine benefits. [INSURER’S] determinations and interpretations, and its decisions on these matters are subject to *de novo* review by an impartial reviewer as provided in the Plan or as allowed by law.

## TWENTY-SEVENTH DAY

**Thursday, March 10, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Rosalyn H. Baker, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senators English, Ihara and Menor who were excused.

The President announced that he had read and approved the Journal of the Twenty-Sixth Day.

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.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 386 to 405) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 386, submitting for consideration and confirmation to the Board of Agriculture, the nomination of ALAN H. GOTTLIEB, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 387, submitting for consideration and confirmation to the Board of Agriculture, the nomination of CRAIG G. RASMUSSEN, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 388, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of ROGER DANIEL RIZZO, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 389, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of RITO SANIATAN, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 390, submitting for consideration and confirmation to the Hawaii Community Development Authority (HCDA), the nomination of MICHAEL N. GOSHI, term to expire October 12, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 391, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of SANDRA ALBANO, term to expire June 30, 2008, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 392, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of WAYNE L. CHU, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 393, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nomination of CAROL T. RABER, term to expire December 26, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 394, submitting for consideration and confirmation to the Board of Trustees of the Employees' Retirement System (ERS), the nomination of ALTON T. KUIOKA, term to expire January 1, 2011, was referred to the Committee on Labor.

Gov. Msg. No. 395, submitting for consideration and confirmation to the Board of Directors of the Hawaii Health Systems Corporation, the nomination of RUSSELL T. STODD MD, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 396, submitting for consideration and confirmation to the Land Use Commission, the nomination of MICHAEL H. FURUKAWA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 397, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of JEANETTE OTSUKA CHANG, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 398, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of EDWARD MACDOWELL, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 399, submitting for consideration and confirmation to the Stadium Authority, the nomination of KATHLEEN O. AHINA, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 400, submitting for consideration and confirmation to the Stadium Authority, the nomination of MARCIA J. KLOMPUS, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 401, submitting for consideration and confirmation to the Stadium Authority, the nomination of NELSON OYADOMARI, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 402, submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of BRANDI M. L. JIM ON, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 403, submitting for consideration and confirmation to the Hawaii Workforce Development Council, the nomination of CORIANNE W. LAU, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 404, submitting for consideration and confirmation to the Hawaii Workforce Development Council, the nomination of GARY L. WISEMAN, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 405, advising the Senate of the withdrawal of the nomination of COURTNEY HARRINGTON to the Wireless Enhanced 911 Board, under Gov. Msg. No. 295, dated January 28, 2005, was placed on file.

In compliance with Gov. Msg. No. 405, the nomination listed under Gov. Msg. No. 295 was returned.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 110 to 351) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 110, transmitting H.B. No. 1, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed First Reading by title and was referred jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 111, transmitting H.B. No. 5, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 5, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred jointly to the Committee on Higher Education and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 112, transmitting H.B. No. 8, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 8, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations.

Hse. Com. No. 113, transmitting H.B. No. 10, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 10, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 114, transmitting H.B. No. 15, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 15, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred jointly to the Committee on Higher Education and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 115, transmitting H.B. No. 19, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 19, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 116, transmitting H.B. No. 27, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 27, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 117, transmitting H.B. No. 30, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 30, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 118, transmitting H.B. No. 36, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 36, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 119, transmitting H.B. No. 85, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 85, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 120, transmitting H.B. No. 89, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 89, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FOR THE PORT OF HONOLULU," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 121, transmitting H.B. No. 97, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 97, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading

by title and was referred jointly to the Committee on Human Services, the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 122, transmitting H.B. No. 98, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 98, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAHULUI HARBOR," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 123, transmitting H.B. No. 99, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 99, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 124, transmitting H.B. No. 106, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 106, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 125, transmitting H.B. No. 125, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 125, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Media, Arts, Science and Technology.

Hse. Com. No. 126, transmitting H.B. No. 146, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 146, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 127, transmitting H.B. No. 150, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 150, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 128, transmitting H.B. No. 160, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 160, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 129, transmitting H.B. No. 162, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 162, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred to the Committee on Business and Economic Development, then jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means.

Hse. Com. No. 130, transmitting H.B. No. 164, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 164, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," passed First Reading by title and was referred to the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 131, transmitting H.B. No. 165, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 132, transmitting H.B. No. 167, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 167, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AGRICULTURAL LEASES," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 133, transmitting H.B. No. 168, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 168, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 134, transmitting H.B. No. 171, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 171, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 135, transmitting H.B. No. 172, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 172, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 136, transmitting H.B. No. 236, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 236, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICALLY ACCURATE SEX EDUCATION," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 137, transmitting H.B. No. 237, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 237, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 138, transmitting H.B. No. 244, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 139, transmitting H.B. No. 248, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 248, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 140, transmitting H.B. No. 266, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 266, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed First Reading by title

and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 141, transmitting H.B. No. 278, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 278, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 142, transmitting H.B. No. 281, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 281, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed First Reading by title and was referred jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 143, transmitting H.B. No. 283, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 283, H.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," passed First Reading by title and was referred to the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 144, transmitting H.B. No. 295, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 295, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 145, transmitting H.B. No. 330, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 330, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 146, transmitting H.B. No. 338, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 338, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 147, transmitting H.B. No. 343, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 343, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 148, transmitting H.B. No. 353, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 353, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 149, transmitting H.B. No. 359, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 359, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 150, transmitting H.B. No. 384, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 384, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 151, transmitting H.B. No. 389, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 389, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 152, transmitting H.B. No. 390, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 390, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 153, transmitting H.B. No. 393, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 393, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," passed First Reading by title and was referred jointly to the Committee on

Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 154, transmitting H.B. No. 395, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 395, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 155, transmitting H.B. No. 408, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 408, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 156, transmitting H.B. No. 416, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 416, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 157, transmitting H.B. No. 422, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 422, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 158, transmitting H.B. No. 447, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 447, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 159, transmitting H.B. No. 450, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 450, 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 to the Committee on Ways and Means.

Hse. Com. No. 160, transmitting H.B. No. 460, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 460, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," passed First Reading by title and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 161, transmitting H.B. No. 466, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 466, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 162, transmitting H.B. No. 467, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 467, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 163, transmitting H.B. No. 471, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 471, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed First Reading by title and was referred jointly to the Committee on Tourism and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 164, transmitting H.B. No. 483, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 483, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 165, transmitting H.B. No. 500, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 500, H.D. 2, 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 to the Committee on Ways and Means.

Hse. Com. No. 166, transmitting H.B. No. 505, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 505, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE

HOMES," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 167, transmitting H.B. No. 516, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 516, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 168, transmitting H.B. No. 537, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 537, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 169, transmitting H.B. No. 540, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 540, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 170, transmitting H.B. No. 553, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 553, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 171, transmitting H.B. No. 595, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 172, transmitting H.B. No. 606, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 606, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing.



Hse. Com. No. 173, transmitting H.B. No. 631, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 631, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 174, transmitting H.B. No. 633, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 633, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 175, transmitting H.B. No. 671, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 671, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 176, transmitting H.B. No. 684, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 684, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 177, transmitting H.B. No. 704, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 704, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 178, transmitting H.B. No. 712, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 712, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," passed First Reading by title and was referred jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 179, transmitting H.B. No. 713, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 713, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," passed First Reading by title and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor.

Hse. Com. No. 180, transmitting H.B. No. 755, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 755, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 181, transmitting H.B. No. 758, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 758, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 182, transmitting H.B. No. 759, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 759, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 183, transmitting H.B. No. 761, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 761, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 184, transmitting H.B. No. 762, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 762, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 185, transmitting H.B. No. 769, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 769, H.D. 3, entitled: "A BILL FOR AN

ACT RELATING TO UNCLAIMED PROPERTY,” passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 186, transmitting H.B. No. 783, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 783, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES,” passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 187, transmitting H.B. No. 784, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 784, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CABLE TELEVISION,” passed First Reading by title and was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 188, transmitting H.B. No. 938, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 938, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES,” passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 189, transmitting H.B. No. 802, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 802, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDIT,” passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 190, transmitting H.B. No. 806, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 806, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS,” passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 191, transmitting H.B. No. 833, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 833, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS,” passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 192, transmitting H.B. No. 835, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 835, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TIME SHARING PLANS,” passed First Reading by title and was referred to the Committee on Tourism, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 193, transmitting H.B. No. 843, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 843, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SCHOOL LUNCH,” passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 194, transmitting H.B. No. 852, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 852, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PERMIT APPROVALS,” passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 195, transmitting H.B. No. 857, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 857, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” passed First Reading by title and was referred to the Committee on Transportation and Government Operations.

Hse. Com. No. 196, transmitting H.B. No. 858, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 858, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAX REFUNDS,” passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 197, transmitting H.B. No. 862, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 862, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES,” passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 198, transmitting H.B. No. 863, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 863, H.D. 2, entitled: “A BILL FOR AN

ACT RELATING TO THE PETROLEUM INDUSTRY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 199, transmitting H.B. No. 868, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 868, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 200, transmitting H.B. No. 875, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 875, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 201, transmitting H.B. No. 883, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 883, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD LIABILITY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 202, transmitting H.B. No. 887, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 887, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INQUIRIES," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 203, transmitting H.B. No. 895, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 895, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 204, transmitting H.B. No. 912, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 912, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed First Reading by title and was referred to the Committee on Business and Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 205, transmitting H.B. No. 919, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 919, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 206, transmitting H.B. No. 925, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 925, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 207, transmitting H.B. No. 931, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 931, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 208, transmitting H.B. No. 954, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 954, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 209, transmitting H.B. No. 955, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 955, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 210, transmitting H.B. No. 957, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 957, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 211, transmitting H.B. No. 969, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 969, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 212, transmitting H.B. No. 994, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 994, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred jointly to the Committee on Business and Economic Development and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 213, transmitting H.B. No. 997, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 997, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed First Reading by title and was referred to the Committee on Tourism, then to the Committee on Ways and Means.

Hse. Com. No. 214, transmitting H.B. No. 998, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 998, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," passed First Reading by title and was referred jointly to the Committee on Tourism and the Committee on Business and Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 215, transmitting H.B. No. 1017, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1017, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 216, transmitting H.B. No. 1018, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1018, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 217, transmitting H.B. No. 1020, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1020, H.D. 3, entitled: "A BILL FOR AN

ACT RELATING TO COASTAL ZONE MANAGEMENT," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 218, transmitting H.B. No. 1028, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1028, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII'S DISTANCE LEARNING PROGRAM," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 219, transmitting H.B. No. 1030, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1030, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARINE HIGHWAY SYSTEM," passed First Reading by title and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 220, transmitting H.B. No. 1033, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1033, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 221, transmitting H.B. No. 1051, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1051, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 222, transmitting H.B. No. 1060, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1060, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed First Reading by title and was referred to the Committee on Human Services, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Hse. Com. No. 223, transmitting H.B. No. 1078, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1078, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred jointly to the Committee on Higher

Education and the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 224, transmitting H.B. No. 1082, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1082, H.D. 3, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," passed First Reading by title and was referred 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.

Hse. Com. No. 225, transmitting H.B. No. 1111, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1111, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CATASTROPHIC RELIEF FUND," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 226, transmitting H.B. No. 1123, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1123, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 227, transmitting H.B. No. 1132, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 228, transmitting H.B. No. 1134, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1134, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 229, transmitting H.B. No. 1136, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1136, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 230, transmitting H.B. No. 1141, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1141, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 231, transmitting H.B. No. 1144, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1144, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed First Reading by title and was referred jointly to the Committee on Health, the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 232, transmitting H.B. No. 1146, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1146, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 233, transmitting H.B. No. 1152, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 234, transmitting H.B. No. 1154, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1154, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 235, transmitting H.B. No. 1155, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1155, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 236, transmitting H.B. No. 1166, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S LIENS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 237, transmitting H.B. No. 1173, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1173, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 238, transmitting H.B. No. 1179, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1179, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 239, transmitting H.B. No. 1192, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1192, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 240, transmitting H.B. No. 1199, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1199, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 241, transmitting H.B. No. 1200, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1200, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 242, transmitting H.B. No. 1201, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1201, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 243, transmitting H.B. No. 1202, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1202, H.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO AGRICULTURAL TRESPASSING," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 244, transmitting H.B. No. 1214, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1214, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 245, transmitting H.B. No. 1217, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1217, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 246, transmitting H.B. No. 1222, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1222, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was referred to the Committee on Labor.

Hse. Com. No. 247, transmitting H.B. No. 1237, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1237, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 248, transmitting H.B. No. 1238, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1238, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 249, transmitting H.B. No. 1239, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1239, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY DESIGN," passed First Reading by title and was referred to the Committee on

Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 250, transmitting H.B. No. 1276, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1276, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed First Reading by title and was referred 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.

Hse. Com. No. 251, transmitting H.B. No. 1278, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1278, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 252, transmitting H.B. No. 1295, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1295, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 253, transmitting H.B. No. 1300, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1300, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 254, transmitting H.B. No. 1302, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1302, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS FEES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 255, transmitting H.B. No. 1303, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1303, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 256, transmitting H.B. No. 1304, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1304, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 257, transmitting H.B. No. 1308, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1308, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 258, transmitting H.B. No. 1309, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1309, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 259, transmitting H.B. No. 1317, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1317, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 260, transmitting H.B. No. 1318, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1318, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 261, transmitting H.B. No. 1320, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1320, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," passed First Reading by title and was referred jointly to the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 262, transmitting H.B. No. 1324, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1324, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 263, transmitting H.B. No. 1331, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1331, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 264, transmitting H.B. No. 1360, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1360, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 265, transmitting H.B. No. 1378, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1378, 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 to the Committee on Ways and Means.

Hse. Com. No. 266, transmitting H.B. No. 1390, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1390, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," passed First Reading by title and was referred to the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 267, transmitting H.B. No. 1393, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1393, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 268, transmitting H.B. No. 1413, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 269, transmitting H.B. No. 1426, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1426, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 270, transmitting H.B. No. 1430, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1430, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 271, transmitting H.B. No. 1448, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1448, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 272, transmitting H.B. No. 1449, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1449, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 273, transmitting H.B. No. 1450, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1450, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 274, transmitting H.B. No. 1459, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1459, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.



Hse. Com. No. 275, transmitting H.B. No. 1469, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1469, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 276, transmitting H.B. No. 1476, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1476, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," passed First Reading by title and was referred jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 277, transmitting H.B. No. 1498, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1498, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWENTY-FOUR HOUR ADVANCED EMERGENCY AMBULANCE SERVICES FOR UPCOUNTRY MAUI," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 278, transmitting H.B. No. 1528, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 279, transmitting H.B. No. 1529, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1529, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 280, transmitting H.B. No. 1530, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1530, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," passed First Reading by title and was referred jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 281, transmitting H.B. No. 1535, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1535, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 282, transmitting H.B. No. 1536, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1536, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 283, transmitting H.B. No. 1548, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1548, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed First Reading by title and was referred to the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 284, transmitting H.B. No. 1550, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1550, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 285, transmitting H.B. No. 1555, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 286, transmitting H.B. No. 1556, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed First Reading by title and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 287, transmitting H.B. No. 1570, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE RENTAL HOUSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 288, transmitting H.B. No. 1583, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1583, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 289, transmitting H.B. No. 1590, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1590, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY," passed First Reading by title and was referred to the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 290, transmitting H.B. No. 1605, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1605, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 291, transmitting H.B. No. 1606, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1606, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed First Reading by title and was referred jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means.

Hse. Com. No. 292, transmitting H.B. No. 1614, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1614, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," passed First Reading by title and was referred jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 293, transmitting H.B. No. 1639, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1639, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY," passed

First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 294, transmitting H.B. No. 1640, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1640, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 295, transmitting H.B. No. 1641, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1641, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 296, transmitting H.B. No. 1645, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1645, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT," passed First Reading by title and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 297, transmitting H.B. No. 1657, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," passed First Reading by title and was referred to the Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 298, transmitting H.B. No. 1659, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1659, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 299, transmitting H.B. No. 1707, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1707, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and

International Affairs, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 300, transmitting H.B. No. 1723, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1723, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," passed First Reading by title and was referred jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 301, transmitting H.B. No. 1731, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1731, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred 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.

Hse. Com. No. 302, transmitting H.B. No. 1733, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1733, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 303, transmitting H.B. No. 1737, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1737, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 304, transmitting H.B. No. 1738, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1738, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY RESTITUTION," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 305, transmitting H.B. No. 1739, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1739, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed First Reading by title and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 306, transmitting H.B. No. 1745, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1745, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 307, transmitting H.B. No. 1750, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1750, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 308, transmitting H.B. No. 1756, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1756, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 309, transmitting H.B. No. 1763, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1763, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 310, transmitting H.B. No. 1773, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1773, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 311, transmitting H.B. No. 1784, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1784, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 312, transmitting H.B. No. 47, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 47, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 313, transmitting H.B. No. 100, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 100, 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. 314, transmitting H.B. No. 127, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 127, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 315, transmitting H.B. No. 128, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 128, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 316, transmitting H.B. No. 169, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 169, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs.

Hse. Com. No. 317, transmitting H.B. No. 318, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 318, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 318, transmitting H.B. No. 329, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 329, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed First Reading by title and was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 319, transmitting H.B. No. 429, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 429, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU," passed First Reading by title and was referred to the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 320, transmitting H.B. No. 487, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 321, transmitting H.B. No. 551, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 551, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed First Reading by title and was referred to the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 322, transmitting H.B. No. 555, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 555, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed First Reading by title and was referred to the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 323, transmitting H.B. No. 584, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 584, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 324, transmitting H.B. No. 733, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 733, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 325, transmitting H.B. No. 771, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 771, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 326, transmitting H.B. No. 785, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 785, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 327, transmitting H.B. No. 877, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 877, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 328, transmitting H.B. No. 973, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 973, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 329, transmitting H.B. No. 1015, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1015, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs, the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 330, transmitting H.B. No. 1162, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 331, transmitting H.B. No. 1171, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1171, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 332, transmitting H.B. No. 1235, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1235, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 333, transmitting H.B. No. 1236, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1236, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 334, transmitting H.B. No. 1434, H.D. 3, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1434, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 335, transmitting H.B. No. 1461, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1461, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 336, transmitting H.B. No. 1462, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 337, transmitting H.B. No. 1463, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1463, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 338, transmitting H.B. No. 1464, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1464, 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. 339, transmitting H.B. No. 1465, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1465, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 340, transmitting H.B. No. 1542, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1542, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 341, transmitting H.B. No. 1666, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1666, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 342, transmitting H.B. No. 1672, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 343, transmitting H.B. No. 1705, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1705, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed First Reading by title and was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 344, transmitting H.B. No. 1715, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1715, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 345, transmitting H.B. No. 1720, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1720, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 346, transmitting H.B. No. 1734, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1734, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO DRUGS," passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 347, transmitting H.B. No. 1747, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1747, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGNS," passed First Reading by title and was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 348, transmitting H.B. No. 1760, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1760, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed First Reading by title and was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs.

Hse. Com. No. 349, transmitting H.B. No. 20, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 20, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 350, transmitting H.B. No. 59, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 59, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 351, transmitting H.B. No. 1442, H.D. 2, which passed Third Reading in the House of Representatives on March 8, 2005, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 1442, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS," passed First Reading by title and was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs.

#### SENATE COMMUNICATION

Sen. Com. No. 1, notice to the Governor dated March 10, 2005, transmitting S.B. No. 255, S.D. 1; S.B. No. 995; S.B. No. 1256; S.B. No. 1533; and S.B. No. 1742, 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 10, 2005

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:

S.B. No. 255, SD 1  
 'RELATING TO THE ATTORNEY GENERAL.'

S.B. No. 995  
 'PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION TO REMOVE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES.'

S.B. No. 1256  
 'PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS.'

S.B. No. 1533  
 'PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO THE COMPOSITION OF THE BOARD OF EDUCATION.'

S.B. No. 1742  
 'PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION RELATING TO THE JUDICIAL SELECTION COMMISSION.'

Respectfully,

/s/ Paul T. Kawaguchi  
 PAUL T. KAWAGUCHI  
 Clerk of the Senate"

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 65 to 68) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 65 "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. 66 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES."

Offered by: Senators Hooser, Baker, Ihara, Tsutsui, Nishihara, Inouye, Espero, Chun Oakland, Kokubun, Hogue, English, Hemmings, Ige, Fukunaga.

No. 67 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPEDITE ITS NEGOTIATIONS WITH HAWAII SUPERFERRY INC., AND REPORT BACK TO THE LEGISLATURE."

Offered by: Senators Kanno, English, Tsutsui, Hooser, Espero, Baker.

No. 68 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW ADMINISTRATIVE PROCEDURES AND POLICIES AT KAPIOLANI COMMUNITY COLLEGE TO ENSURE AND UPHOLD THE UNIVERSITY OF HAWAII'S COMMITMENT TO ACADEMIC QUALITY AND INTEGRITY, EQUITY, AND FAIRNESS."

Offered by: Senator Sakamoto, by request.

**SENATE RESOLUTION**

The following resolution (S.R. No. 30) was read by the Clerk and was deferred:

Senate Resolution

No. 30 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES."

Offered by: Senators Hooser, Ihara, Baker, Tsutsui, Nishihara, Espero, Chun Oakland, Kokubun, Hogue, English, Hemmings, Ige.

**STANDING COMMITTEE REPORTS**

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1003) recommending that the Senate advise and consent to the nominations to the Commission on Fatherhood of the following:

ANDRES A. BACLIG JR., in accordance with Gov. Msg. No. 173;

SANANDA K. BAZ, in accordance with Gov. Msg. No. 174;

BERNARD P. CARVALHO JR., in accordance with Gov. Msg. No. 175;

MICHAEL KRAMER, in accordance with Gov. Msg. No. 177;

STEVEN NAKAOKA, in accordance with Gov. Msg. No. 178;

MARIKA RIPKE PHD, in accordance with Gov. Msg. No. 179; and

SYLVIA H. L. YUEN PH.D, in accordance with Gov. Msg. No. 180,

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1003 and Gov. Msg. Nos. 173, 174, 175, 177, 178, 179 and 180 was deferred until Friday, March 11, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1004) recommending that the Senate advise and consent to the nomination of HEATHER HAUNANI GIUGNI to the Hawaii Television and Film Development Board, in accordance with Gov. Msg. No. 283.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1004 and Gov. Msg. No. 283 was deferred until Friday, March 11, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1005), recommending that S.C.R. No. 29, as amended in S.D. 1, be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR THE EARLY DETECTION OF PROSTATE CANCER," was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1006) recommending that S.C.R. No. 16, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1006 and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, MATERNAL AND CHILD HEALTH BRANCH, TO STUDY THE ROLE OF GESTATIONAL ENVIRONMENTS, GENTLE BIRTHING PRACTICES, DOMESTIC HARMONY AWARENESS, AND APPROPRIATE AND SUFFICIENT TOUCH AND THEIR CONNECTION TO PUBLIC POLICY CONCERNS THAT INCLUDE SUBSTANCE ABUSE, ALCOHOLISM, AND DOMESTIC VIOLENCE," was deferred until Friday, March 11, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1007) recommending that S.B. No. 1467, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Health.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1467, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was recommitted to the Committee on Health.

Senators Kim and Espero, for the Committee on Tourism and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1008) recommending that S.C.R. No. 40, as amended in S.D. 1, be adopted.

By unanimous consent, Stand. Com. Rep. No. 1008 and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO CONDUCT A CARRYING CAPACITY STUDY WITH THE SUPPORT OF THE HAWAII TOURISM AUTHORITY," were recommitted jointly to the Committee on Tourism and the Committee on Business and Economic Development.

Senators Kim and Espero, for the Committee on Tourism and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1009) recommending that S.R. No. 15, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1009 and S.R. No. 15, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO CONDUCT A CARRYING CAPACITY STUDY WITH THE SUPPORT OF THE HAWAII TOURISM AUTHORITY," was deferred until Friday, March 11, 2005.

**ORDER OF THE DAY**

**REFERRAL OF HOUSE BILLS**

**MATTERS DEFERRED FROM TUESDAY, MARCH 8, 2005**

The President made the following committee assignments of House bills received on Tuesday, March 8, 2005:

House Bill	Referred to:
No. 109, H.D. 1	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 138, H.D. 1	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 140, H.D. 1	Committee on Human Services, then to the Committee on Ways and Means
No. 180	Committee on Labor, then to the Committee on Ways and Means
No. 434	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 465, H.D. 1	Committee on Transportation and Government Operations, then to the Committee on Ways and Means
No. 488	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 497, H.D. 1	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 531	Committee on Ways and Means
No. 556	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 683, H.D. 1	Committee on Health, then to the Committee on Ways and Means
No. 685	Committee on Judiciary and Hawaiian Affairs
No. 760	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means



No. 842 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1029 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 1118 Committee on Health, then to the Committee on Commerce, Consumer Protection and Housing

No. 1206, H.D. 1 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1207, H.D. 1 Jointly to the Committee on Transportation and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1224 Committee on Ways and Means

No. 1301, H.D. 1 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

No. 1387 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1554, H.D. 2 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1668 Committee on Ways and Means

No. 1709 Committee on Judiciary and Hawaiian Affairs

No. 1713, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1721 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1740, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1746, H.D. 1 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 501, H.D. 1 Committee on Judiciary and Hawaiian Affairs

No. 624 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. 27 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 46 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Education and Military Affairs

No. 50 Committee on Water, Land, and Agriculture

No. 51 Committee on Water, Land, and Agriculture

**RE-REFERRAL OF SENATE RESOLUTIONS**

The Chair re-referred the following Senate resolutions that were offered:

Senate Resolution Referred to:

No. 14 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 26 Committee on Water, Land, and Agriculture

No. 27 Committee on Water, Land, and Agriculture

**ADJOURNMENT**

At 12:13 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 11, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-EIGHTH DAY

## Friday, March 11, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father William Allport, St. Peter's Episcopal Church, after which the Roll was called showing all Senators present with the exception of Senators English, Hogue and Whalen who were excused.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 406 to 416) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 406, advising the Senate of the withdrawal of the nominations of:

RICKY YUKIO TAMASHIRO to the Correctional Industries Advisory Committee, under Gov. Msg. No. 144, dated January 28, 2005; and

ROBERT K. TIRRELL to the Motor Vehicle Industry Licensing Board, under Gov. Msg. No. 226, dated January 28, 2005,

was placed on file.

In compliance with Gov. Msg. No. 406, the nominations listed under Gov. Msg. Nos. 144 and 226 were returned.

Gov. Msg. No. 407, letter dated March 7, 2005, notifying the Senate that she has approved the transfer of general funds from HMS 230 to HMS 603 in the amount of \$650,403, to cover the cost of Medicaid fee-for-service clients transferring to the residential alternatives community care program, was placed on file.

Gov. Msg. No. 408, letter dated March 7, 2005, notifying the Senate that she has approved the increase of expenditure levels and expenditure of non-appropriated federal funds for the Department of Transportation in the increased amount of \$1,600,000, was placed on file.

Gov. Msg. No. 409, letter dated March 7, 2005, notifying the Senate that she has approved the increase of expenditure levels and expenditure of non-appropriated federal funds for the Department of Transportation in the increased amount of \$152,500, was placed on file.

Gov. Msg. No. 410, letter dated March 7, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Land and Natural Resources in the increased amount of \$264,555, was placed on file.

Gov. Msg. No. 411, letter dated March 7, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$4,151,500, was placed on file.

Gov. Msg. No. 412, letter dated March 7, 2005, notifying the Senate that she has approved transfer of funds between

programs for the Department of Transportation in the amount of \$220,000, was placed on file.

Gov. Msg. No. 413, letter dated March 7, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$874,000, was placed on file.

Gov. Msg. No. 414, letter dated March 7, 2005, notifying the Senate that she has approved the transfer of general funds from HTH 550 to HTH 530 in the amount of \$300,000, as authorized by the Legislature for the Department of Health, was placed on file.

Gov. Msg. No. 415, dated March 8, 2005, transmitting the 2004 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General, was placed on file.

Gov. Msg. No. 416, dated March 10, 2005, transmitting the School-by-School Expenditure Report, prepared by the Department of Education pursuant to Section 302A-1004, HRS, was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 352 to 355) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 352, transmitting H.C.R. No. 3, H.D. 1, which was adopted by the House of Representatives on March 10, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 3, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT TO SUPPORT FEDERAL POLICIES DESIGNED TO ELIMINATE HOMELESSNESS IN THE UNITED STATES," was deferred until Monday, March 14, 2005.

Hse. Com. No. 353, transmitting H.C.R. No. 7, which was adopted by the House of Representatives on March 10, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INCLUDE A REVIEW OF THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLAND OF HAWAII IN THE HAWAII LONG RANGE LAND TRANSPORTATION PLAN," was deferred until Monday, March 14, 2005.

Hse. Com. No. 354, transmitting H.C.R. No. 51, which was adopted by the House of Representatives on March 10, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILLANI MAUKA," was deferred until Monday, March 14, 2005.

Hse. Com. No. 355, transmitting H.C.R. No. 57, which was adopted by the House of Representatives on March 10, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION REVIEW STATE AIRPORT AND HARBOR FEES AND ADJUST THESE FEES AS NECESSARY," was deferred until Monday, March 14, 2005.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 69 to 79) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 69 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO MEET WITH THE NATURE CONSERVANCY AND OTHER ENVIRONMENTAL GROUPS TO REVIEW AND UPDATE WHERE NECESSARY THE CONTENT AND PERFORMANCE STANDARDS ON STEWARDSHIP OF PLANET EARTH."

Offered by: Senators Nishihara, Kokubun, Hooser, Inouye, Kim, Sakamoto.

No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REEVALUATE THE DEPARTMENT OF DEFENSE ENLISTMENT POLICY FOR HOMESCHOOLERS."

Offered by: Senators Sakamoto, Chun Oakland, Hee, Hooser.

No. 71 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT A REPEAL OF THE FEDERAL EXCISE TAX ON TELECOMMUNICATIONS."

Offered by: Senator Slom.

No. 72 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII PROTECT WORKERS FROM UNION VIOLENCE."

Offered by: Senator Slom.

No. 73 "SENATE CONCURRENT RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION WORK TO ABOLISH THE DEATH TAX PERMANENTLY."

Offered by: Senator Slom.

No. 74 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO PASS SOCIAL SECURITY PERSONAL RETIREMENT ACCOUNTS."

Offered by: Senator Slom.

No. 75 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO END THE ABUSE OF TORT LAW AGAINST THE FIREARMS INDUSTRY."

Offered by: Senator Slom.

No. 76 "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII'S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM."

Offered by: Senators Menor, Baker, Hooser, Inouye, Espero, Nishihara, Chun Oakland, Fukunaga, Ige, Hee, Kanno, Hanabusa, Kokubun, Tsutsui, Taniguchi, Bunda.

No. 77 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM IN THE STATE CAPITOL."

Offered by: Senator Fukunaga.

No. 78 "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLABORATIVE DEVELOPMENT OF STANDARDS FOR ELECTRONIC HEALTH AND MEDICAL RECORDS MANAGEMENT."

Offered by: Senators Fukunaga, Baker.

No. 79 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO FACILITATE THE ESTABLISHMENT OF VIABLE NATURALLY OCCURRING RETIREMENT COMMUNITIES."

Offered by: Senator Fukunaga.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 31 to 42) were read by the Clerk and were deferred:

Senate Resolution

No. 31 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO WORK WITH AND THROUGH THE STATE OFFICE OF ELECTIONS AND THE COUNTY CLERKS OFFICES TO INCREASE THE PARTICIPATION OF HIGH SCHOOL STUDENTS IN VOTER REGISTRATION, VOTER EDUCATION AND VOTING AMONG EIGHTEEN YEAR OLD STUDENTS."

Offered by: Senators Nishihara, Kokubun, Hooser, Inouye, Kim, Sakamoto.

No. 32 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO REVIEW ITS CONTENT AND PERFORMANCE STANDARDS TO INCORPORATE A GLOBAL DIMENSION IN TEACHING, REFLECTING THE NEW MIX OF RELIGIONS, CULTURES, LANGUAGES, AND GEOPOLITICS OF THE TWENTY-FIRST CENTURY."

Offered by: Senators Nishihara, Kokubun, Hooser, Inouye, Kim, Sakamoto.

No. 33 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REEVALUATE THE DEPARTMENT OF DEFENSE ENLISTMENT POLICY FOR HOMESCHOOLERS."

Offered by: Senators Sakamoto, Chun Oakland, Hee, Hooser.

No. 34 "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT A REPEAL OF THE FEDERAL EXCISE TAX ON TELECOMMUNICATIONS."

Offered by: Senator Slom.

No. 35 "SENATE RESOLUTION REQUESTING THAT THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII PROTECT WORKERS FROM UNION VIOLENCE."

Offered by: Senator Slom.

No. 36 "SENATE RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION WORK TO ABOLISH THE DEATH TAX PERMANENTLY."

Offered by: Senator Slom.

No. 37 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO PASS SOCIAL SECURITY PERSONAL RETIREMENT ACCOUNTS."

Offered by: Senator Slom.

No. 38 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO END THE ABUSE OF TORT LAW AGAINST THE FIREARMS INDUSTRY."

Offered by: Senator Slom.

No. 39 "SENATE RESOLUTION ESTABLISHING HAWAII'S BILL OF RIGHTS DAY ON DECEMBER 15 ANNUALLY."

Offered by: Senator Slom.

No. 40 "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM IN THE STATE CAPITOL."

Offered by: Senator Fukunaga.

No. 41 "SENATE RESOLUTION REQUESTING THE COLLABORATIVE DEVELOPMENT OF STANDARDS FOR ELECTRONIC HEALTH AND MEDICAL RECORDS MANAGEMENT."

Offered by: Senators Fukunaga, Baker.

No. 42 "SENATE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO FACILITATE THE ESTABLISHMENT OF VIABLE NATURALLY OCCURRING RETIREMENT COMMUNITIES."

Offered by: Senator Fukunaga.

**STANDING COMMITTEE REPORT**

Senators Kim and Espero, for the Committee on Tourism and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1010), recommending that S.C.R. No. 40, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble 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 BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO CONDUCT A CARRYING CAPACITY STUDY WITH THE SUPPORT OF THE HAWAII TOURISM AUTHORITY," was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1003 (Gov. Msg. Nos. 173, 174, 175, 177, 178, 179 and 180):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1003 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Commission on Fatherhood of the following:

ANDRES A. BACLIG JR., term to expire June 30, 2005 (Gov. Msg. No. 173);

SANANDA K. BAZ, term to expire June 30, 2005 (Gov. Msg. No. 174);

BERNARD P. CARVALHO JR., term to expire June 30, 2005 (Gov. Msg. No. 175);

MICHAEL KRAMER, term to expire June 30, 2005 (Gov. Msg. No. 177);

STEVEN NAKAOKA, term to expire June 30, 2005 (Gov. Msg. No. 178);

MARIKA RIPKE PHD, term to expire June 30, 2005 (Gov. Msg. No. 179); and

SYLVIA H. L. YUEN PH.D, term to expire June 30, 2005 (Gov. Msg. No. 180),

seconded by Senator Ihara.

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

Ayes, 22. Noes, none. Excused, 3 (English, Hogue, Whalen).

Stand. Com. Rep. No. 1004 (Gov. Msg. No. 283):

Senator Fukunaga moved that Stand. Com. Rep. No. 1004 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of HEATHER HAUNANI GIUGNI to the Hawaii Television and Film Development Board, term to expire June 30, 2008, seconded by Senator Ige.

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

Ayes, 22. Noes, none. Excused, 3 (English, Hogue, Whalen).

**ADOPTION OF RESOLUTIONS****MATTERS DEFERRED FROM  
THURSDAY, MARCH 10, 2005**

Stand. Com. Rep. No. 1006 (S.C.R. No. 16, S.D. 1):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, MATERNAL AND CHILD HEALTH BRANCH, TO STUDY THE ROLE OF GESTATIONAL ENVIRONMENTS, GENTLE BIRTHING PRACTICES, DOMESTIC HARMONY AWARENESS, AND APPROPRIATE AND SUFFICIENT TOUCH AND THEIR CONNECTION TO PUBLIC POLICY CONCERNS THAT INCLUDE SUBSTANCE ABUSE, ALCOHOLISM, AND DOMESTIC VIOLENCE," was adopted.

Stand. Com. Rep. No. 1009 (S.R. No. 15, S.D. 1):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.R. No. 15, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO CONDUCT A CARRYING CAPACITY STUDY WITH THE SUPPORT OF THE HAWAII TOURISM AUTHORITY," was adopted.

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 125, H.D. 2	Committee on Water, Land, and Agriculture
No. 1536, H.D. 1	Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means

**ADJOURNMENT**

At 11:52 o'clock a.m., on motion by Senator Hee, seconded by Senator Trimble and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 14, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## TWENTY-NINTH DAY

Monday, March 14, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable J. Kalani English, 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-Eighth Day.

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. 417 to 422) were read by the Clerk and were placed on file:

Gov. Msg. No. 417, letter dated March 7, 2005, notifying the Senate that she has approved the increase of expenditure levels and expenditure of non-appropriated federal funds for the Department of Transportation in the increased amount of \$2,300,000.

Gov. Msg. No. 418, letter dated March 7, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of the Attorney General in the grant amount of \$1,569,980 that will be expended in FY 05 through FY 09.

Gov. Msg. No. 419, letter dated March 7, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the High Technology Development Corporation in the Department of Business and Economic Development and Tourism in the increased amount of \$75,000.

Gov. Msg. No. 420, letter dated March 10, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Land and Natural Resources in the increased amount of \$150,000.

Gov. Msg. No. 421, letter dated March 11, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Health in the increased amount of \$1,336,363 for the Ryan White Comprehensive AIDS Resources Emergency grant.

Gov. Msg. No. 422, letter dated March 11, 2005, notifying the Senate that she has approved a request for the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Public Safety in the amount of \$84,021.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 80) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 80 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DETERMINE THE FEASIBILITY OF REGULATING, LICENSING, AND ENFORCING BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS AND TO IMPLEMENT POLICY REGARDING THESE TYPES OF TOURIST ACCOMMODATIONS."

Offered by: Senators Hooser, Baker, Ihara, Tsutsui, Nishihara, Espero, Chun Oakland, Hee.

## SENATE RESOLUTION

The following resolution (S.R. No. 43) was read by the Clerk and was deferred:

Senate Resolution

No. 43 "SENATE RESOLUTION REQUESTING THE COUNTIES TO DETERMINE THE FEASIBILITY OF REGULATING, LICENSING, AND ENFORCING BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS AND TO IMPLEMENT POLICY REGARDING THESE TYPES OF TOURIST ACCOMMODATIONS."

Offered by: Senators Hooser, Ihara, Baker, Tsutsui, Nishihara, Espero, Chun Oakland, Hee.

## STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1011) recommending that the Senate advise and consent to the nomination of ALEX B. WALTER PHD to the Mental Health and Substance Abuse, Hawaii Service Area Board, in accordance with Gov. Msg. No. 208.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1011 and Gov. Msg. No. 208 was deferred until Tuesday, March 15, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1012) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Kauai Service Area Board of the following:

ROY A. ASHER, in accordance with Gov. Msg. No. 209;

CANDACE M. SANDAL, in accordance with Gov. Msg. No. 210; and

BRENDA K. VIADO, in accordance with Gov. Msg. No. 211.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1012 and Gov. Msg. Nos. 209, 210 and 211 was deferred until Tuesday, March 15, 2005.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1013), recommending that S.C.R. No. 21 be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was

adopted and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING FEDERAL HOUSING ASSISTANCE FOR GRANDPARENT-HEADED AND RELATIVE-HEADED HOUSEHOLDS," was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1014), recommending that S.C.R. No. 23, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 23, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES, FAMILY COURTS, GOVERNMENT AGENCIES AND PRIVATE ORGANIZATIONS, LED BY THE OFFICE OF YOUTH SERVICES, TO COLLABORATE ON THE DEVELOPMENT OF AN ACTION PLAN THAT ASSESSES THE NEEDS OF AT-RISK YOUTH, IDENTIFIES PROGRAMS, SERVICES, AND STRATEGIES TO ADDRESS THEIR NEEDS, AND PROVIDES SAFE ALTERNATIVES TO INCARCERATION FOR YOUTH ON EACH ISLAND," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1015), recommending that S.C.R. No. 31 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 31, entitled: "SENATE CONCURRENT RESOLUTION URGING COUNTIES TO MAKE A CONCERTED EFFORT TO DEVELOP A SENIOR TAX WORK-OFF PROGRAM TO HELP PAY REAL PROPERTY TAXES," 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. 1016) recommending that the Senate consent to the nomination of RANDAL K.O. LEE to the office of Judge, Twelfth Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 376.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1016 and Gov. Msg. No. 376 was deferred until Tuesday, March 15, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1017) recommending that the Senate advise and consent to the nomination of LIZ ANN K. IHU to the State Council on Developmental Disabilities, in accordance with Gov. Msg. No. 150.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1017 and Gov. Msg. No. 150 was deferred until Tuesday, March 15, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1018) recommending that the Senate advise and consent to the nomination of BRIAN KAJIYAMA to the Disability and Communication Access Board, in accordance with Gov. Msg. No. 151.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1018 and Gov. Msg. No. 151 was deferred until Tuesday, March 15, 2005.

**ORDER OF THE DAY**

**HOUSE COMMUNICATIONS**

**MATTERS DEFERRED FROM FRIDAY, MARCH 11, 2005**

H.C.R. No. 3, H.D. 1 (Hse. Com. No. 352):

By unanimous consent, action on H.C.R. No. 3, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT TO SUPPORT FEDERAL POLICIES DESIGNED TO ELIMINATE HOMELESSNESS IN THE UNITED STATES," was deferred until Tuesday, March 15, 2005.

H.C.R. No. 7 (Hse. Com. No. 353):

By unanimous consent, action on H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INCLUDE A REVIEW OF THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLAND OF HAWAII IN THE HAWAII LONG RANGE LAND TRANSPORTATION PLAN," was deferred until Tuesday, March 15, 2005.

H.C.R. No. 51 (Hse. Com. No. 354):

By unanimous consent, action on H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was deferred until Tuesday, March 15, 2005.

H.C.R. No. 57 (Hse. Com. No. 355):

By unanimous consent, action on H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION REVIEW STATE AIRPORT AND HARBOR FEES AND ADJUST THESE FEES AS NECESSARY," was deferred until Tuesday, March 15, 2005.

**ADJOURNMENT**

At 11:54 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 15, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTIETH DAY

Tuesday, March 15, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Jon Shimabuku, Senate Data Systems, after which the Roll was called showing all Senators present with the exception of Senators Espero, Ihara and Menor who were excused.

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

At 11:58 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.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 81 to 94) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 81 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR DRUG AND ALCOHOL SCREENING AND COUNSELING IN EMERGENCY ROOMS OR AS PART OF PRIMARY CARE."

Offered by: Senator Menor.

No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROHIBIT THE SITING OF FUTURE LANDFILLS OVER AQUIFERS."

Offered by: Senators Espero, Kanno, Chun Oakland, Nishihara, Inouye, Baker, Hooser, Menor, Hee, Ihara, Trimble.

No. 83 "SENATE CONCURRENT RESOLUTION REQUESTING THE RETURN OF THE ORIGINAL FILIPINO 'STARS AND SUN' FLAG TO THE PHILIPPINES."

Offered by: Senators Espero, Inouye, Chun Oakland, Nishihara, Kanno, Baker, Hooser, Menor, Kim, Bunda, Fukunaga.

No. 84 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Offered by: Senators Espero, Sakamoto.

No. 85 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS."

Offered by: Senators Espero, Sakamoto.

No. 86 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A FEASIBILITY STUDY ON HAVING A ROBOTICS EDUCATION COORDINATOR WITHIN THE UNIVERSITY."

Offered by: Senators Espero, Hee, Sakamoto.

No. 87 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE COUNTIES OF THE STATE TO DEVELOP AND IMPLEMENT STRATEGIES FOR THE CONTINUED USE BY FIRE FIGHTERS OF THE REVENUES FROM VENDING MACHINES ON FIRE STATION PREMISES."

Offered by: Senator Espero, by request.

No. 88 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAM AUDIT ON THE EFFICACY OF LICENSE SUSPENSIONS FOR THE NONPAYMENT OF CHILD SUPPORT."

Offered by: Senators Nishihara, Espero, Ige.

No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REVISE THE HEALTH EDUCATION CONTENT AND PERFORMANCE STANDARDS FOR MIDDLE OR INTERMEDIATE AND HIGH SCHOOLS."

Offered by: Senators Nishihara, Espero, Baker, Ige.

No. 90 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE LEGISLATIVE REFERENCE BUREAU STUDY THE STANDARDS OF ACHIEVEMENT UTILIZED BY OTHER JURISDICTIONS TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT."

Offered by: Senators Nishihara, Espero, Baker, Ige.

No. 91 "SENATE CONCURRENT RESOLUTION REQUESTING A UNIVERSAL SINGLE-PAYER HEALTH CARE SYSTEM FOR HAWAII."

Offered by: Senator Fukunaga.

No. 92 "SENATE CONCURRENT RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX."

Offered by: Senators Hemmings, Hogue.

No. 93 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ASSIST IN THE REESTABLISHMENT OF THE CHILD AND ADOLESCENT MENTAL HEALTH UNIT, KNOWN AS THE MOLOKINI UNIT, AT MAUI MEMORIAL MEDICAL CENTER, IN ORDER TO PROMOTE A LOCAL SYSTEM OF CARE ON THE ISLAND OF MAUI BASED ON THE HAWAII CHILD AND ADOLESCENT SYSTEM PROGRAM



PRINCIPLES AND CONSISTENT WITH THE MANDATES OF THE 1997 FELIX CONSENT DECREE.”

Offered by: Senators Baker, Tsutsui, English, Chun Oakland, Hanabusa, Inouye, Fukunaga.

No. 94 “SENATE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII.”

Offered by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa, Inouye, Espero, Fukunaga.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 44 to 53) were read by the Clerk and were deferred:

Senate Resolution

No. 44 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROHIBIT THE SITING OF FUTURE LANDFILLS OVER AQUIFERS.”

Offered by: Senators Espero, Kanno, Chun Oakland, Inouye, Baker, Hooser, Menor, Hee, Ihara, Fukunaga, Trimble, Taniguchi.

No. 45 “SENATE RESOLUTION REQUESTING THE RETURN OF THE ORIGINAL FILIPINO ‘STARS AND SUN’ FLAG TO THE PHILIPPINES.”

Offered by: Senators Espero, Inouye, Chun Oakland, Nishihara, Kanno, Baker, Tsutsui, Hooser, Menor, Kim, Bunda, Fukunaga.

No. 46 “SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.”

Offered by: Senators Espero, Sakamoto.

No. 47 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS.”

Offered by: Senators Espero, Sakamoto.

No. 48 “SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A FEASIBILITY STUDY ON HAVING A ROBOTICS EDUCATION COORDINATOR WITHIN THE UNIVERSITY.”

Offered by: Senators Espero, Hee, Sakamoto.

No. 49 “SENATE RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII’S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM.”

Offered by: Senators Menor, Nishihara, Kanno, Ige, Tsutsui, Espero, Hee, Inouye, Bunda, Hooser, Chun Oakland, Baker, Kokubun, Taniguchi, English.

No. 50 “SENATE RESOLUTION REQUESTING A UNIVERSAL SINGLE-PAYER HEALTH CARE SYSTEM FOR HAWAII.”

Offered by: Senator Fukunaga.

No. 51 “SENATE RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX.”

Offered by: Senators Hemmings, Hogue.

No. 52 “SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ASSIST IN THE REESTABLISHMENT OF THE CHILD AND ADOLESCENT MENTAL HEALTH UNIT, KNOWN AS THE MOLOKINI UNIT, AT MAUI MEMORIAL MEDICAL CENTER, IN ORDER TO PROMOTE A LOCAL SYSTEM OF CARE ON THE ISLAND OF MAUI BASED ON THE HAWAII CHILD AND ADOLESCENT SYSTEM PROGRAM PRINCIPLES AND CONSISTENT WITH THE MANDATES OF THE 1997 FELIX CONSENT DECREE.”

Offered by: Senators Baker, Tsutsui, English, Chun Oakland, Hanabusa, Inouye, Fukunaga.

No. 53 “SENATE RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII.”

Offered by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa, Inouye, Espero, Fukunaga.

**ORDER OF THE DAY**

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1011 (Gov. Msg. No. 208):

Senator Baker moved that Stand. Com. Rep. No. 1011 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 ALEX B. WALTER PHD to the Mental Health and Substance Abuse, Hawaii Service Area Board, term to expire June 30, 2008, 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 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1012 (Gov. Msg. Nos. 209, 210 and 211):

Senator Baker moved that Stand. Com. Rep. No. 1012 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 Mental Health and Substance Abuse, Kauai Service Area Board of the following:

ROY A. ASHER, term to expire June 30, 2007 (Gov. Msg. No. 209);

CANDACE M. SANDAL, term to expire June 30, 2008 (Gov. Msg. No. 210); and

BRENDA K. VIADO, term to expire June 30, 2006 (Gov. Msg. No. 211),

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 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1017 (Gov. Msg. No. 150):

Senator Baker moved that Stand. Com. Rep. No. 1017 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 LIZ ANN K. IHU to the State Council on Developmental Disabilities, term to expire June 30, 2008, 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 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1018 (Gov. Msg. No. 151):

Senator Baker moved that Stand. Com. Rep. No. 1018 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 BRIAN KAJIYAMA to the Disability and Communication Access 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, 22. Noes, none. Excused, 3 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1016 (Gov. Msg. No. 376):

Senator Hanabusa moved that Stand. Com. Rep. No. 1016 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RANDAL K.O. LEE to the office of Judge, Twelfth Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Hee.

Senator Hanabusa rose in support of the nominee and said:

“Mr. President, I rise in support of Gov. Msg. No. 376, submitting for consideration and confirmation to the Circuit Court of the First Circuit, 12<sup>th</sup> Division, State of Hawaii, gubernatorial nominee Randal K.O. Lee for a term of 10 years.

“Mr. President, Mr. Lee is someone that should be well known to all of us. I must say that after going through his confirmation process, I can understand why. But I’d like to share with you, Mr. President and my colleagues, a different part of him and what you do not see on the television screen.

“First of all, just by way of background, Mr. Lee received his Bachelor of Arts degree from the University of Hawaii in

political science and Juris Doctorate from Southwestern University School of Law. He was licensed to practice law in Hawaii since 1981 and he has served in California both as a public defender as well as a prosecuting attorney. He spent 20 years here, 25 actually, in public service, most of it in Honolulu. We all know him for his great work in handling complex white collar and public corruption cases. Of recent note, of course, are the campaign spending related ones.

“Let me tell you about the people who came forward to testify on his behalf. As expected, you had Mr. Bob Watada and Major Hanagami, who along with Mr. Lee created what I call the three-legged stool that made the campaign spending corruption cases work. They all shared one thing in common and that was their commitment to the public and the commitment to the public good. That was very impressive in and of itself.

“However, there was someone who came forward . . . and by the way, Mr. President, you’ve got to understand that this Chair asked people to please rest on their written testimony because we had two judges to get through, but nobody paid attention, especially these particular ones that I want to talk to. One was an Edward Harada, a public defender for 20 years. He’s never come before this Legislature but came before us to testify. And I think he said the most compelling thing. He said there is nothing as wonderful as our judicial system when it works. And he said when it works you have a good prosecutor, a good defense attorney, a good jury, and a good judge. He said at the end of that process, no matter which side you’re on, you go to your opponent before the jury comes in, before anything else happens when it’s over, and you shake his hand or her hand and you say a job well done. And he said that whenever he has faced Mr. Lee, that is what he has done.

“Mr. Lee was very interesting in that he had the testimony from all people, including those civil type lawyers who came forward to defend on campaign spending. The public defenders all came forward and the defense bar. One who I’ve known for a very long time is Sam King Jr. Sam, if anybody – it must be the name Sam – doesn’t take my heed when I say, you want to rest on your testimony? No, Sam had to come forward and what he wanted to tell me was that what made Mr. Lee so unique was that he actually listened and if you could come forward with the evidence, he would actually change his mind if you were persuasive and he believed that it warranted it. He said he felt that Mr. Lee was the best that the Prosecutor’s Office had – the absolute best. And he also said that the one thing with him is you know he has power because they decide whether to go forward or not. But the one thing you will never say about Randal Lee is the fact that he abused that power.

“If you know Sam King Jr. like I’ve known Sam King Jr., that is a major testament. The fact that he even came up here to testify is something given that it is Sam King Jr. For those of you who don’t know, he’s also a criminal defense lawyer. I don’t know if he’s ever been on the prosecution side.

“For myself, Mr. President, what I’d like to share is that when Mr. Lee came to my office he brought a really beaten up file. And I thought, gee, that file looks real old. And he started to talk about himself and I think he must have sensed that I kept looking at this beaten up file. And he said he brought this file because there’s one case, an unpublished memo opinion from the Supreme Court, where they basically reversed a trial court judge because he had not given discovery early enough. He said he thought it had been given but it wasn’t given and this was the case. And he said, ‘any questions you have, I’m standing here ready to answer them.’ So I told him that I just have one question, which is where did you get your file? Did you have to send for it? Did you have to ask for it? Where was

your file? And he said, 'probably what you really want to hear. I keep this file with me at all times to remind me so I will never forget.' That, to me, is a very, very major statement.

"When I asked him the question we all want to know, which is, why do you want to be a judge and why do you want to do this? And he said he's always wanted to be a judge. And then he said something else. He said, 'But I know it's going to be really hard.' And I said why is that? He said, 'Because I have a son, Ryan, and a daughter, Rayna, and I can never make them happy with any decision that I have. When I seem to side with Ryan, Rayna thinks I'm favoring him and when I make a decision that seems to favor Rayna, Ryan is unhappy. It's a tough job.' And I said, well, anybody who goes forward, one, remembering what mistake he may have thought he committed; and secondly, knowing how difficult it is to make that hard decision but is willing to take it on, I believe, Mr. President, would make an excellent judge.

"I would like to close by saying the Hawaii State Bar Association ranked him highly qualified and I concur. And I believe that this Senate plus the Judiciary Committee should be proud about one thing – and that is that we have made that Hawaii State Bar Association be very honest in their rankings. And I think Mr. Lee's is highly deserved.

"With that, Mr. President, I ask that you, along with my colleagues join me in voting to consent to the nomination of Randal K.O. Lee. Thank you very much."

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

"Mr. President, I rise to speak in favor of the nominee.

"Mr. President and members, I want to congratulate the next judge of the circuit court with a few comments and observations that I have had the privilege of making first as Judiciary Chairman in 1987 and 1988 and then as a Vice Chair to Senator Hanabusa this year.

"It's not unusual, members, when nominees come before the Committee, to have a multitude of defense lawyers and a multitude of plaintiff lawyers to testify in support of a nominee. So much so that over time, I've always expected that lawyers had a presumption that the nominee would be confirmed and therefore it may be in their interest as a lawyer who would appear before the next judge to come and applaud the effort of the nominee as a lawyer. So in that regard, it was not unusual that people like Sam King, who I have seen before, appear and other plaintiff lawyers who if they did not appear in person sent their messages to members of the Committee that they were in full support.

"The other issue that is not unusual is that negative unsigned letters are very common with nominees. For example, of the second nominee that we heard that same day, I received three unsigned negative letters. With one of the nominees that we recently confirmed, I received many unsigned negative allegations of improper behavior as a lawyer. With this particular nominee, who has been in the public eye and has been in very high profile cases and has been, as the prosecutor has said, maybe has ruffled feathers and his confirmation may be controversial, with this particular nominee I received not one – not one negative, unsigned, anonymous, please keep this to yourself allegation about the nominee. That speaks loudly for this nominee.

"I want to congratulate him because I, too, saw the folder but it was not, I guess, presented in the same way as the previous speaker. He put it right on my desk and said 'I want you to know that this is something that I regret as a lawyer having

participated in it. It is an unpublished opinion. I was not disciplined by ODC, but I was wrong. I should have disclosed to the other party this information. I made a mistake. It has never happened before; it will not happen again.' I applaud him for free disclosure. I applaud him because we didn't have to go seek it out; we didn't have to search it out.

"Lastly, what was unusual about this particular confirmation was that never in my experience as the Judiciary Chairman or as the Vice Chair this year has any public defender come forward in support of a nominee. And to that I believe speaks very clearly about the fairness of this nominee from his adversaries upon whom he meets who defend people who cannot afford lawyers. I think it's a tremendously high compliment to anyone who could be nominated to have the public defender come forward – and not one public defender but many public defenders come forward – and talk about the fairness of this particular nominee.

"It is really a privilege for me today, members, to vote in favor of this nominee. Thank you."

Senator Slom rose to speak in support of the nomination as follows:

"Mr. President, on behalf of your Minority, we want to offer our very strong support and qualified support for Gov. Msg. No. 376 for judge-to-be Randal Lee.

"You've heard about the character traits that he exhibited during his confirmation process and the fact that he does believe in full disclosure. The issue of his being a familiar face on the six o'clock and ten o'clock news is something that he neither sought nor shied away from in terms of the responsibility that brought him that notoriety. He has always been open. He has been complete in his details. He has been the consummate attorney in terms of unparalleled experience and the highest integrity.

"We are very fortunate to have this man and to have his family allow us to have his services as a judge. I guess the only question, Mr. President, is why he hasn't been a judge sooner? But he had important work to do and it's going to be a very difficult task to fill his shoes in the Office of the Prosecutor because it's not just a question of him ruffling feathers or making people uncomfortable. It's an issue of bringing back trust to government – trust that the people had had tarnished before and the idea that there are people in public office that truly take their public service seriously and will dedicate whatever it takes to get the job done.

"Randal Lee is one of those individuals and we're proud to support his confirmation for judge. Thank you, Mr. President."

Senator Kanno rose to support the nominee and said:

"Mr. President, I rise in support of the nominee.

"He is bright, dedicated, hardworking and has committed his life to public service. I am proud to say that he's also a constituent of mine.

"He attributes his success as a lawyer to the sacrifices of his parents and the values instilled in him by his parents. He says his parents have always encouraged him to work hard, have integrity, be honest, and have respect for others. The nominee has also strived to instill the same values in his children.

"I am confident that he will do an excellent job as a judge. I urge my colleagues to support the nominee. 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 (Espero, Ihara, Menor).

At this time, Senator Hanabusa introduced Judge Lee to the members of the Senate. (Judge Lee, who was seated in the gallery with members of his family, rose to be recognized.)

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

The Senate reconvened at 12:26 o'clock p.m.

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM  
MONDAY, MARCH 14, 2005**

The President made the following committee assignments of House concurrent resolutions that were received on Friday, March 11, 2005:

House  
Concurrent  
Resolution                      Referred to:

No. 3, H.D. 1                      Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Human Services and the Committee on Intergovernmental Affairs

No. 7                                  Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 51                                Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 57                                Committee on Transportation and Government Operations, then to the Committee on Ways and Means

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 10, 2005, and Friday, March 11, 2005:

Senate  
Concurrent  
Resolution                      Referred to:

No. 65                                Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 66                                Committee on Education and Military Affairs

No. 67                                Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 68                                Committee on Higher Education

No. 69                                Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs

No. 70                                Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 71                                Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 72                                Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs

No. 73                                Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 74                                Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 75                                Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs

No. 76                                Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 77                                Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 78                                Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology

No. 79                                Jointly to the Committee on Human Services and the Committee on Health

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Thursday, March 10, 2005, and Friday, March 11, 2005:

Senate  
Resolution                      Referred to:

No. 30                                Committee on Education and Military Affairs

No. 31                                Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 32                                Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 33                                Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 34                                Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 35                                Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs

No. 36 Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 37 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 38 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs

No. 39 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 40 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 41 Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology

No. 42 Jointly to the Committee on Human Services and the Committee on Health

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 8, H.D. 1 Committee on Education and Military Affairs

No. 30, H.D. 1 Jointly to the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 155, H.D. 1 Committee on Commerce, Consumer Protection and Housing

No. 164, H.D. 1 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 390, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 416, H.D. 2 Committee on Business and Economic Development, then to the Committee on Water, Land, and Agriculture

No. 491 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 852, H.D. 2 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs

No. 1528, H.D. 2 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1542, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1773, H.D. 1 Committee on Labor, then to the Committee on Ways and Means

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1734 and Gov. Msg. No. 395.

Senator Baker noted:

“Mr. President, H.B. No. 1734, H.D. 1, is very similar to two measures we heard previously which would repeal residential zones back to the counties and allow DOH to license special treatment facilities and therapeutic living programs.

“Gov. Msg. No. 395 is the reappointment of Dr. Russell Stodd to the Board of Directors of the Hawaii Health Systems Corporation.”

The Chair then granted the waiver.

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 House Bills:

- H.B. No. 313;
- H.B. No. 320;
- H.B. No. 494;
- H.B. No. 496;
- H.B. No. 500;
- H.B. No. 806;
- H.B. No. 1221;
- H.B. No. 1378;
- H.B. No. 1393;
- H.B. No. 1709;
- H.B. No. 1739;
- H.B. No. 1745; and
- H.B. No. 1763.

Senator Hanabusa noted:

“Mr. President, we missed the cut-off by five hours.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 12:29 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 16, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-FIRST DAY

## Wednesday, March 16, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Norma Wong, Daihonzan Chozen-ji, after which the Roll was called showing all Senators present with the exception of Senators Hemmings, Ige, Ihara and Whalen who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 423 to 425) were read by the Clerk and were placed on file:

Gov. Msg. No. 423, dated March 7, 2005, transmitting the Annual Report on the Trust Fund Appropriation for Plant, Pest, and Disease Control, prepared by the Department of Agriculture, Plant Quarantine Branch, pursuant to Act 31, Section 5.1, SLH 2004.

Gov. Msg. No. 424, dated March 10, 2005, transmitting the Annual Report on the Status of the Environmental Health Education Fund, prepared by the Department of Health pursuant to Section 321-27, HRS.

Gov. Msg. No. 425, dated March 10, 2005, transmitting the Progress Report Concerning the Implementation of the Department of Hawaiian Home Lands' Five-Year Plan, pursuant to Section 37.1, HRS.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 95 to 105) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 95 "SENATE CONCURRENT RESOLUTION URGING KOKUA COUNCIL TO CONVENE THE 2005 MODEL LEGISLATURE."

Offered by: Senators Chun Oakland, Hee, Espero, Hooser, Hemmings, Baker, Inouye, English, Nishihara, Trimble, Hogue, Hanabusa.

No. 96 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DEVELOP A STRATEGIC PLAN FOR FURNISHING SENIOR TRANSPORTATION OPTIONS IN THEIR COUNTY."

Offered by: Senators Chun Oakland, Inouye, Trimble, Slom, Whalen, Ige.

No. 97 "SENATE CONCURRENT RESOLUTION SUPPORTING NURSES, INC. IN ITS PLAN OF ACTION THAT WILL ENABLE NURSES, INC. TO LOCATE, IDENTIFY, RECRUIT, EDUCATE, ACCLIMATE, AND IN GENERAL FACILITATE THE IMMIGRATION OF ACCREDITED, PROFESSIONAL NURSES AND NURSES AIDES TO HAWAII AND OTHER STATES."

Offered by: Senators Chun Oakland, Hemmings, Hee, Espero, Hooser, Nishihara, Hogue, Hanabusa, Baker, Inouye.

No. 98 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO ESTABLISH A WORKING GROUP TO EVALUATE AND RECOMMEND METHODS TO STREAMLINE COURT-ORDERED FORENSIC EVALUATIONS AND TO DELIVER APPROPRIATE MENTAL HEALTH TREATMENT TO PRETRIAL DETAINEES."

Offered by: Senators Chun Oakland, Baker, Hanabusa, Sakamoto, Hooser, Kanno, Hee, Kokubun, Tsutsui, Nishihara, Fukunaga, Inouye, Hemmings, Ige.

No. 99 "SENATE CONCURRENT RESOLUTION EXPRESSING THE LEGISLATURE'S CONCERN OVER THE TRANSFER OF FUNDS FROM THE VERIZON HAWAII PENSION PLAN TO VERIZON COMMUNICATIONS, INC. UPON COMPLETION OF THE SALE OF VERIZON HAWAII, INC."

Offered by: Senators Bunda, Chun Oakland, Espero, Kokubun, Fukunaga, Nishihara, Inouye, Hemmings, Tsutsui, Hooser, Baker, Hanabusa, Whalen, Ige, Ihara, Hee, Trimble, Sakamoto, Slom, Taniguchi.

No. 100 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM."

Offered by: Senators Bunda, Hooser, Ige, Nishihara, Kanno, Inouye, Espero, Menor.

No. 101 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION ADOPT A POLICY THAT ENABLES AND ENCOURAGES DEPARTMENT OF EDUCATION EMPLOYEES TO PARTICIPATE IN PARENT TEACHER ASSOCIATIONS AND SIMILAR ORGANIZATIONS."

Offered by: Senators Nishihara, Kokubun.

No. 102 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF LENDING PRACTICES AND LENDING PRACTICES LAWS."

Offered by: Senator Menor, by request.

No. 103 "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Offered by: Senator Menor.

No. 104 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, UNIVERSITY OF HAWAII, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO SUPPORT A STUDENT, FACULTY, AND ADMINISTRATIVE STAFF EXCHANGE PROGRAM TO INVOLVE STUDENTS IN THE PUBLIC AND PRIVATE SCHOOLS AND COLLEGES AND UNIVERSITY IN HAWAII AND STUDENTS IN SCHOOLS IN THE PROVINCES IN THE REPUBLIC OF THE PHILIPPINES WITH WHICH THE STATE HAS STATE-PROVINCE RELATIONSHIPS."

Offered by: Senator Menor.

No. 105 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO REQUEST THE GOVERNMENT OF MEXICO TO INVESTIGATE AND TERMINATE THE KIDNAPPING, RAPE, AND MURDER OF THE WOMEN IN JUAREZ AND CHIHUAHUA, MEXICO."

Offered by: Senators Kanno, Chun Oakland, Fukunaga, English, Hooser, Nishihara, Sakamoto.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 54 to 57) were read by the Clerk and were deferred:

Senate Resolution

No. 54 "SENATE RESOLUTION REQUESTING A STUDY OF LENDING PRACTICES AND LENDING PRACTICES LAWS."

Offered by: Senator Menor, by request.

No. 55 "SENATE RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Offered by: Senator Menor.

No. 56 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, UNIVERSITY OF HAWAII, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO SUPPORT A STUDENT, FACULTY, AND ADMINISTRATIVE STAFF EXCHANGE PROGRAM TO INVOLVE STUDENTS IN THE PUBLIC AND PRIVATE SCHOOLS AND COLLEGES AND UNIVERSITY IN HAWAII AND STUDENTS IN SCHOOLS IN THE PROVINCES IN THE REPUBLIC OF THE PHILIPPINES WITH WHICH THE STATE HAS STATE-PROVINCE RELATIONSHIPS."

Offered by: Senator Menor.

No. 57 "SENATE RESOLUTION URGING CONGRESS TO REQUEST THE GOVERNMENT OF MEXICO TO INVESTIGATE AND TERMINATE THE KIDNAPPING, RAPE, AND MURDER OF THE WOMEN IN JUAREZ AND CHIHUAHUA, MEXICO."

Offered by: Senators Kanno, Chun Oakland, Sakamoto, Taniguchi, English.

**STANDING COMMITTEE REPORTS**

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1019) recommending that the Senate advise and consent to the nomination of RONALD T. HAJIME as Compact Administrator, State Council for Interstate Adult Offender Supervision, in accordance with Gov. Msg. No. 119.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1019 and Gov. Msg. No. 119 was deferred until Thursday, March 17, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1020) recommending that the Senate advise and consent to the

nomination of DENISE J. JOHNSTON to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 143.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1020 and Gov. Msg. No. 143 was deferred until Thursday, March 17, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1021) recommending that the Senate advise and consent to the nomination of ROBERT ARTHURS to the Board of Registration of the Island of Hawaii, in accordance with Gov. Msg. No. 251.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1021 and Gov. Msg. No. 251 was deferred until Thursday, March 17, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1022) recommending that the Senate advise and consent to the nominations to the Board of Registration of the Islands of Kauai and Niihau of the following:

PATRICK J. CHILDS, in accordance with Gov. Msg. No. 252; and

CAROLYN S. POMPILIO, in accordance with Gov. Msg. No. 253,

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1022 and Gov. Msg. Nos. 252 and 253 was deferred until Thursday, March 17, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1023) recommending that the Senate advise and consent to the nominations to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kahoolawe of the following:

THOMAS A. HUGHES III, in accordance with Gov. Msg. No. 254; and

STEVE PFISTER, in accordance with Gov. Msg. No. 255,

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1023 and Gov. Msg. Nos. 254 and 255 was deferred until Thursday, March 17, 2005.

**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. 841 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

No. 844, H.D. 1 Jointly to the Committee on Education and Military Affairs and the Committee on Labor, then to the Committee on Ways and Means

Senator Sakamoto, Chair of the Committee on Education and Military Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. Nos. 841 and 844.

Senator Sakamoto noted:

"Mr. President, for H.B. No. 844 we're going to include various provisions that we passed in our teacher omnibus bill into this House bill. For H.B. No. 841, we have various provisions of Act 51, information systems; principals, 12 months; as well as some of the other provisions that we passed in the Senate – science textbooks – and some provisions related to other educational subjects to keep the measures alive."

The Chair then granted the waiver.

At this time, Senator Hee, on behalf of the Senate, extended happy birthday wishes to Senator Hanabusa.

#### SENATE CONCURRENT RESOLUTIONS SENATE RESOLUTIONS

On motion by Senator Hee, seconded by Senator Hogue and carried unanimously, the Senate authorized the Clerk to receive Senate concurrent resolutions and Senate resolutions prior to 6:00 o'clock p.m. In consequence thereof, and subsequent to its recessing at 11:46 o'clock a.m., the following resolutions were received and deferred:

#### SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution

No. 106 "SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE HAWAII PUBLIC PROCUREMENT CODE."

Offered by: Senators Bunda, Inouye, Baker, Taniguchi, Hanabusa, Tsutsui.

No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE CURRENT HAWAII COUNTY TRAFFIC PLANS TO ENSURE THE OBJECTIVES OF THE HAWAII STATE PLANNING ACT FOR TRANSPORTATION PLANNING ARE MET AND TO PREPARE A TRAFFIC SOLUTION PLAN FOR HAWAII COUNTY."

Offered by: Senators Inouye, Espero, Baker, Hee.

No. 108 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HAWAIIAN HOME LANDS, DEPARTMENT OF LAND AND NATURAL RESOURCES, THE U.S. FISH AND WILDLIFE SERVICE, AND THE COUNTIES TO DETERMINE THE EXTENT OF AND RECOMMEND TREATMENT FOR GORSE SHRUBS ON THEIR RESPECTIVE LANDS."

Offered by: Senators Inouye, Espero, Baker.

No. 109 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE EDUCATIONAL MATERIALS AVAILABLE, IN WRITTEN AND ELECTRONIC FORMS, ON THE DIAGNOSIS, TREATMENT, AND PREVENTION OF HEPATITIS C TO ALL VETERANS, PHYSICIANS, OTHER HEALTH CARE PROVIDERS, AND OTHER PERSONS AT HIGH RISK FOR HEPATITIS C."

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

No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE DIRECTOR OF HEALTH, AND THE DIRECTOR OF CIVIL DEFENSE TO PREPARE FOR A POSSIBLE INFLUENZA PANDEMIC."

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

No. 111 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A TEMPORARY INTERDEPARTMENTAL EMERGENCY CONTRACEPTION INFORMATION WORKING GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE."

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

No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO RECOMMEND A STATUTORY DEFINITION OF 'UNDEREMPLOYMENT.'"

Offered by: Senator Tsutsui.

No. 113 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAMMATIC AND FINANCIAL AUDIT OF THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND."

Offered by: Senator Baker.

No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CHECK CASHERS."

Offered by: Senators Hooser, Nishihara, Ihara, Slom, Inouye, Chun Oakland, Trimble, Fukunaga, Baker, Sakamoto, Tsutsui, Kokubun.

No. 115 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO UPDATE THE 1991 STATE LAND USE DISTRICT BOUNDARY REVIEW, URBAN LAND REQUIREMENTS STUDY TO DETERMINE THE AMOUNT OF VACANT AND DEVELOPABLE URBAN CLASSIFIED LAND AVAILABLE."

Offered by: Senators Hooser, Nishihara, Ihara, Slom, Inouye, Trimble, Fukunaga, Baker, Sakamoto, Tsutsui, Chun Oakland, Hogue, Kokubun, Espero, Menor.

No. 116 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE THE GAME OF CHESS IN THE SCHOOL SYSTEM TO PROMOTE THE ENHANCEMENT OF EDUCATION AND CREATIVITY IN CHILDREN."

Offered by: Senators Hooser, Nishihara, Ihara, Slom, Inouye, Fukunaga, Baker, Sakamoto, Chun Oakland, Kokubun, Menor, Taniguchi, Espero.

No. 117 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO APPLY TAX INCREMENT FINANCING TO FINANCE THE DEVELOPMENT OF INFRASTRUCTURE FOR AFFORDABLE HOUSING PROJECTS."



Offered by: Senators Hooser, Chun Oakland, Sakamoto, Baker, Kokubun, Inouye, Espero, Menor.

No. 118 "SENATE CONCURRENT RESOLUTION ENCOURAGING DEPOSIT BEVERAGE CONTAINER RECYCLING IN STATE PARKS."

Offered by: Senators Hooser, Chun Oakland, Sakamoto, Baker, Kokubun, Espero, Nishihara, Inouye, Menor.

No. 119 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO EVALUATE FIREWORKS AND 'NOVELTIES' TO DETERMINE WHICH TYPES POSE A HEALTH THREAT DUE TO THE AMOUNT OF SMOKE PRODUCED."

Offered by: Senator Taniguchi, by request.

No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING PERSONNEL POLICY INFORMATION FROM NORWEGIAN CRUISE LINE AND AN ASSESSMENT OF WHETHER NORWEGIAN CRUISE LINE SHOULD PAY TRANSIENT ACCOMMODATIONS AND OTHER STATE TAXES."

Offered by: Senators Fukunaga, Baker, Kanno, Hee, Hooser, Nishihara, Menor, Kokubun, English, Hanabusa, Taniguchi.

No. 121 "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A WORKING GROUP ON ADULT EDUCATION."

Offered by: Senator Sakamoto.

No. 122 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A CIVIC RESPONSIBILITY EDUCATION PROGRAM."

Offered by: Senator Sakamoto.

No. 123 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATEWIDE, COMPREHENSIVE, AND INTEGRATED DATA SYSTEM ON AUTISM SPECTRUM DISORDERS, TO BE KNOWN AS THE AUTISM SPECTRUM DISORDER REGISTRY."

Offered by: Senator Sakamoto.

No. 124 "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ABANDON THE UNIVERSITY AFFILIATED RESEARCH CENTER."

Offered by: Senator Ihara, by request.

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND REPORT ON COMPETITIVE PRACTICES OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS."

Offered by: Senators Ihara, Trimble, Whalen, Fukunaga, Inouye, Kim, Hee, Hemmings, Chun Oakland, Nishihara, Slom, Hanabusa, Ige, Kokubun.

No. 126 "SENATE CONCURRENT RESOLUTION REQUESTING THE ADULT MENTAL HEALTH DIVISION AND THE UNIVERSITY OF HAWAII SCHOOL OF

MEDICINE, DEPARTMENT OF PSYCHIATRY, REESTABLISH THE PSYCHIATRIC RESIDENCY STIPEND PROGRAM TO MEET THE MENTAL HEALTH CARE NEEDS OF UNDERSERVED AREAS AND POPULATIONS."

Offered by: Senators Chun Oakland, Nishihara, Slom, English, Hooser, Kanno, Menor, Baker.

No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING TRIPLER ARMY MEDICAL CENTER TO PROVIDE CHILD, ADOLESCENT, AND ADULT PSYCHIATRISTS TO FEDERALLY FUNDED CLINICS TO MEET THE MENTAL HEALTH CARE NEEDS OF UNDERSERVED AREAS AND POPULATIONS."

Offered by: Senators Chun Oakland, Nishihara, English, Slom, Hooser, Kanno, Menor, Baker.

No. 128 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A TASK FORCE TO DEVELOP PROGRAMS AND SUPPORT SERVICES FOR CHILDREN OF INCARCERATED PARENTS, AS WELL AS PROGRAMS TO STRENGTHEN THE FAMILY BOND."

Offered by: Senators Chun Oakland, Sakamoto, Baker, Kokubun, Fukunaga, Taniguchi, Hee.

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE CHIEF OF THE HAWAII COUNTY POLICE DEPARTMENT TO PUBLICLY DISCLOSE INFORMATION RELATED TO THE DISAPPEARANCE OF PETER KEMA, JR."

Offered by: Senator Chun Oakland.

No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONSIDER ESTABLISHING IN HAWAII A CENTER FOR THE ADVANCEMENT OF GLOBAL HEALTH, WELFARE, EDUCATION, AND PEACE BY AND FOR CHILDREN, YOUTH, AND FAMILIES."

Offered by: Senators Chun Oakland, Sakamoto, Baker, Kokubun, Fukunaga, Taniguchi, Hee.

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INITIATE THE FORMAL PROCEDURE TO ACQUIRE THE PROPERTY OWNED BY CONOCOPHILLIPS AT THE IWILEI SITE TO MAINTAIN A STATE FUEL RESERVE, THEREBY ENSURING A STABLE FUEL SUPPLY IN THE EVENT OF OIL SUPPLY DISRUPTIONS."

Offered by: Senators Kim, Tsutsui, Hee, Taniguchi, Sakamoto, Hanabusa, Baker, Fukunaga, Hooser, Nishihara, Inouye.

No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO ESTABLISH A TASK FORCE TO DESIGN A SYSTEM FOR REPORTING HOSPITAL ACQUIRED INFECTIONS TO THE PUBLIC."

Offered by: Senators Baker, Espero, Hooser, Fukunaga, Chun Oakland, Tsutsui, Menor, Kim, Kanno, Nishihara, Ige, Ihara, Taniguchi.

No. 133 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND REPORT ON THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING EITHER A STATE-SPONSORED INSURANCE COMPANY OR A CAPTIVE INSURER TO PROVIDE MEDICAL MALPRACTICE COVERAGE TO HEALTHCARE PROVIDERS."

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

No. 134 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT KEEHI SMALL BOAT HARBOR FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY HONOLULU MARINE, INC., FOR A COMMERCIAL SHIP REPAIR FACILITY."

Offered by: Senator Kokubun.

No. 135 "SENATE CONCURRENT RESOLUTION CONVENING A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR CREATING A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII."

Offered by: Senators Kokubun, Nishihara, Hogue, Chun Oakland, Taniguchi, English.

No. 136 "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS."

Offered by: Senators Kokubun, Ige, Sakamoto, Nishihara, Chun Oakland, English.

No. 137 "SENATE CONCURRENT RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN."

Offered by: Senators Kokubun, Nishihara, Chun Oakland, Taniguchi, English.

No. 138 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Offered by: Senators Kokubun, Chun Oakland, Taniguchi, Tsutsui, English.

No. 139 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO CLAIM APPROPRIATE ADDITIONAL FEDERAL FUNDING UNDER THE MEDICAID PROGRAM."

Offered by: Senator Hemmings.

No. 140 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS."

Offered by: Senators Hanabusa, English, Nishihara, Kokubun, Tsutsui, Taniguchi.

No. 141 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DETERMINE WHETHER CLASSIFICATION OF THE OFFENSES OF ASSAULT AND TERRORISTIC THREATENING BASED ON THE OCCUPATION OF THE VICTIM IS STILL NECESSARY."

Offered by: Senators Hanabusa, Kokubun, Nishihara, Taniguchi, English.

No. 142 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON SPORTSMANSHIP IN YOUTH SPORTS."

Offered by: Senators Hanabusa, Kokubun, Nishihara, Taniguchi, English.

No. 143 "SENATE CONCURRENT RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII."

Offered by: Senators Hanabusa, Kokubun, Nishihara, Taniguchi.

No. 144 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO DO A STUDY ON MEDICAL MALPRACTICE INSURANCE."

Offered by: Senators Hanabusa, Kokubun, Nishihara, English, Hee.

No. 145 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY'S PRISON SYSTEM."

Offered by: Senators Hanabusa, Nishihara, Kokubun, Hee, English.

No. 146 "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' RECEIPT, ADMINISTRATION, AND MANAGEMENT OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS."

Offered by: Senators Hanabusa, Nishihara, Taniguchi, Kokubun, English, Hee.

No. 147 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT."

Offered by: Senators Hanabusa, Kokubun, Nishihara, English, Taniguchi, Hee.

No. 148 "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF ESTABLISHING A FINANCIAL ASSISTANCE PROGRAM TO DEFRAY LAW SCHOOL RELATED DEBT FOR WILLIAM S. RICHARDSON LAW SCHOOL GRADUATES WHO PERFORM PUBLIC INTEREST WORK UPON GRADUATION."

Offered by: Senators Hanabusa, Ihara, Taniguchi, Kim.

No. 149 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON CIVIL SERVICE AND PERSONNEL ISSUES RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Offered by: Senators Hanabusa, Ihara, Taniguchi, Kim.

No. 150 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON STATUTORY IMPLIED CONSENT FORMS."

Offered by: Senator Inouye.

No. 151 "SENATE CONCURRENT RESOLUTION RECOGNIZING 2005 AS THE YEAR OF LANGUAGES IN THE STATE OF HAWAII."

Offered by: Senators Ige, Kokubun, Fukunaga, Kim, Inouye, Kanno, English.

No. 152 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A WORKING GROUP TO STUDY THE FEASIBILITY OF AN INTERNATIONAL AND OLYMPIC STANDARD EQUESTRIAN FACILITY TO PROVIDE SERVICES AND A TRAINING COMPLEX FOR LOCAL RESIDENTS AND MAINLAND AND INTERNATIONAL VISITORS."

Offered by: Senators Espero, Ihara, Nishihara, Kanno, Inouye, Tsutsui, Chun Oakland, Fukunaga.

No. 153 "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO ADOPT A RETIREMENT POLICY THAT ENABLES NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY OR MORE YEARS OF SERVICE TO RETIRE AFTER SUCH YEARS OF SERVICE, REGARDLESS OF AGE."

Offered by: Senators Espero, Kanno.

No. 154 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF BUILDING TENT CITIES ON EACH ISLAND TO HOUSE THE HOMELESS."

Offered by: Senator Espero.

No. 155 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONVENE A WORK GROUP OF INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF HOSTING AN INTERNATIONAL PACIFIC ASIAN LITTLE LEAGUE BASEBALL CHAMPIONSHIP TOURNAMENT IN THE STATE."

Offered by: Senators Espero, Kim.

No. 156 "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR LINGLE TO CONVENE A TASK FORCE CONSISTING OF REPRESENTATIVES FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES OF THE DEPARTMENT

OF HOMELAND SECURITY, THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE LONG-LINE FISHERMEN ASSOCIATION, AND OTHER INTERESTED GROUPS TO IDENTIFY A VIABLE, LONG-TERM SOLUTION TO THE NON-IMMIGRANT VISA STATUS OF ALIEN CREW MEMBERS OF FISHING VESSELS."

Offered by: Senator Espero.

No. 157 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE FEASIBILITY OF ESTABLISHING A TAX CREDIT BASED UPON THE EMPLOYMENT OF FORMERLY INCARCERATED INDIVIDUALS."

Offered by: Senator Espero.

No. 158 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE."

Offered by: Senators Espero, Inouye.

No. 159 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ON THE USE OF DECORATIVE PLANTS AND TREES ALONG STATE HIGHWAYS AND ROADS."

Offered by: Senator Espero.

No. 160 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A STUDY TO DETERMINE WHETHER COMMERCIAL ECO-TOURISM SHOULD BE ENCOURAGED IN THE NATURAL AREA RESERVES SYSTEM."

Offered by: Senators Espero, Nishihara, Kanno, Trimble, Fukunaga, Chun Oakland.

No. 161 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A THREE-YEAR PILOT PROJECT FOR CURBSIDE RECYCLING ON THE ISLAND OF OAHU."

Offered by: Senator Espero.

No. 162 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ADD A MANDATORY ONE SEMESTER COURSE IN ECONOMIC AND FINANCIAL MANAGEMENT LITERACY TO THE EXISTING PUBLIC HIGH SCHOOL CURRICULUM."

Offered by: Senators Espero, Nishihara, Kanno, Inouye, Chun Oakland, Fukunaga.

No. 163 "SENATE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII TO REPORT TO THE LEGISLATURE ON THE FEASIBILITY OF INCREASING THE COST OF LIVING ADJUSTMENT PROVIDED TO PUBLIC SECTOR RETIRANTS."

Offered by: Senators Espero, Kanno.

No. 164 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PAINT OVER GRAFFITI ALONG ANY STATE-OWNED THOROUGHFARES, RIGHTS-OF-WAY, OR EASEMENTS WITHIN ITS JURISDICTION WITHIN TEN BUSINESS DAYS."

Offered by: Senators Espero, Inouye, Ihara, Nishihara, Kanno, Tsutsui, Chun Oakland, Fukunaga.

No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO STUDY THE EFFECTIVENESS OF ACT 161 IN REDUCING THE OVERALL CRIME RATE BY HELPING FIRST TIME, NON-VIOLENT DRUG OFFENDERS ADDRESS THEIR SUBSTANCE ABUSE AND DEPENDENCY WHILE IMPOSING APPROPRIATE PUNISHMENT ON VIOLENT OFFENDERS."

Offered by: Senator Espero.

No. 166 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOTANY DEPARTMENT, UNIVERSITY OF HAWAII, AND THE DIVISION OF AQUATICS, DEPARTMENT OF LAND AND NATURAL RESOURCES, TO CONDUCT A STUDY ON THE ALIEN ALGAL DISTRIBUTION ALONG THE EWA BEACH COASTAL AREA."

Offered by: Senator Espero.

No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS."

Offered by: Senators Chun Oakland, Espero.

No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE 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, Baker.

No. 169 "SENATE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE EXTENT TO WHICH THE PUBLIC IS ENDANGERED BY VICIOUS OR DANGEROUS DOGS AND MEASURES TO ENSURE THE PUBLIC'S SAFETY."

Offered by: Senator Chun Oakland.

No. 170 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO POST TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BUDGET INFORMATION ON ITS WEBSITE FOR PUBLIC REVIEW."

Offered by: Senator Chun Oakland.

No. 171 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT TO THE LEGISLATURE REGARDING ITS ACTIONS TO INCREASE SAFETY AND SECURITY ON ITS CAMPUSES."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Ihara, Menor, Baker, English.

No. 172 "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO HOLD HEARINGS AND REPORT ON THE UNIVERSITY AFFILIATED RESEARCH CENTER DESIGNATION BY THE NAVY, APPLIED RESEARCH LABORATORY PROPOSAL, CLASSIFIED RESEARCH POLICY AND THEIR RELATIONSHIP TO THE UNIVERSITY'S MISSION AND STRATEGIC PLAN."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Menor, English, Ihara.

No. 173 "SENATE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR SMART BUILDING AND COMMUNITY DESIGN DEVELOP ENERGY EFFICIENT DESIGN STANDARDS FOR NEW AND RETROFITTED BUILDINGS THROUGHOUT THE UNIVERSITY OF HAWAII SYSTEM."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Ihara, Menor, Baker, English.

No. 174 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO WORK WITH THE LYON ARBORETUM COMMUNITY STEERING COMMITTEE AND TO SUBMIT A REPORT REGARDING ITS EFFORTS TO IMPROVE CONDITIONS AT THE LYON ARBORETUM."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Ihara, Menor, Baker, English.

No. 175 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE A REPORT TO THE STATE LEGISLATURE REGARDING THE STATUS OF THE 2004 FLOOD DAMAGE."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Ihara, Menor, Baker, English.

No. 176 "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES."

Offered by: Senator Hee.

No. 177 "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT, THE STATE OF HAWAII, AND THE CITY AND COUNTY OF HONOLULU TO WORK COOPERATIVELY TO PROTECT KAWAI NUI MARSH."

Offered by: Senator Hee.

No. 178 "SENATE CONCURRENT RESOLUTION OPPOSING THE TRANSFER OF THE WAIHOLE VALLEY AGRICULTURAL PARK AND RESIDENTIAL LOTS SUBDIVISION BY THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Offered by: Senators Hanabusa, Hee, Kokubun, Tsutsui, Ihara, Baker, Taniguchi.

No. 179 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FOLLOW-UP STUDY OF THE ADVISABILITY AND FEASIBILITY OF ESTABLISHING A HAWAII STATE UNIVERSITY."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Baker.

No. 180 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY OF STATE FUNDING CRITERIA AND MODELS UTILIZED AT OTHER PUBLICLY FUNDED INSTITUTIONS OF HIGHER EDUCATION FOR A PER STUDENT FUNDING FORMULA."

Offered by: Senators Hee, Hanabusa, Tsutsui, Kokubun, Ihara, Menor, Baker, English.

No. 181 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CREATE A TASK FORCE TO ASSESS THE NEED FOR DISABILITY ACCESS FOR EACH CAMPUS."

Offered by: Senators Hee, Kim, Espero, Inouye.

No. 182 "SENATE CONCURRENT RESOLUTION URGING THE HAWAII TOURISM AUTHORITY AND THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS TO CO-HOST A CONFERENCE TO DISCUSS THE FUTURE OF TOURISM IN HAWAII INCLUDING THE SOCIAL, POLITICAL, ECONOMIC, CULTURAL, AND ENVIRONMENTAL IMPACTS UPON NATIVE HAWAIIANS, THEIR CULTURES, COMMUNITIES, AND NATURAL RESOURCES."

Offered by: Senators Hee, Kim, Espero, Inouye.

No. 183 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ECONOMIC DEVELOPMENT, WORKFORCE DEVELOPMENT, AND THE ROLE OF THE UNIVERSITY OF HAWAII IN THE ECONOMIC FUTURE OF THE STATE."

Offered by: Senator Hee.

No. 184 "SENATE CONCURRENT RESOLUTION REQUESTING THE TEACHER EDUCATION COORDINATING COMMITTEE TO RECOMMEND ALTERNATIVE METHODS FOR TEACHER EDUCATION AND TEACHER LICENSURE FOR INDIVIDUALS PURSUING A NEW OR SECOND CAREER IN TEACHING."

Offered by: Senators Hee, Kim, Espero, Inouye.

No. 185 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO ENSURE TIMELY UPDATES OF THE CHILD WELFARE SERVICES DATABASE."

Offered by: Senators Hee, Kim, Espero, Inouye.

No. 186 "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL, STATE, AND COUNTY GOVERNMENTS TO PLACE A MORATORIUM ON THE REMOVAL OF HOMELESS PEOPLE FROM LARGE PUBLIC PARKS."

Offered by: Senators Hee, Inouye.

No. 187 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A SURVEY OF PRIVATE SECTOR EMPLOYERS TO DETERMINE THE EXTENT OF EMPLOYEE HEALTH INSURANCE COVERAGE."

Offered by: Senator Sakamoto.

No. 188 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP A DEFINITION OF CIVIC RESPONSIBILITY BY USING AN INVENTORY OF SCHOOL-LEVEL ACTIVITIES THAT PROMOTE CIVIC LEARNING IN STUDENTS."

Offered by: Senator Sakamoto.

No. 189 "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONVENE A TASK FORCE TO IMPLEMENT PLANS FOR THE AIEA BAY STATE RECREATION AREA, AIEA-PEARL CITY COMMUNITY PLAN, AND PEARL HARBOR HISTORIC TRAIL."

Offered by: Senator Sakamoto.

No. 190 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A NONPROFIT VISITOR CENTER AT HALAWA LANDING THAT WILL SERVE AS A GATEWAY FOR ALL OF THE HISTORIC SITES OF PEARL HARBOR."

Offered by: Senator Sakamoto.

No. 191 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM IN EACH SCHOOL DISTRICT OF THE STATE."

Offered by: Senator Sakamoto.

No. 192 "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM."

Offered by: Senator Sakamoto.

No. 193 "SENATE CONCURRENT RESOLUTION REQUESTING RELIEF ON REAL PROPERTY TAXES ON KULEANA LANDS."

Offered by: Senators Kokubun, Ige, Fukunaga, Ihara, Hee, Baker, Chun Oakland, Inouye.

No. 194 "SENATE CONCURRENT RESOLUTION DECLARING DECEMBER 15 AS BILL OF RIGHTS DAY."

Offered by: Senators Kokubun, Inouye, Ige, Fukunaga, Ihara, Hee, Baker, Chun Oakland.

No. 195 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO IDENTIFY AND EVALUATE THE BARRIERS TO COMMUNITY-BASED ACCESS TO SPECIALTY CARE AND TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO

SPECIALTY CARE ON THE NEIGHBOR ISLANDS AND IN RURAL OAHU.”

Offered by: Senators Baker, English, Tsutsui, Whalen, Kokubun, Hooser, Inouye, Chun Oakland.

No. 196 “SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010.”

Offered by: Senator Baker.

No. 197 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE APPROPRIATE PLACEMENT OF THE MEDICAL MARIJUANA PROGRAM.”

Offered by: Senators Baker, Tsutsui, Chun Oakland.

No. 198 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON STATUTORY IMPLIED CONSENT FORMS.”

Offered by: Senator Baker.

No. 199 “SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE IMPACT OF THE PHYSICIAN ‘ON-CALL’ CRISIS ON THE QUEEN’S MEDICAL CENTER TRAUMA CENTER TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII AND TO RECOMMEND APPROPRIATE PUBLIC AND PRIVATE SECTOR GOVERNMENT RESPONSES TO THE ‘ON-CALL’ CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE.”

Offered by: Senators Baker, Kim, English, Tsutsui, Fukunaga, Kanno, Kokubun, Hooser, Inouye, Chun Oakland, Espero.

No. 200 “SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY AND PROPOSE RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII.”

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

No. 201 “SENATE CONCURRENT RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL, WITH THE ASSISTANCE OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL AND THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER, TO DEVELOP AND PROMULGATE A GUIDANCE DOCUMENT ON INCLUDING PRINCIPLES OF ENVIRONMENTAL JUSTICE IN ALL PHASES OF ENVIRONMENTAL REVIEW UNDERTAKEN PURSUANT TO CHAPTER 343, HAWAII REVISED STATUTES.”

Offered by: Senator English.

No. 202 “SENATE CONCURRENT RESOLUTION SUPPORTING THE RECOMMENDATION OF THE KUALI NATIVE HAWAIIAN ADVISORY COUNCIL OF THE UNIVERSITY OF HAWAII AT MANOA THAT THE UNIVERSITY CONFER HONORARY DOCTORATE

DEGREES ON GENOA KEAWE, PUALANI KANA’OLE KANAHELE, NAINOA THOMPSON, AND LEVON OHAI.”

Offered by: Senators English, Hooser, Nishihara, Baker, Kim, Ige, Kokubun.

No. 203 “SENATE CONCURRENT RESOLUTION RELATING TO RENEWABLE ENERGY TECHNOLOGIES.”

Offered by: Senators English, Hooser, Kim, Ige, Kokubun, Baker, Taniguchi.

No. 204 “SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAII GLOBAL YOUTH CENTER AT THE UNIVERSITY OF HAWAII’S EAST-WEST CENTER.”

Offered by: Senators English, Chun Oakland, Tsutsui, Hooser, Baker, Hogue, Nishihara, Taniguchi, Kim, Ige, Kokubun.

No. 205 “SENATE CONCURRENT RESOLUTION REQUESTING HAWAII’S CONGRESSIONAL DELEGATION TO SPONSOR, ACTIVELY SUPPORT, AND VOTE FOR THE DARFUR ACCOUNTABILITY ACT OF 2005.”

Offered by: Senators English, Hooser, Kokubun, Taniguchi.

No. 206 “SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A NEW HAWAIIAN KNOWLEDGE AND THE MERGER OF THE KAMAKAKUOKALANI CENTER FOR HAWAIIAN STUDIES, HAWAIIAN LANGUAGE DEPARTMENT, NATIVE HAWAIIAN LEADERSHIP PROJECT, AND NATIVE HAWAIIAN STUDENT SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA.”

Offered by: Senators English, Hooser, Nishihara, Kim, Baker, Ige, Kokubun.

No. 207 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE LEGISLATURE TO CREATE A PROPOSAL TO IMPROVE THE MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM.”

Offered by: Senator English.

No. 208 “SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII’S AGRICULTURAL COMMUNITY’S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY.”

Offered by: Senators Kokubun, English, Tsutsui, Ige, Chun Oakland, Espero.

No. 209 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH LOCAL CHAPTERS OF NATIONAL APPRAISER ORGANIZATIONS IN ESTABLISHING A PROGRAM TO TRAIN APPRAISERS IN INCOME CAPITALIZATION APPRAISALS AND TO ESTABLISH A PILOT PROGRAM

IMPLEMENTING AND TRACKING THE INCOME CAPITALIZATION APPRAISALS FOR REOPENINGS OF STATE AGRICULTURAL LEASES.”

Offered by: Senators Kokubun, English, Tsutsui, Ige, Chun Oakland, Espero.

No. 210 “SENATE CONCURRENT RESOLUTION URGING THE FORMATION OF A TASK FORCE TO ESTABLISH AN INCENTIVE PROGRAM TO ATTRACT AND RETAIN POLICE AND FIREFIGHTER RECRUITS.”

Offered by: Senators Kokubun, Taniguchi, Tsutsui, Chun Oakland, English, Ige, Espero, Sakamoto.

No. 211 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INITIATE THE FORMAL PROCEDURE TO ACQUIRE THE PROPERTY OWNED BY SHELL OIL AT THE KAHULUI HOBRON LANE SITE TO MAINTAIN A STATE FUEL RESERVE, THEREBY ENSURING A STABLE FUEL SUPPLY IN THE EVENT OF OIL SUPPLY DISRUPTIONS.”

Offered by: Senator Tsutsui.

No. 212 “SENATE CONCURRENT RESOLUTION PROCLAIMING DECEMBER 15 OF EVERY YEAR AS BILL OF RIGHTS DAY.”

Offered by: Senator English.

No. 213 “SENATE CONCURRENT RESOLUTION REQUESTING COORDINATION BY STATE AND COUNTY REGULATORY AGENCIES WITH RESPECT TO THE MANAGEMENT OF GENETICALLY MODIFIED ORGANISMS (GMO) RELATING TO HEALTH, AGRICULTURE, AND THE ENVIRONMENT.”

Offered by: Senator English.

No. 214 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONED TELEVISION TO TEACH READING TO STUDENTS.”

Offered by: Senator Chun Oakland.

No. 215 “SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO MAKE CERTAIN MODIFICATIONS AND ACKNOWLEDGMENTS WITH RESPECT TO THE NO CHILD LEFT BEHIND ACT OF 2001.”

Offered by: Senator Chun Oakland.

No. 216 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, THE BOARD OF EDUCATION, AND THE HAWAII STATE PUBLIC LIBRARY SYSTEM TO EXAMINE THE FEASIBILITY OF COMBINING PUBLIC LIBRARIANS AND SCHOOL LIBRARIANS IN THE SAME COLLECTIVE BARGAINING UNIT.”

Offered by: Senator Chun Oakland.

No. 217 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ASSESS THE ADDITIONAL COSTS TO THE STATE OF IMPLEMENTING THE NO CHILD LEFT BEHIND ACT

AND REPORT ON THE FEDERAL DEPARTMENT OF EDUCATION’S EFFORTS TO ADDRESS METHODOLOGICAL FLAWS OF THE NO CHILD LEFT BEHIND ACT.”

Offered by: Senator Chun Oakland.

No. 218 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE PERFORMANCE BASED INCENTIVES WHEN CONTRACTING WITH EDUCATION SERVICE PROVIDERS FOR SCHOOL RESTRUCTURING UNDER THE NO CHILD LEFT BEHIND ACT.”

Offered by: Senator Chun Oakland.

No. 219 “SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NO CHILD LEFT BEHIND ACT ACCORDING TO THE RECOMMENDATIONS OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES’ TASK FORCE ON NO CHILD LEFT BEHIND FINAL REPORT.”

Offered by: Senator Chun Oakland.

No. 220 “SENATE CONCURRENT RESOLUTION URGING THE APPROPRIATION OF MONEYS TO FUND FACULTY POSITIONS AND CURRICULUM DEVELOPMENT AND SUPPORT FOR ILOCANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII.”

Offered by: Senator Chun Oakland.

No. 221 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN.”

Offered by: Senators Tsutsui, English, Baker.

No. 222 “SENATE CONCURRENT RESOLUTION REQUESTING THE CHARTER SCHOOL ADMINISTRATIVE OFFICE TO CONDUCT A COMPREHENSIVE REVIEW TO ASSESS THE FULL IMPACT OF HAWAIIAN-FOCUSED CHARTER SCHOOLS ON HAWAIIAN STUDENT PERFORMANCE.”

Offered by: Senator Kokubun.

No. 223 “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR REGULATING HAZARDOUS WASTES IN FERTILIZERS, SOIL AMENDMENTS, AND LIMING MATERIALS.”

Offered by: Senator Kokubun.

No. 224 “SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII BIOTECH POLICY FORUM TO CONVENE KEY STAKEHOLDERS ON THE USE OF GENETICALLY ENGINEERED CROPS IN HAWAII.”

Offered by: Senator Kokubun.

No. 225 “SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE ‘MANAGEMENT AUDIT OF THE

HIGHWAYS DIVISION OF THE DEPARTMENT OF TRANSPORTATION' AND OF THE DEPARTMENT'S GENERAL PRACTICE OF PLACING STAFF ON PROLONGED ADMINISTRATIVE ASSIGNMENTS WITHOUT REVISING THEIR JOB RESPONSIBILITIES, IN ORDER TO INFORMALLY INSTITUTE A MAJOR REORGANIZATION NOT REFLECTED IN THE WRITTEN POSITION DESCRIPTIONS, ORGANIZATION CHARTS, AND FUNCTIONAL STATEMENTS."

Offered by: Senator Chun Oakland.

No. 226 "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR MALAMA O KAMAL'I MAKAMAE IN ITS EFFORTS TO DEVELOP CARE HOME FACILITIES FOR CHILDREN OF HAWAIIAN ANCESTRY."

Offered by: Senator Chun Oakland.

No. 227 "SENATE CONCURRENT RESOLUTION CREATING AN ADVISORY BOARD AND PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM."

Offered by: Senator Chun Oakland.

No. 228 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO UPDATE ITS REPORT ENTITLED 'CAPTION MEDIA PROGRAM' UNDER THE NATIONAL ASSOCIATION OF THE DEAF, AS PROVIDED BY THE AGREEMENT AMONG THE U.S. DEPARTMENT OF EDUCATION, STATE DEPARTMENT OF EDUCATION, AND HAWAII CENTER FOR THE DEAF AND BLIND."

Offered by: Senator Chun Oakland.

**SENATE RESOLUTIONS**

Senate Resolution

No. 58 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE CURRENT HAWAII COUNTY TRAFFIC PLANS TO ENSURE THE OBJECTIVES OF THE HAWAII STATE PLANNING ACT FOR TRANSPORTATION PLANNING ARE MET AND TO PREPARE A TRAFFIC SOLUTION PLAN FOR HAWAII COUNTY."

Offered by: Senators Inouye, Espero, Baker.

No. 59 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HAWAIIAN HOME LANDS, DEPARTMENT OF LAND AND NATURAL RESOURCES, THE U.S. FISH AND WILDLIFE SERVICE, AND THE COUNTIES TO DETERMINE THE EXTENT OF AND RECOMMEND TREATMENT FOR GORSE SHRUBS ON THEIR RESPECTIVE LANDS."

Offered by: Senators Inouye, Espero, Baker, Hee.

No. 60 "SENATE RESOLUTION REQUESTING THE GOVERNOR, THE DIRECTOR OF HEALTH, AND THE DIRECTOR OF CIVIL DEFENSE TO PREPARE FOR A POSSIBLE INFLUENZA PANDEMIC."

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

No. 61 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A TEMPORARY INTERDEPARTMENTAL EMERGENCY CONTRACEPTION INFORMATION WORKING GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE."

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

No. 62 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCORPORATE THE GAME OF CHESS IN THE SCHOOL SYSTEM TO PROMOTE THE ENHANCEMENT OF EDUCATION AND CREATIVITY IN CHILDREN."

Offered by: Senators Hooser, Nishihara, Inouye, Fukunaga, Baker, Sakamoto, Chun Oakland, Kokubun, Espero, Menor.

No. 63 "SENATE RESOLUTION REQUESTING THE COUNTIES TO APPLY TAX INCREMENT FINANCING TO FINANCE THE DEVELOPMENT OF INFRASTRUCTURE FOR AFFORDABLE HOUSING PROJECTS."

Offered by: Senators Hooser, Chun Oakland, Sakamoto, Baker, Kokubun, Inouye, Menor.

No. 64 "SENATE RESOLUTION ENCOURAGING DEPOSIT BEVERAGE CONTAINER RECYCLING IN STATE PARKS."

Offered by: Senators Hooser, Chun Oakland, Sakamoto, Baker, Kokubun, Nishihara, Inouye.

No. 65 "SENATE RESOLUTION REQUESTING PERSONNEL POLICY INFORMATION FROM NORWEGIAN CRUISE LINE AND AN ASSESSMENT OF WHETHER NORWEGIAN CRUISE LINE SHOULD PAY TRANSIENT ACCOMMODATIONS AND OTHER STATE TAXES."

Offered by: Senators Fukunaga, Baker, Kanno, Hooser, Nishihara, Menor, Kokubun, English, Hanabusa, Taniguchi.

No. 66 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A CIVIC RESPONSIBILITY EDUCATION PROGRAM."

Offered by: Senator Sakamoto.

No. 67 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATEWIDE, COMPREHENSIVE, AND INTEGRATED DATA SYSTEM ON AUTISM SPECTRUM DISORDERS, TO BE KNOWN AS THE AUTISM SPECTRUM DISORDER REGISTRY."

Offered by: Senator Sakamoto.

No. 68 "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ABANDON THE UNIVERSITY AFFILIATED RESEARCH CENTER."

Offered by: Senator Ihara, by request.

No. 69 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND REPORT ON COMPETITIVE PRACTICES OF HEALTH



INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS.”

Offered by: Senators Ihara, Trimble, Whalen, Fukunaga, Inouye, Kim, Hee, Hemmings, Chun Oakland, Nishihara, Slom, Hanabusa, Ige, Kokubun.

No. 70 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE CHIEF OF THE HAWAII COUNTY POLICE DEPARTMENT TO PUBLICLY DISCLOSE INFORMATION RELATED TO THE DISAPPEARANCE OF PETER KEMA, JR.”

Offered by: Senator Chun Oakland.

No. 71 “SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONSIDER ESTABLISHING IN HAWAII A CENTER FOR THE ADVANCEMENT OF GLOBAL HEALTH, WELFARE, EDUCATION, AND PEACE BY AND FOR CHILDREN, YOUTH, AND FAMILIES.”

Offered by: Senators Chun Oakland, Sakamoto, Baker, Kokubun, Fukunaga, Taniguchi.

No. 72 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INITIATE THE FORMAL PROCEDURE TO ACQUIRE THE PROPERTY OWNED BY CONOCOPHILLIPS AT THE IWILEI SITE TO MAINTAIN A STATE FUEL RESERVE, THEREBY ENSURING A STABLE FUEL SUPPLY IN THE EVENT OF OIL SUPPLY DISRUPTIONS.”

Offered by: Senators Kim, Tsutsui, Hee, Taniguchi, Sakamoto, Hanabusa, Baker, Fukunaga, Hooser, Nishihara, Inouye.

No. 73 “SENATE RESOLUTION CONVENING A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR CREATING A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII.”

Offered by: Senators Kokubun, Nishihara, Hogue, Chun Oakland, Taniguchi, English.

No. 74 “SENATE RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS.”

Offered by: Senators Kokubun, Nishihara, Chun Oakland, English.

No. 75 “SENATE RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN.”

Offered by: Senators Kokubun, Nishihara, Chun Oakland, English.

No. 76 “SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES.”

Offered by: Senators Kokubun, Chun Oakland, Tsutsui, English.

No. 77 “SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO CLAIM APPROPRIATE ADDITIONAL FEDERAL FUNDING UNDER THE MEDICAID PROGRAM.”

Offered by: Senator Hemmings.

No. 78 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS.”

Offered by: Senators Hanabusa, English, Nishihara, Kokubun, Tsutsui, Taniguchi.

No. 79 “SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DETERMINE WHETHER CLASSIFICATION OF THE OFFENSES OF ASSAULT AND TERRORISTIC THREATENING BASED ON THE OCCUPATION OF THE VICTIM IS STILL NECESSARY.”

Offered by: Senators Hanabusa, Kokubun, Nishihara, Taniguchi, English.

No. 80 “SENATE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON SPORTSMANSHIP IN YOUTH SPORTS.”

Offered by: Senators Hanabusa, Kokubun, Nishihara, Taniguchi, English.

No. 81 “SENATE RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII.”

Offered by: Senators Hanabusa, Kokubun, Nishihara, Taniguchi.

No. 82 “SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON STATUTORY IMPLIED CONSENT FORMS.”

Offered by: Senator Inouye.

No. 83 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO AMEND SECTION 19-42-83, HAWAII ADMINISTRATIVE RULES, RELATING TO MOVEMENT OF VESSELS AT STATE PORTS.”

Offered by: Senators Inouye, Espero.

No. 84 “SENATE RESOLUTION RECOGNIZING 2005 AS THE YEAR OF LANGUAGES IN THE STATE OF HAWAII.”

Offered by: Senators Ige, Kokubun, Fukunaga, Kim, Inouye, Kanno, English.

No. 85 “SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO ADOPT A RETIREMENT POLICY THAT ENABLES NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY OR MORE YEARS OF SERVICE TO RETIRE AFTER SUCH YEARS OF SERVICE, REGARDLESS OF AGE.”

Offered by: Senators Espero, Kanno.

No. 86 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF BUILDING TENT CITIES ON EACH ISLAND TO HOUSE THE HOMELESS."

Offered by: Senator Espero.

No. 87 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONVENE A WORK GROUP OF INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF HOSTING AN INTERNATIONAL PACIFIC ASIAN LITTLE LEAGUE BASEBALL CHAMPIONSHIP TOURNAMENT IN THE STATE."

Offered by: Senators Espero, Kim.

No. 88 "SENATE RESOLUTION REQUESTING GOVERNOR LINGLE TO CONVENE A TASK FORCE CONSISTING OF REPRESENTATIVES FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES OF THE DEPARTMENT OF HOMELAND SECURITY, THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE LONG-LINE FISHERMEN ASSOCIATION, AND OTHER INTERESTED GROUPS TO IDENTIFY A VIABLE, LONG-TERM SOLUTION TO THE NON-IMMIGRANT VISA STATUS OF ALIEN CREW MEMBERS OF FISHING VESSELS."

Offered by: Senator Espero.

No. 89 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE FEASIBILITY OF ESTABLISHING A TAX CREDIT BASED UPON THE EMPLOYMENT OF FORMERLY INCARCERATED INDIVIDUALS."

Offered by: Senator Espero.

No. 90 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE."

Offered by: Senators Espero, Inouye.

No. 91 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ON THE USE OF DECORATIVE PLANTS AND TREES ALONG STATE HIGHWAYS AND ROADS."

Offered by: Senator Espero.

No. 92 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A STUDY TO DETERMINE WHETHER COMMERCIAL ECO-TOURISM SHOULD BE ENCOURAGED IN THE NATURAL AREA RESERVES SYSTEM."

Offered by: Senators Espero, Nishihara, Kanno, Trimble, Fukunaga, Chun Oakland.

No. 93 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A THREE-YEAR PILOT PROJECT FOR CURBSIDE RECYCLING ON THE ISLAND OF OAHU."

Offered by: Senator Espero.

No. 94 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ADD A MANDATORY ONE SEMESTER COURSE IN ECONOMIC AND FINANCIAL MANAGEMENT LITERACY TO THE EXISTING PUBLIC HIGH SCHOOL CURRICULUM."

Offered by: Senators Espero, Nishihara, Kanno, Inouye, Chun Oakland, Fukunaga.

No. 95 "SENATE RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII TO REPORT TO THE LEGISLATURE ON THE FEASIBILITY OF INCREASING THE COST OF LIVING ADJUSTMENT PROVIDED TO PUBLIC SECTOR RETIRANTS."

Offered by: Senators Espero, Kanno.

No. 96 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PAINT OVER GRAFFITI ALONG ANY STATE-OWNED THOROUGHFARES, RIGHTS-OF-WAY, OR EASEMENTS WITHIN ITS JURISDICTION WITHIN TEN BUSINESS DAYS."

Offered by: Senators Espero, Inouye, Ihara, Nishihara, Kanno, Tsutsui, Chun Oakland, Fukunaga.

No. 97 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO STUDY THE EFFECTIVENESS OF ACT 161 IN REDUCING THE OVERALL CRIME RATE BY HELPING FIRST TIME, NON-VIOLENT DRUG OFFENDERS ADDRESS THEIR SUBSTANCE ABUSE AND DEPENDENCY WHILE IMPOSING APPROPRIATE PUNISHMENT ON VIOLENT OFFENDERS."

Offered by: Senator Espero.

No. 98 "SENATE RESOLUTION REQUESTING THE BOTANY DEPARTMENT, UNIVERSITY OF HAWAII, AND THE DIVISION OF AQUATICS, DEPARTMENT OF LAND AND NATURAL RESOURCES, TO CONDUCT A STUDY ON THE ALIEN ALGAL DISTRIBUTION ALONG THE EWA BEACH COASTAL AREA."

Offered by: Senator Espero.

No. 99 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO POST TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BUDGET INFORMATION ON ITS WEBSITE FOR PUBLIC REVIEW."

Offered by: Senator Chun Oakland.

No. 100 "SENATE RESOLUTION URGING THE LEGISLATURE TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES."

Offered by: Senator Hee.

No. 101 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A SURVEY OF PRIVATE SECTOR EMPLOYERS TO DETERMINE THE EXTENT OF EMPLOYEE HEALTH INSURANCE COVERAGE."

Offered by: Senator Sakamoto.

No. 102 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP A DEFINITION OF CIVIC RESPONSIBILITY BY USING AN INVENTORY OF SCHOOL-LEVEL ACTIVITIES THAT PROMOTE CIVIC LEARNING IN STUDENTS."

Offered by: Senator Sakamoto.

No. 103 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM IN EACH SCHOOL DISTRICT OF THE STATE."

Offered by: Senator Sakamoto.

No. 104 "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM."

Offered by: Senator Sakamoto.

No. 105 "SENATE RESOLUTION REQUESTING RELIEF ON REAL PROPERTY TAXES ON KULEANA LANDS."

Offered by: Senators Kokubun, Inouye, Ige, Ihara, Hee, Baker, Chun Oakland.

No. 106 "SENATE RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010."

Offered by: Senator Baker.

No. 107 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON STATUTORY IMPLIED CONSENT FORMS."

Offered by: Senator Baker.

No. 108 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY AND PROPOSE RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII."

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

No. 109 "SENATE RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL, WITH THE ASSISTANCE OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL AND THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER, TO DEVELOP AND PROMULGATE A GUIDANCE DOCUMENT ON INCLUDING PRINCIPLES OF ENVIRONMENTAL JUSTICE IN ALL PHASES OF ENVIRONMENTAL

REVIEW UNDERTAKEN PURSUANT TO CHAPTER 343, HAWAII REVISED STATUTES."

Offered by: Senator English.

No. 110 "SENATE RESOLUTION SUPPORTING THE RECOMMENDATION OF THE KUALI'I NATIVE HAWAIIAN ADVISORY COUNCIL OF THE UNIVERSITY OF HAWAII AT MANOA THAT THE UNIVERSITY CONFER HONORARY DOCTORATE DEGREES ON GENOA KEAWE, PUALANI KANA'OLE KANAHELE, NAINOA THOMPSON, AND LEVON OHAI."

Offered by: Senators English, Hooser, Nishihara, Baker, Kim, Ige, Kokubun.

No. 111 "SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAII GLOBAL YOUTH CENTER AT THE UNIVERSITY OF HAWAII'S EAST-WEST CENTER."

Offered by: Senators English, Chun Oakland, Tsutsui, Hooser, Baker, Hogue, Nishihara, Taniguchi, Kim, Ige, Kokubun.

No. 112 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SPONSOR, ACTIVELY SUPPORT, AND VOTE FOR THE DARFUR ACCOUNTABILITY ACT OF 2005."

Offered by: Senators English, Hooser, Kokubun, Taniguchi.

No. 113 "SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A NEW HAWAII INUIAKEA SCHOOL OF HAWAIIAN KNOWLEDGE AND THE MERGER OF THE KAMAKAKUOKALANI CENTER FOR HAWAIIAN STUDIES, HAWAIIAN LANGUAGE DEPARTMENT, NATIVE HAWAIIAN LEADERSHIP PROJECT, AND NATIVE HAWAIIAN STUDENT SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA."

Offered by: Senators English, Hooser, Nishihara, Baker, Kim, Kokubun, Ige.

No. 114 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE LEGISLATURE TO CREATE A PROPOSAL TO IMPROVE THE MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM."

Offered by: Senator English.

No. 115 "SENATE RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY."

Offered by: Senators Kokubun, English, Tsutsui, Ige, Chun Oakland, Espero.

No. 116 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH LOCAL CHAPTERS OF NATIONAL APPRAISER ORGANIZATIONS IN ESTABLISHING A PROGRAM TO TRAIN APPRAISERS IN INCOME

CAPITALIZATION APPRAISALS AND TO ESTABLISH A PILOT PROGRAM IMPLEMENTING AND TRACKING THE INCOME CAPITALIZATION APPRAISALS FOR REOPENINGS OF STATE AGRICULTURAL LEASES.”

Offered by: Senators Kokubun, English, Tsutsui, Espero, Ige, Chun Oakland.

No. 117 “SENATE RESOLUTION URGING THE FORMATION OF A TASK FORCE TO ESTABLISH AN INCENTIVE PROGRAM TO ATTRACT AND RETAIN POLICE AND FIREFIGHTER RECRUITS.”

Offered by: Senators Kokubun, Tsutsui, Chun Oakland, Espero, English, Ige, Sakamoto.

No. 118 “SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO RECOMMEND A STATUTORY DEFINITION OF ‘UNDEREMPLOYMENT.’”

Offered by: Senator Tsutsui.

No. 119 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INITIATE THE FORMAL PROCEDURE TO ACQUIRE THE PROPERTY OWNED BY SHELL OIL AT THE KAHULUI HOBROUN LANE SITE TO MAINTAIN A STATE FUEL RESERVE, THEREBY ENSURING A STABLE FUEL SUPPLY IN THE EVENT OF OIL SUPPLY DISRUPTIONS.”

Offered by: Senator Tsutsui.

No. 120 “SENATE RESOLUTION PROCLAIMING DECEMBER 15 OF EVERY YEAR AS BILL OF RIGHTS DAY.”

Offered by: Senator English.

No. 121 “SENATE RESOLUTION REQUESTING COORDINATION BY STATE AND COUNTY REGULATORY AGENCIES WITH RESPECT TO THE MANAGEMENT OF GENETICALLY MODIFIED ORGANISMS (GMO) RELATING TO HEALTH, AGRICULTURE, AND THE ENVIRONMENT.”

Offered by: Senator English.

No. 122 “SENATE RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO MAKE CERTAIN MODIFICATIONS AND ACKNOWLEDGMENTS WITH RESPECT TO THE NO CHILD LEFT BEHIND ACT OF 2001.”

Offered by: Senator Chun Oakland.

No. 123 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, THE BOARD OF EDUCATION, AND THE HAWAII STATE PUBLIC LIBRARY SYSTEM TO EXAMINE THE FEASIBILITY OF COMBINING PUBLIC LIBRARIANS AND SCHOOL LIBRARIANS IN THE SAME COLLECTIVE BARGAINING UNIT.”

Offered by: Senator Chun Oakland.

No. 124 “SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NO CHILD LEFT BEHIND ACT ACCORDING TO THE RECOMMENDATIONS OF THE NATIONAL

CONFERENCE OF STATE LEGISLATURES’ TASK FORCE ON NO CHILD LEFT BEHIND FINAL REPORT.”

Offered by: Senator Chun Oakland.

No. 125 “SENATE RESOLUTION URGING THE APPROPRIATION OF MONEYS TO FUND FACULTY POSITIONS AND CURRICULUM DEVELOPMENT AND SUPPORT FOR ILOCANO, FILIPINO, AND PHILIPPINE STUDIES AT THE UNIVERSITY OF HAWAII.”

Offered by: Senator Chun Oakland.

No. 126 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE PERFORMANCE BASED INCENTIVES WHEN CONTRACTING WITH EDUCATION SERVICE PROVIDERS FOR SCHOOL RESTRUCTURING UNDER THE NO CHILD LEFT BEHIND ACT.”

Offered by: Senator Chun Oakland.

No. 127 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN.”

Offered by: Senators Tsutsui, English, Baker.

No. 128 “SENATE RESOLUTION REQUESTING THE CHARTER SCHOOL ADMINISTRATIVE OFFICE TO CONDUCT A COMPREHENSIVE REVIEW TO ASSESS THE FULL IMPACT OF HAWAIIAN-FOCUSED CHARTER SCHOOLS ON HAWAIIAN STUDENT PERFORMANCE.”

Offered by: Senator Kokubun.

No. 129 “SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII BIOTECH POLICY FORUM TO CONVENE KEY STAKEHOLDERS ON THE USE OF GENETICALLY ENGINEERED CROPS IN HAWAII.”

Offered by: Senator Kokubun.

No. 130 “SENATE RESOLUTION CREATING AN ADVISORY BOARD AND PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM.”

Offered by: Senator Chun Oakland.

#### ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, March 17, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-SECOND DAY

Thursday, March 17, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bob Nakata, Kahaluu 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 Thirty-First Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 426 to 428) were read by the Clerk and were placed on file:

Gov. Msg. No. 426, letter dated March 9, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$4,140,000, pursuant to Act 200, Section 129, SLH 2003, as amended by Act 41, SLH 2004.

Gov. Msg. No. 427, letter dated March 9, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$1,092,500, pursuant to Act 200, Section 129, SLH 2003, as amended by Act 41, SLH 2004.

Gov. Msg. No. 428, dated March 10, 2005, transmitting the Employees' Retirement System's Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2004.

## STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1024) recommending that H.B. No. 1206, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1206, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1025) recommending that H.B. No. 465, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 465, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1026) recommending that H.B. No. 1387 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No.

1387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE CIVIL DEFENSE POSITIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1027) recommending that the Senate advise and consent to the nominations to the Procurement Policy Board of the following:

GREG KING, in accordance with Gov. Msg. No. 247; and

RICHARD G. TOTTEN, in accordance with Gov. Msg. No. 248.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1027 and Gov. Msg. Nos. 247 and 248 was deferred until Friday, March 18, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1028) recommending that the Senate advise and consent to the nominations to the Wireless Enhanced 911 Board of the following:

PAUL K. FERREIRA, in accordance with Gov. Msg. No. 294;

ROY K. IREI, in accordance with Gov. Msg. No. 296;

JOHN PETER JAEGER, in accordance with Gov. Msg. No. 297;

JOEL K. MATSUNAGA, in accordance with Gov. Msg. No. 298;

MILTON M. MATSUOKA, in accordance with Gov. Msg. No. 299;

RICHIE NAKASHIMA, in accordance with Gov. Msg. No. 300;

DEXTER TAKASHIMA, in accordance with Gov. Msg. No. 301; and

JEFF YAMANE, in accordance with Gov. Msg. No. 302.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1028 and Gov. Msg. Nos. 294, 296, 297, 298, 299, 300, 301 and 302 was deferred until Friday, March 18, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1029) recommending that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

HOWARD KONG KAM JR., in accordance with Gov. Msg. No. 124; and

RANDALL T. KAYA, in accordance with Gov. Msg. No. 125.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1029 and Gov. Msg. Nos. 124 and 125 was deferred until Friday, March 18, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1030) recommending that the Senate advise and consent to the nominations to the Board of Acupuncture of the following:

KWANG CHAI, in accordance with Gov. Msg. No. 126; and

ANDREW L. PEPPER, in accordance with Gov. Msg. No. 127.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1030 and Gov. Msg. Nos. 126 and 127 was deferred until Friday, March 18, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1031) recommending that the Senate advise and consent to the nominations to the State Board of Barbering and Cosmetology of the following:

HEIDI M. K. FOWLER, in accordance with Gov. Msg. No. 134; and

CARLA M. MORIOKA, in accordance with Gov. Msg. No. 135.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1031 and Gov. Msg. Nos. 134 and 135 was deferred until Friday, March 18, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1032) recommending that the Senate advise and consent to the nomination of GAY PORTER to the Cable Advisory Committee, in accordance with Gov. Msg. No. 136.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1032 and Gov. Msg. No. 136 was deferred until Friday, March 18, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1033) recommending that the Senate advise and consent to the nomination of NICHOLAS G. OPIE DC to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 137.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1033 and Gov. Msg. No. 137 was deferred until Friday, March 18, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1034) recommending that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs of the following:

BERNADETTE GRUZINSKY, in accordance with Gov. Msg. No. 152;

JOHN R. HOFF, in accordance with Gov. Msg. No. 153;

JULIE JOW, in accordance with Gov. Msg. No. 154;

HAROLD K. KOZUMA, in accordance with Gov. Msg. No. 155;

DONALD K. MATSUI, in accordance with Gov. Msg. No. 156;

SANDRA S. RONGITSCH, in accordance with Gov. Msg. No. 157;

RUTH S. STEPULIS, in accordance with Gov. Msg. No. 158;

DIANE M. STOWELL, in accordance with Gov. Msg. No. 159; and

KEN TAKEUCHI, in accordance with Gov. Msg. No. 160.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1034 and Gov. Msg. Nos. 152, 153, 154, 155, 156, 157, 158, 159 and 160 was deferred until Friday, March 18, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1035) recommending that the Senate advise and consent to the nomination of ROBERT L. SIMMONS MD to the Medical Advisory Board, in accordance with Gov. Msg. No. 203.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1035 and Gov. Msg. No. 203 was deferred until Friday, March 18, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1036) recommending that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

WILLIAM LINDEMANN, in accordance with Gov. Msg. No. 286;

KUUHAKU PARK, in accordance with Gov. Msg. No. 287; and

GAIL YUH, in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1036 and Gov. Msg. Nos. 286, 287 and 288 was deferred until Friday, March 18, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1037) recommending that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

DIANE M. IRONS, in accordance with Gov. Msg. No. 161;

STUART DAVID LERNER M.D., in accordance with Gov. Msg. No. 162;

IAN T. SANTEE, in accordance with Gov. Msg. No. 163;

WILLIAM T. WATKINS JR., in accordance with Gov. Msg. No. 164; and

MILLICENT WELLINGTON, in accordance with Gov. Msg. No. 165.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1037 and Gov. Msg. Nos. 161, 162, 163, 164 and 165 was deferred until Friday, March 18, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1038) recommending that the Senate advise and consent to the nominations to the Board of Health of the following:

MAILE BURKE MPA, in accordance with Gov. Msg. No. 181;

JASON E. MADDOCK PHD, in accordance with Gov. Msg. No. 182; and

ROGER B. MCKEAGUE, in accordance with Gov. Msg. No. 183.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1038 and Gov. Msg. Nos. 181, 182 and 183 was deferred until Friday, March 18, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1039) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawaii Health Systems Corporation of the following:

ROSANNE C. HARRIGAN EDD, in accordance with Gov. Msg. No. 184;

SAMUEL DWIGHT LYONS MD, in accordance with Gov. Msg. No. 185;

CAROL MYRIANTHIS RPT, PSYD, in accordance with Gov. Msg. No. 186;

BRIAN K. NAKASHIMA, in accordance with Gov. Msg. No. 187;

TYLER SMITH, in accordance with Gov. Msg. No. 188; and

ROBERT VALENCIA SR., in accordance with Gov. Msg. No. 189.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1039 and Gov. Msg. Nos. 184, 185, 186, 187, 188 and 189 was deferred until Friday, March 18, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1040) recommending that H.B. No. 555 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 555, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," 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 11:58 o'clock a.m.

**ORDER OF THE DAY**

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1019 (Gov. Msg. No. 119):

By unanimous consent, action on Stand. Com. Rep. No. 1019 and Gov. Msg. No. 119 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1020 (Gov. Msg. No. 143):

By unanimous consent, action on Stand. Com. Rep. No. 1020 and Gov. Msg. No. 143 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1021 (Gov. Msg. No. 251):

By unanimous consent, action on Stand. Com. Rep. No. 1021 and Gov. Msg. No. 251 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1022 (Gov. Msg. Nos. 252 and 253):

By unanimous consent, action on Stand. Com. Rep. No. 1022 and Gov. Msg. Nos. 252 and 253 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1023 (Gov. Msg. Nos. 254 and 255):

By unanimous consent, action on Stand. Com. Rep. No. 1023 and Gov. Msg. Nos. 254 and 255 was deferred until Thursday, March 24, 2005.

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 85, H.D. 2	Committee on Transportation and Government Operations, then to the Committee on Water, Land, and Agriculture
No. 98, H.D. 2	Committee on Water, Land, and Agriculture
No. 109, H.D. 1	Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs
No. 1303, H.D. 2	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1393, H.D. 2	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1413, H.D. 1	Committee on Judiciary and Hawaiian Affairs
No. 1731, H.D. 2	Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

Senator Kim rose on a point of personal privilege as follows:

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

"Mr. President, last night at the Kalihi/Palama neighborhood board meeting, of which I was not in attendance because we were at another function, my staff person took some copious notes, and I'd like to raise this because some erroneous statements were made at the neighborhood board meeting by a staff member of the good Senator from Waikiki. At that meeting, this staff person stood up and said that the Senator wished to convey this: If Legislators ask for a raise, do not believe them. Legislators are not underpaid. They work only three months – March, April, May. If you divide their salary by that amount of days, they make \$1,000 an hour. Senate Chambers are basically ceremonial. In Sessions, decisions are done in Committee and that the Senator from Waikiki has the record for the most 'no' votes – 106 votes. The reason for that is that there is a contest for who can spend your tax dollars the fastest. And then she goes on to talk about the Chair of the

Education Committee, the Chair of the WAM Committee, and the Chair of the Labor Committee, and I'm not going to go into those.

"Mr. President, the point of this matter is that if this staff person would like to represent that her Senator only works March, April and May, then she should do so, but certainly not the rest of us. Clearly, Mr. President, I work all year long, and from the months of December to June, I can honestly say I work overtime. And I'm sure many members on this Floor do the same. If the Senator from Waikiki makes \$1,000 an hour, then by all means we should look into this.

"Also, if in fact the Senate Chambers are basically ceremonial, Mr. President, I ask what is this 12 to 12 vote that we recently took? Was that ceremonial? And if it is ceremonial, then perhaps the Senator shouldn't stand up and vote 106 times 'no,' because after all, it's just ceremonial. And perhaps the Senator shouldn't stand up and speak 60 times. And yes, we can all stand up and speak as many times as we want on this Floor, but if every one of us stood up and spoke 60 times, if we even spoke for just one minute, 24 of us, then we'd be here for 24 hours, Mr. President, and that doesn't even include you speaking.

"So I would ask in the future that staff – STAFF – would be educated and advise us to what's going on and when they speak at these meetings that they speak on their behalf and their Senator's behalf and not on the behalf of the rest of us.

"Thank you."

Senator Hanabusa rose at this time and said:

"Mr. President, since we're somewhat correcting the record, I feel compelled to stand and say that the good Senator from Kahuku to my right misspoke about my birthday, though I do appreciate his good wishes yesterday. Being the somewhat suspicious person that I am, I figured out, Mr. President, that there was a purpose, and sure enough there was. Monday was the good Senator from Kahuku's birthday and none of us recognized it. So I would like to say that it was probably his way of telegraphing to us that we do not forget his birthday or he's going to stand up and say that everybody else's birthday is around the same time. (Laughter.)

"Mr. President, on all of our behalves I'd like to wish the good Senator a belated happy birthday and to ask him to stop saying happy birthday to everybody because we've now recognized his day. Thank you very much Mr. President."

#### ADJOURNMENT

At 12:03 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 18, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate



## THIRTY-THIRD DAY

## Friday, March 18, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Pikake Pelekai, Ka Makua Mau Loa 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-Second Day.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

## STANDING COMMITTEE REPORT

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1041) recommending that the Senate consent to the nomination of KATHLEEN N.A. WATANABE to the office of Judge, Circuit Court of the Fifth Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 377.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1041 and Gov. Msg. No. 377 was deferred until Monday, March 21, 2005.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1027 (Gov. Msg. Nos. 247 and 248):

By unanimous consent, action on Stand. Com. Rep. No. 1027 and Gov. Msg. Nos. 247 and 248 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1028 (Gov. Msg. Nos. 294, 296, 297, 298, 299, 300, 301 and 302):

By unanimous consent, action on Stand. Com. Rep. No. 1028 and Gov. Msg. Nos. 294, 296, 297, 298, 299, 300, 301 and 302 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1029 (Gov. Msg. Nos. 124 and 125):

By unanimous consent, action on Stand. Com. Rep. No. 1029 and Gov. Msg. Nos. 124 and 125 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1030 (Gov. Msg. Nos. 126 and 127):

By unanimous consent, action on Stand. Com. Rep. No. 1030 and Gov. Msg. Nos. 126 and 127 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1031 (Gov. Msg. Nos. 134 and 135):

By unanimous consent, action on Stand. Com. Rep. No. 1031 and Gov. Msg. Nos. 134 and 135 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1032 (Gov. Msg. No. 136):

By unanimous consent, action on Stand. Com. Rep. No. 1032 and Gov. Msg. No. 136 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1033 (Gov. Msg. No. 137):

By unanimous consent, action on Stand. Com. Rep. No. 1033 and Gov. Msg. No. 137 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1034 (Gov. Msg. Nos. 152, 153, 154, 155, 156, 157, 158, 159 and 160):

By unanimous consent, action on Stand. Com. Rep. No. 1034 and Gov. Msg. Nos. 152, 153, 154, 155, 156, 157, 158, 159 and 160 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1035 (Gov. Msg. No. 203):

By unanimous consent, action on Stand. Com. Rep. No. 1035 and Gov. Msg. No. 203 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1036 (Gov. Msg. Nos. 286, 287 and 288):

By unanimous consent, action on Stand. Com. Rep. No. 1036 and Gov. Msg. Nos. 286, 287 and 288 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1037 (Gov. Msg. Nos. 161, 162, 163, 164 and 165):

By unanimous consent, action on Stand. Com. Rep. No. 1037 and Gov. Msg. Nos. 161, 162, 163, 164 and 165 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1038 (Gov. Msg. Nos. 181, 182 and 183):

By unanimous consent, action on Stand. Com. Rep. No. 1038 and Gov. Msg. Nos. 181, 182 and 183 was deferred until Thursday, March 24, 2005.

Stand. Com. Rep. No. 1039 (Gov. Msg. Nos. 184, 185, 186, 187, 188 and 189):

By unanimous consent, action on Stand. Com. Rep. No. 1039 and Gov. Msg. Nos. 184, 185, 186, 187, 188 and 189 was deferred until Thursday, March 24, 2005.

## ADJOURNMENT

At 12:13 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 21, 2005.

## THIRTY-FOURTH DAY

Monday, March 21, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Fred Hemmings, 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 Thirty-Third Day.

At 11:53 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.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1041 (Gov. Msg. No. 377):

Senator Hanabusa moved that Stand. Com. Rep. No. 1041 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of KATHLEEN N.A. WATANABE to the office of Judge, Circuit Court of the Fifth Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Hee.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I stand in support of Gov. Msg. No. 377, Kathleen Watanabe, for a term of ten years in the Circuit Court of the Fifth Circuit.

"Mr. President, members, Kathleen Watanabe is not a stranger to any of us. Let me give you some of her background. She has a Bachelor's of Art degree from the University of Puget Sound and her Juris Doctorate from the William S. Richardson School of Law. She's been licensed to practice law in Hawaii since 1982. In that time she served as the deputy county attorney and the county attorney for the Kauai County. Subsequent to that she went into private practice and she also served for four years as a per diem judge in the fifth circuit. During that time she basically presided over traffic, criminal, civil, juvenile and family court cases, then Kathleen Watanabe and her husband made a decision and that is when their two daughters, Puanani and Lehua, made the decision to attend Kamehameha Schools. Kathleen and her husband basically moved to the island of Oahu to be near their two daughters. At that time, she became a deputy attorney general.

"When I first met her was when she was in charge of the individual claims unit within the Attorney General's Office. Many of us know her now as the director of DHRD for Governor Lingle.

"Kathleen Watanabe was rated qualified by the Hawaii State Bar Association and I'd like to add that to her credit she said she was very pleased to receive the qualified rating. And the

reason why is because Kathleen admitted up front that she did not have trial experience, albeit civil or criminal. However, she explained that because of her four years as a per diem judge, she believed that she had the necessary experience, albeit not as a trial attorney, to preside over the various types of cases.

"One of the things that Kathleen said is that she has always tried in her legal career to get to the point of developing that trial experience. But what has somewhat stood in her way, which is really a compliment in and of itself, is that she's always been tapped for supervisory type positions even if she specifically asked not to be a supervisor because she wants that in-the-trenches kind of experience.

"Kauai court, Mr. President, is a very different kind of animal. It has the whole gamut. It has one circuit court judge, basically, and we all know him. It's of course Spike who runs that court with an iron hand. Even the members of the judiciary basically defer to Spike and he does what he wants to do. Kathleen is going to be a nice addition to that because she'll be the balancing factor.

"What I would like to say about her is that she made a very interesting comment. And it's these kinds of comments that leave an impression, especially to your Chair. She said the one thing that she appreciates more than anything else is her husband and her two daughters because they will keep her very well grounded. And on Kauai that's probably very necessary – to keep her well grounded and solid because of the total gamut of cases that she'd have to deal with.

"She shared one story that I thought was one of the nicest things that I'd ever heard. She said that she has wanted to be a judge for such a long time, so much so that her daughter Lehua, when she was a lot younger, wrote a letter to Santa Claus and told Santa Claus, 'I don't want anything, Santa, but please, please give my mommy a judgeship because that's what she really wants.' So, along the lines of the editorial that appeared in the New York Sun in 1897, of course the quote there was 'Yes, Virginia, there is a Santa Claus,' we'd like to all say, 'Yes, Lehua, there is a Santa Claus.'

"Mr. President, members, there were some questions as to why Kathleen Watanabe's nomination is on the Floor today. It is because she specifically requested that those two girls be in attendance here with her because it's clearly something that they have stood by their mother and wanted to see this happen. So, Mr. President, I ask you and my colleagues to join me in voting for the confirmation of Kathleen Watanabe.

"Thank you very much."

Senator Slom rose in support and stated:

"Mr. President, on behalf of your Senate Minority, we would like to add our support for Kathleen Watanabe.

"She'll make an excellent judge. While she may be lacking in trial experience, she certainly is not lacking in life experience. She's had the ability to respond to the call for her leadership ability and her skills and her background, and she has exercised them ably.

"We know her for her preparation, for her fine and positive demeanor, and now we learn about her priorities. She certainly has her priorities right with her family, her daughters and her husband. We're very happy – I don't know whether it was Santa Claus or not and some people always look to this

Legislative Body as being Santa Claus to give them their every wish – but I'm very happy that we are in fact able to provide the judgeship because she is going to provide the important leadership and the positive decisions that we all need in Hawaii.

"So, we wish her and her family well and we're very happy to add our support. Thank you Mr. President."

Senator Hooser rose to support the nominee and said:

"Mr. President, I rise in support of Gov. Msg. No. 377.

"Mr. President, colleagues, some of the earlier comments I won't reiterate. In looking at the nominee's background, I have to say that I chose to look prior to the receipt of the law degree. And what I saw there reiterates and supports the reason that I believe Kathleen Watanabe will make a great judge.

"Prior to going to law school she was a social worker with the Department of Health providing recreational therapy to mentally retarded adult populations on Kauai. She was also a guidance counselor providing guidance and counseling to at-risk Hawaiian youth and provided home tutoring to pregnant and alienated high school students.

"Mr. President and colleagues, as the Senator representing district 7, comprising all of Kauai and Niihau, it gives me great pleasure to speak in support of the appointment of Kathleen Watanabe to the Circuit Court of the Fifth Circuit. After all, Ms. Watanabe is a Kauai girl. She's a graduate of Kapaa High School and she has done her school and her island proud. The Garden Isle Newspaper wrote, 'Serving on the bench of the Fifth Circuit Court would make Kathleen Watanabe an excellent role model for students attending public high school on Kauai. She has made it in the big city off island, and is now poised to take on one of the most prominent and important civic roles on Kauai.'

"Kathleen Watanabe knows Kauai and its people. In 1992 she was recognized by the American Bar Association for outstanding legal performance in response to hurricane Iniki. Kathleen Watanabe has practiced law for over 20 years and served as District Court Fifth Circuit per diem judge on Kauai for four of those years.

"Former Attorney General Margery Bronster states, 'Ms. Watanabe has expansive legal knowledge and experience. She has the temperament, objectivity, and compassion necessary to be a judge. The community will be well served by the judicial appointment of Ms. Watanabe.' Temperament and character are the words I hear over and over again; both are attributes for any judge and certainly the attributes of Kathleen Watanabe.

"Another former Attorney General Earl Anzai states, 'I have no doubt that Ms. Watanabe has the legal background to serve as a Circuit Court Judge. Moreover, her people skills will make her the people's judge of Kauai.'

"My friends in the legal profession and those who I know as former judges tell me that temperament is everything. Former Governor Cayetano says, 'I believe Ms. Watanabe is a person of high integrity and possesses a judicial temperament which is so important in assuring those who appear in court that they will be treated fairly and with respect under the law.'

"The people who know Ms. Watanabe best are the people from Kauai, Kauai people, people such as retired Kauai Judge Gerald Matsunaga who says, 'I supported her earlier appointment based on her intelligence, her competence, humble and polite demeanor, and her unquestionable character.' Other Kauai residents, a mutual friend, Bobby Kubota, who runs and

owns Pono Market says, 'Her early family life was not always easy. But through it all, Kathleen stayed on course. She was always a leader while showing compassion to her fellow classmates. Knowing where Kathleen came from, I'm proud of what she has accomplished. I truly believe she is the right candidate for a judgeship.'

"Former State Representative Al Lardizabal states, 'What Kathleen Watanabe possesses is judicial temperament, character and qualities befitting a judge in the Fifth Circuit Court. Another very telling letter states, 'Throughout much of her childhood years she endured a great deal of personal adversity. She was raised in a single parent home with multiple siblings and limited resources. Despite the many inherent challenges that she faced, she persevered never to lose sight of her goals and her aspirations,' Henry Hashimoto, a community member.

"In conclusion, Mr. President and colleagues, I will quote the words as if they were my own from former Mayor and present Councilwoman Joanne Yukimura who says simply, 'We on Kauai are very proud of Ms. Watanabe and her accomplishments. I know that Mrs. Watanabe will serve the state well as the fifth circuit court judge.'

"Mr. President and colleagues, please join me in consenting and confirming Ms. Kathleen Watanabe as circuit court judge in the fifth circuit.

"Thank you, Mr. President."

Senator Kanno rose to speak in support as follows:

"Mr. President, I rise in support of the nominee.

"Mr. President, I've had the opportunity to work with the nominee for the past two years in her capacity as Director of the State Department of Human Resources Development. She has done an excellent job. She's bright, articulate, and brings with her a special ability to work on difficult issues by treating all parties with respect and bringing a commitment to find a common ground.

"I have an example of her commitment and dedication to her work. She has worked out with the Chief Justice an arrangement to allow her to continue in her position as DHRD director until the end of Session. I very much want to thank her for her staying through the end of Session to finish the important work at hand.

"I very much appreciate having had the opportunity to work with her. I know that she'll do an excellent job as a circuit court judge. I urge my colleagues to support the nominee. 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 (Sakamoto).

At this time, Senator Hanabusa introduced Judge Watanabe to the members of the Senate. (Judge Watanabe, who was seated in the gallery with members of her family, rose to be recognized.)

At 12:15 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.

**RE-REFERRAL OF HOUSE BILL**

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

House Bill                      Referred to:

No. 1017, H.D. 3      Committee on Energy, Environment, and International Affairs, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 395.

Senator Baker noted:

“Mr. President, this bill conforms the law to a recent Hawaii Supreme Court decision by amending the Patients’ Bill of Rights external review procedure under which patients may appeal a managed care plan’s final internal decision denying coverage of a health intervention.

“Your Senate Committee on Health heard a Senate companion of this bill and crossed it over to the House. We understand that measure is dead and we would like to use this as a means to address this issue.”

The Chair then granted the waiver.

Senator Kokubun, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. Nos. 128 and 852.

Senator Kokubun noted:

“Mr. President, H.B. No. 128, H.D. 2, requires DLNR to negotiate beach services concessions with qualified Hawaiian beachboys under specified criteria.

“H.B. No. 852, H.D. 2, exempts proceedings of the Public Utilities Commission from automatic permit approval provisions.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 12:24 o’clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Tuesday, March 22, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-FIFTH DAY

Tuesday, March 22, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Susan Hewitt, Baha'is of Koolaupoko, after which the Roll was called showing all Senators present with the exception of Senator Kim who was excused.

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

At 11:50 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.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 429 to 431) were read by the Clerk and were placed on file:

Gov. Msg. No. 429, dated March 14, 2005, transmitting the Correctional Industries' Annual Report for Fiscal Year Ending June 30, 2004, prepared by the Department of Public Safety, Correctional Industries Division, pursuant to Section 343D-3.5, HRS.

Gov. Msg. No. 430, letter dated March 17, 2005, notifying the Senate that she has approved an amended request for the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Agriculture in the increased amended amount of \$40,000.

Gov. Msg. No. 431, letter dated March 23, 2005, notifying the Senate that she has approved the transfer of general funds from HMS 230 to HMS 603 in the amount of \$4,800,000, to "up-front" Medicaid waiver provider payments with general funds due to an unexpected delay in the receipt of federal reimbursements.

## STANDING COMMITTEE REPORTS

Senators Sakamoto and Chun Oakland, for the Committee on Education and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1042) recommending that H.B. No. 222, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 222, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1043) recommending that H.B. No. 88, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 88, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CELLULAR PHONES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1044) recommending that H.B. No. 150, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 150, H.D. 2, 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 Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1045), recommending that S.C.R. No. 27, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE EXISTING TRAFFIC CONDITIONS IN THE SOUTH KONA AREA OF HAWAII AND PREPARE A TRAFFIC SOLUTION PLAN TO MINIMIZE EXISTING AND FUTURE TRAFFIC PROBLEMS," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1046) recommending that S.C.R. No. 48 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1046 and S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was deferred until Wednesday, March 23, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1047) recommending that H.B. No. 683, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 683, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," 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. 1118 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO NURSES," 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. 1049) recommending that H.B. No. 332, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 332, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS," 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. 1050) recommending that H.B. No. 1459, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1459, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 1657, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1052) recommending that S.R. No. 25 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1052 and S.R. No. 25, entitled: "SENATE RESOLUTION COMMEMORATING THE CENTENNIAL OF MAUI COUNTY," was deferred until Wednesday, March 23, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1053) recommending that H.B. No. 1152, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 89, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 89, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FOR THE PORT OF HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 925, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 925, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF BUILDING A MOTOR VEHICLE AND RAILWAY TUNNEL UNDER HONOLULU HARBOR," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Monday, March 14, 2005; Tuesday, March 15, 2005; and Wednesday, March 16, 2005:

- |                                    |   |
|------------------------------------|---|
| Senate<br>Concurrent<br>Resolution | Referred to:  |
| No. 80                             | Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs  |
| No. 81                             | Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health                                   |
| No. 82                             | Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs                              |
| No. 83                             | Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology |
| No. 84                             | Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology              |
| No. 85                             | Committee on Education and Military Affairs   |
| No. 86                             | Jointly to the Committee on Higher Education and the Committee on Media, Arts, Science and Technology                               |
| No. 87                             | Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means  |
| No. 88                             | Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs  |
| No. 89                             | Jointly to the Committee on Education and Military Affairs and the Committee on Health  |
| No. 90                             | Committee on Education and Military Affairs   |

- No. 91 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 92 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 93 Committee on Health, then to the Committee on Ways and Means
- No. 94 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
- No. 95 Committee on Human Services
- No. 96 Jointly to the Committee on Transportation and Government Operations, the Committee on Human Services and the Committee on Intergovernmental Affairs
- No. 97 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing
- No. 98 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Health
- No. 99 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor
- No. 100 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 101 Jointly to the Committee on Education and Military Affairs and the Committee on Labor
- No. 102 Committee on Commerce, Consumer Protection and Housing
- No. 103 Committee on Commerce, Consumer Protection and Housing
- No. 104 Jointly to the Committee on Education and Military Affairs, the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs
- No. 105 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs
- No. 106 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 107 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
- No. 108 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture
- No. 109 Committee on Health
- No. 110 Jointly to the Committee on Health and the Committee on Transportation and Government Operations
- No. 111 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 112 Jointly to the Committee on Labor and the Committee on Business and Economic Development
- No. 113 Committee on Health, then to the Committee on Ways and Means
- No. 114 Committee on Commerce, Consumer Protection and Housing
- No. 115 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 116 Committee on Education and Military Affairs
- No. 117 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 118 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 119 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 120 Jointly to the Committee on Labor and the Committee on Tourism, then to the Committee on Ways and Means
- No. 121 Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education
- No. 122 Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education
- No. 123 Committee on Health, then to the Committee on Ways and Means
- No. 124 Jointly to the Committee on Higher Education and the Committee on Education and Military Affairs
- No. 125 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
- No. 126 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 127 Jointly to the Committee on Human Services, the Committee on Health and the Committee on Education and Military Affairs
- No. 128 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services
- No. 129 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 130 Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs

- No. 131 Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 132 Committee on Health
- No. 133 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
- No. 134 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 135 Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs
- No. 136 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 137 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development
- No. 138 Committee on Water, Land, and Agriculture
- No. 139 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means
- No. 140 Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 141 Committee on Judiciary and Hawaiian Affairs
- No. 142 Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs
- No. 143 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 144 Committee on Commerce, Consumer Protection and Housing
- No. 145 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 146 Committee on Human Services, then to the Committee on Ways and Means
- No. 147 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 148 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 149 Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
- No. 150 Committee on Judiciary and Hawaiian Affairs
- No. 151 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Education and Military Affairs
- No. 152 Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 153 Jointly to the Committee on Education and Military Affairs, the Committee on Labor and the Committee on Intergovernmental Affairs
- No. 154 Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 155 Jointly to the Committee on Business and Economic Development and the Committee on Tourism
- No. 156 Jointly to the Committee on Judiciary and Hawaiian Affairs, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 157 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 158 Committee on Transportation and Government Operations
- No. 159 Committee on Transportation and Government Operations
- No. 160 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Tourism
- No. 161 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 162 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 163 Committee on Labor, then to the Committee on Ways and Means
- No. 164 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 165 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 166 Jointly to the Committee on Higher Education and the Committee on Water, Land, and Agriculture
- No. 167 Committee on Commerce, Consumer Protection and Housing
- No. 168 Jointly to the Committee on Human Services and the Committee on Health
- No. 169 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs
- No. 170 Committee on Human Services, then to the Committee on Ways and Means
- No. 171 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
- No. 172 Jointly to the Committee on Higher Education and the Committee on Education and Military Affairs



No. 173	Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs	No. 194	Committee on Judiciary and Hawaiian Affairs
No. 174	Committee on Higher Education	No. 195	Jointly to the Committee on Health and the Committee on Human Services
No. 175	Committee on Higher Education, then to the Committee on Ways and Means	No. 196	Jointly to the Committee on Health and the Committee on Intergovernmental Affairs
No. 176	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs	No. 197	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 177	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs	No. 198	Committee on Judiciary and Hawaiian Affairs
No. 178	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs	No. 199	Committee on Health, then to the Committee on Ways and Means
No. 179	Committee on Higher Education, then to the Committee on Ways and Means	No. 200	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 180	Committee on Higher Education, then to the Committee on Ways and Means	No. 201	Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
No. 181	Jointly to the Committee on Higher Education and the Committee on Human Services, then to the Committee on Ways and Means	No. 202	Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs
No. 182	Jointly to the Committee on Tourism and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs	No. 203	Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
No. 183	Jointly to the Committee on Business and Economic Development, the Committee on Labor and the Committee on Higher Education	No. 204	Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs
No. 184	Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education	No. 205	Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs
No. 185	Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs	No. 206	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Higher Education, then to the Committee on Ways and Means
No. 186	Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs	No. 207	Committee on Water, Land, and Agriculture
No. 187	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing	No. 208	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development
No. 188	Committee on Education and Military Affairs	No. 209	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 189	Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology	No. 210	Jointly to the Committee on Judiciary and Hawaiian Affairs, the Committee on Labor and the Committee on Intergovernmental Affairs
No. 190	Jointly to the Committee on Education and Military Affairs, the Committee on Media, Arts, Science and Technology and the Committee on Tourism	No. 211	Committee on Business and Economic Development, then to the Committee on Ways and Means
No. 191	Committee on Education and Military Affairs	No. 212	Committee on Judiciary and Hawaiian Affairs
No. 192	Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs	No. 213	Jointly to the Committee on Water, Land, and Agriculture, the Committee on Health and the Committee on Intergovernmental Affairs
No. 193	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means		

- No. 214 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 215 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 216 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 217 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 218 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 219 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs
- No. 220 Committee on Higher Education, then to the Committee on Ways and Means
- No. 221 Committee on Transportation and Government Operations
- No. 222 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 223 Committee on Health, then to the Committee on Energy, Environment, and International Affairs
- No. 224 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture
- No. 225 Jointly to the Committee on Transportation and Government Operations and the Committee on Labor
- No. 226 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 227 Jointly to the Committee on Human Services and the Committee on Health
- No. 228 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Monday, March 14, 2005; Tuesday, March 15, 2005; and Wednesday, March 16, 2005:

- Senate Resolution Referred to:
- No. 43 Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs
  - No. 44 Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs
  - No. 45 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Media, Arts, Science and Technology

- No. 46 Jointly to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology
- No. 47 Committee on Education and Military Affairs
- No. 48 Jointly to the Committee on Higher Education and the Committee on Media, Arts, Science and Technology
- No. 49 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 50 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 51 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 52 Committee on Health, then to the Committee on Ways and Means
- No. 53 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
- No. 54 Committee on Commerce, Consumer Protection and Housing
- No. 55 Committee on Commerce, Consumer Protection and Housing
- No. 56 Jointly to the Committee on Education and Military Affairs, the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs
- No. 57 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs
- No. 58 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
- No. 59 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture
- No. 60 Jointly to the Committee on Health and the Committee on Transportation and Government Operations
- No. 61 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 62 Committee on Education and Military Affairs
- No. 63 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 64 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, then to the Committee on Ways and Means

- No. 65 Jointly to the Committee on Labor and the Committee on Tourism, then to the Committee on Ways and Means
- No. 66 Jointly to the Committee on Education and Military Affairs and the Committee on Higher Education
- No. 67 Committee on Health, then to the Committee on Ways and Means
- No. 68 Jointly to the Committee on Higher Education and the Committee on Education and Military Affairs
- No. 69 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
- No. 70 Committee on Human Services, then to the Committee on Judiciary and Hawaiian Affairs
- No. 71 Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs
- No. 72 Committee on Business and Economic Development, then to the Committee on Ways and Means
- No. 73 Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs
- No. 74 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 75 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development
- No. 76 Committee on Water, Land, and Agriculture
- No. 77 Jointly to the Committee on Education and Military Affairs and the Committee on Human Services, then to the Committee on Ways and Means
- No. 78 Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs
- No. 79 Committee on Judiciary and Hawaiian Affairs
- No. 80 Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs
- No. 81 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 82 Committee on Judiciary and Hawaiian Affairs
- No. 83 Committee on Transportation and Government Operations
- No. 84 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Education and Military Affairs
- No. 85 Jointly to the Committee on Education and Military Affairs, the Committee on Labor and the Committee on Intergovernmental Affairs
- No. 86 Jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 87 Jointly to the Committee on Business and Economic Development and the Committee on Tourism
- No. 88 Jointly to the Committee on Judiciary and Hawaiian Affairs, the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
- No. 89 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 90 Committee on Transportation and Government Operations
- No. 91 Committee on Transportation and Government Operations
- No. 92 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Tourism
- No. 93 Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
- No. 94 Committee on Education and Military Affairs, then to the Committee on Ways and Means
- No. 95 Committee on Labor, then to the Committee on Ways and Means
- No. 96 Committee on Transportation and Government Operations, then to the Committee on Ways and Means
- No. 97 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 98 Jointly to the Committee on Higher Education and the Committee on Water, Land, and Agriculture
- No. 99 Committee on Human Services, then to the Committee on Ways and Means
- No. 100 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Energy, Environment, and International Affairs
- No. 101 Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing
- No. 102 Committee on Education and Military Affairs
- No. 103 Committee on Education and Military Affairs
- No. 104 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs
- No. 105 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 106 Jointly to the Committee on Health and the Committee on Intergovernmental Affairs

No. 107 Committee on Judiciary and Hawaiian Affairs

No. 108 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs

No. 109 Committee on Energy, Environment, and International Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 110 Committee on Higher Education, then to the Committee on Judiciary and Hawaiian Affairs

No. 111 Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs

No. 112 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs

No. 113 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Higher Education, then to the Committee on Ways and Means

No. 114 Committee on Water, Land, and Agriculture

No. 115 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development

No. 116 Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means

No. 117 Jointly to the Committee on Judiciary and Hawaiian Affairs, the Committee on Labor and the Committee on Intergovernmental Affairs

No. 118 Committee on Labor, then to the Committee on Ways and Means

No. 119 Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 120 Committee on Judiciary and Hawaiian Affairs

No. 121 Jointly to the Committee on Water, Land, and Agriculture, the Committee on Health and the Committee on Intergovernmental Affairs

No. 122 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 123 Jointly to the Committee on Labor and the Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 124 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 125 Committee on Higher Education, then to the Committee on Ways and Means

No. 126 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 127 Committee on Transportation and Government Operations

No. 128 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 129 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture

No. 130 Jointly to the Committee on Human Services and the Committee on Health

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 155, H.D. 1 Jointly to the Committee on Tourism and the Committee on Commerce, Consumer Protection and Housing

No. 1305, H.D. 1 Committee on Labor, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

At 11:55 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.

Senator Taniguchi rose on a point of personal privilege as follows:

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

"I'd just note that on page 2 of the Order of the Day on Gov. Msg. No. 431 that the letter is dated for tomorrow. I just wanted to thank the Governor for giving us a heads up. Usually we have to wait a long time for these kinds of things and I just wanted to note that we appreciate her providing us early notification of this.

"Thank you."

Senator Hemmings rose on point of personal privilege and said:

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

"I would really like to also thank the Governor for looking to the future rather than living in the past."

Senator Hee rose on a point of personal privilege and stated:

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

"Taking off of the comment from the previous speaker, I look forward to a prospective nominee coming down for the vacancy on the board of regents.

"Thank you, Mr. President."

Senator Menor, Chair of the Committee on Commerce, Consumer Protection and Housing, requested a waiver of the

notice requirement pursuant to Senate Rule 21 for H.B. No. 784.

Senator Menor noted:

“Mr. President, this bill requires cable franchise fees paid in connection with the provision of cable service in the County of Maui to be distributed in thirds to Maui Community College and the DOE, the County of Maui, and Maui’s PEG access entity.

“The reason for this request was because it was recently brought to my attention that the Senate companion may be stalled on the House side and therefore we need to keep alive another vehicle for discussion purposes. Accordingly, I’m requesting this waiver.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 11:59 o’clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Wednesday, March 23, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-SIXTH DAY

## Wednesday, March 23, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:39 o'clock a.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 Thirty-Fifth Day.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 432 to 435) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 432, submitting for consideration and confirmation to the Board of Directors of the Aloha Tower Development Corporation, the nomination of MELISSA TEVES PAVLICEK, term to expire June 30, 2008, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 433, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of SARA BANKS, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 434, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), the nomination of ROY T. OGAWA, term to expire June 30, 2008, was referred to the Committee on Higher Education.

Gov. Msg. No. 435, submitting for consideration and confirmation to the Hawaii Workforce Development Council, the nomination of ELIAS T. BENIGA, term to expire June 30, 2008, was referred to the Committee on Labor.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 356 to 358) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 356, transmitting H.C.R. No. 62, which was adopted by the House of Representatives on March 22, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE GOVERNMENT AND THE PEOPLE OF THE REPUBLIC OF KIRIBATI IN THEIR EFFORTS TO ADDRESS WAR REPARATIONS," was deferred until Thursday, March 24, 2005.

Hse. Com. No. 357, returning S.B. No. 73, which passed Third Reading in the House of Representatives on March 22, 2005, was placed on file.

Hse. Com. No. 358, returning S.B. No. 119, S.D. 1, which passed Third Reading in the House of Representatives on March 22, 2005, 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. 1056) recommending that H.B. No. 390, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 390, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Kokubun, for the Committee on Transportation and Government Operations and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1057) recommending that H.B. No. 1556, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 165, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 165, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 168, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 168, 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.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 353, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No.

353, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 955, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 955, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1062) 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 Commerce, Consumer Protection and Housing.

On motion by Senator Hee, 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 AGRICULTURE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Fukunaga and Kokubun, for the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1063) recommending that H.B. No. 712, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 712, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1064) recommending that H.B. No. 906, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 906, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Kokubun, for the Committee on Media, Arts, Science and Technology and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1065) recommending that H.B. No. 1476, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1476, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye, Ige and Fukunaga, for the Committee on Transportation and Government Operations, the Committee on Intergovernmental Affairs and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1066) recommending that H.B. No. 515, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 515, 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 Monday, March 28, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1067) recommending that H.B. No. 250 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 250, 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. 1068) recommending that H.B. No. 251 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 251, 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. 1069) recommending that H.B. No. 252 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 252, 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. 1070) recommending that H.B. No. 253 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 253, 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. 1071) recommending that H.B. No. 254 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No.

254, 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. 1072) recommending that H.B. No. 255 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 255, 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. 1073) recommending that H.B. No. 256 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 256, 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. 1074) recommending that H.B. No. 257 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 257, 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. 1075) recommending that H.B. No. 258 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 258, 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. 1076) recommending that H.B. No. 259 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 259, 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. 1077) recommending that H.B. No. 260 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 260, 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. 1078) recommending that H.B. No. 261 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 261, 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. 1079) recommending that H.B. No. 262 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 262, 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. 1080) recommending that H.B. No. 263 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 263, 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.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 1528, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1528, H.D. 2, 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 Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 1594 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1594, 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. 1083) recommending that H.B.



No. 1595 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1595, 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. 1084) recommending that H.B. No. 1596 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1596, 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. 1085) recommending that H.B. No. 1597 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1597, 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. 1086) recommending that H.B. No. 1598 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1598, 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. 1087) recommending that H.B. No. 1599 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1599, 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 Baker and Ige, for the Committee on Health and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 1734, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1734, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 81 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 85, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Agriculture.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 85, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Water, Land, and Agriculture.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 437 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 438, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 438, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 502, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 502, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1094) recommending that H.B. No. 862, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 862, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1095) recommending that H.B. No. 919, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 919, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1096) recommending that H.B. No. 1309, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1309, H.D. 2, 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.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1097) recommending that H.B. No. 1469, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1469, H.D. 1, 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 Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1098) recommending that H.B. No. 1472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1472, 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 Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1099) recommending that H.B. No. 1645, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1645, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT," passed

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

Senators Fukunaga and Menor, for the Committee on Media, Arts, Science and Technology and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1100) recommending that H.B. No. 164, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1101) recommending that H.B. No. 283, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 283, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," 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. 1102) recommending that H.B. No. 633, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 633, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," 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. 1103) recommending that H.B. No. 863, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 863, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," 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. 1104) recommending that H.B. No. 769, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 769, H.D. 3, 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 Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1105) recommending that H.B. No. 1554, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1554, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," 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. 1106) recommending that H.B. No. 582, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1107) recommending that H.B. No. 162, H.D. 2, pass Second Reading and be referred jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 162, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred jointly to the Committee on Transportation and Government Operations and the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1108) recommending that H.B. No. 416, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Agriculture.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 416, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Water, Land, and Agriculture.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1109) recommending that H.B. No. 912, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 912, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1110) recommending that H.B. No. 79 pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 79, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1111) recommending that H.B. No. 938, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 938, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," 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. 1112) recommending that H.B. No. 1530, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1530, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," 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. 1113) recommending that H.B. No. 325, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," 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. 1114) recommending that H.B. No. 1773, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1773, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," 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. 1115) recommending that H.B. No. 632 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 632, 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. 1116) recommending that H.B. No. 631, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 631, H.D. 1, 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. 1117) recommending that H.B. No. 755, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 755, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," 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. 1118) recommending that H.B. No. 1318, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1318, H.D. 1, 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 Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1119) recommending that H.B. No. 1305, H.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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1305, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1120) 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 Hee, 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 EMPLOYMENT SECURITY," 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. 1121) recommending that H.B. No. 1548, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1548, H.D. 1, 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 majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1122) recommending that H.B. No. 1306, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1306, H.D. 1, S.D. 1, 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 majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1123) recommending that H.B. No. 338, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 338, H.D. 2, S.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 Committee on Labor, presented a report (Stand. Com. Rep. No. 1124) recommending that H.B. No. 1758, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1758, H.D. 1, S.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.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (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 Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1214, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1126) recommending that H.B. No. 171, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 171, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor,

presented a joint report (Stand. Com. Rep. No. 1127) recommending that H.B. No. 172, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 172, H.D. 2, 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.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1128) recommending that H.B. No. 295, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 295, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1129) recommending that H.B. No. 329, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 329, H.D. 1, 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 Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1130) recommending that H.B. No. 343, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 343, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEPARTMENT OF DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1131) recommending that H.B. No. 842 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 842, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1132) recommending that H.B. No. 1029, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1029, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF

DEFENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1133) recommending that H.B. No. 1555, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1134) recommending that H.B. No. 1605, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1605, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1135) recommending that H.B. No. 1606, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1606, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1136) recommending that H.B. No. 1728, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1728, 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.

Senators Baker and Inouye, for the Committee on Health and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1137) recommending that H.B. No. 516, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 516, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Inouye, for the Committee on Intergovernmental Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand.

Com. Rep. No. 1138) recommending that H.B. No. 78, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 2005.

Senator Ige, for the majority of the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1139) recommending that H.B. No. 429, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 429, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1140) recommending that H.B. No. 487, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 487, H.D. 1, 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.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1141) recommending that H.B. No. 551, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 551, H.D. 1, S.D. 1, 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 Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1142) recommending that H.B. No. 864 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 864, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," 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. 1143) recommending that S.C.R. No. 63 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1143 and S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF MAY AS MENTAL HEALTH AWARENESS MONTH," was deferred until Thursday, March 24, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1144), recommending that S.C.R. No. 59 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION URGING MEDICAID TO DEVELOP MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1145), recommending that S.R. No. 14, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 14, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE EXISTING TRAFFIC CONDITIONS IN THE SOUTH KONA AREA OF HAWAII AND PREPARE A TRAFFIC SOLUTION PLAN TO MINIMIZE EXISTING AND FUTURE TRAFFIC PROBLEMS," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1146) recommending that S.R. No. 23 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1146 and S.R. No. 23, entitled: "SENATE RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was deferred until Thursday, March 24, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1147) 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 Commerce, Consumer Protection and Housing.

On motion by Senator Hee, 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 NATUROPATHY," 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. 1148) recommending that H.B. No. 106, H.D. 3, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 106, H.D. 3, S.D. 1, 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 English and Kokubun, for the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, presented a joint

report (Stand. Com. Rep. No. 1149) recommending that H.B. No. 792, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 792, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Kokubun, for the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1150) recommending that H.B. No. 291, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 291, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEE ON PESTICIDES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 2005.

**ORDER OF THE DAY**

**ADOPTION OF RESOLUTIONS**

**MATTERS DEFERRED FROM  
TUESDAY, MARCH 22, 2005**

Stand. Com. Rep. No. 1046 (S.C.R. No. 48):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was adopted.

Stand. Com. Rep. No. 1052 (S.R. No. 25):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 25, entitled: "SENATE RESOLUTION COMMEMORATING THE CENTENNIAL OF MAUI COUNTY," was adopted.

Senator Hee, Chair of the Committee on Higher Education, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1280.

Senator Hee noted:

"Mr. President, this bill provides for the development and implementation of flood control strategies for the two most severely flood impacted watersheds in the state by the Center for Conservation and Research Training of the University of Hawaii.

"Mr. President, H.B. No. 1280, H.D. 1, was jointly heard by your Committees on Water, Land, and Agriculture and Higher Education yesterday afternoon. At the time the matter was heard, both WLA and HRE did not have a quorum. At that time, WLA had deferred their decision making to March 23<sup>rd</sup> at 1:30 p.m. It is the intent of both Chairs to advance the measure for the purpose of keeping discussion alive.

"Mr. President, there is no Senate companion, making this waiver all the more important."

The Chair then granted the waiver.

**ADJOURNMENT**

At 12:05 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 24, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-SEVENTH DAY

**Thursday, March 24, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Joe Manning, First Baptist Church of Pearl City, after which the Roll was called showing all Senators present with the exception of Senator Ige who was excused.

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

At 11:49 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.

## HOUSE COMMUNICATION

Hse. Com. No. 359, transmitting H.C.R. No. 77, H.D. 1, which was adopted by the House of Representatives on March 23, 2005, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 77, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO SUPPORT EXISTING FEDERALLY QUALIFIED HEALTH CENTERS AND TO IDENTIFY STATEWIDE SITES THAT WOULD BENEFIT FROM THE DEVELOPMENT OF MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE," was referred jointly to the Committee on Health and the Committee on Human Services.

## STANDING COMMITTEE REPORTS

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1151) recommending that H.B. No. 98, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 98, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHULUI HARBOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1152) recommending that H.B. No. 483, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 483, H.D. 1, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1153) recommending that H.B. No. 1200, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1200, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," 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 of the majority of the Committees (Stand. Com. Rep. No. 1154) recommending that H.B. No. 248, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 248, H.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.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1155) recommending that H.B. No. 359, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 359, H.D. 1, S.D. 1, 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 Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1156) recommending that H.B. No. 1390, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1390, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1157) recommending that H.B. No. 1590, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1590, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY," 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. 1158) recommending that H.B. No. 1745, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No.



1745, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," 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. 1159) recommending that H.B. No. 1763, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1763, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1160) recommending that H.B. No. 169, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 169, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 2005.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1161) recommending that H.B. No. 491, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1162) recommending that H.B. No. 954, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 954, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1163) recommending that H.B. No. 1201, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1201, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1164) recommending that H.B. No. 1202, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1202, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1165) recommending that H.B. No. 1237, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1237, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1166) recommending that H.B. No. 1238, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1238, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1167) recommending that H.B. No. 1278, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1278, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1168) recommending that H.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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1433, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1169) recommending that H.B. No. 1442, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1442, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1170) recommending that H.B. No. 1639, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1639, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1171) recommending that H.B. No. 1641, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1641, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and English, for the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1172) recommending that H.B. No. 1707, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1707, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," 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. 1173) recommending that H.B. No. 931, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 931, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," 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. 1174) recommending that H.B. No. 477, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 477, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," 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. 1175) recommending that H.B. No. 99, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 99, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," 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. 1176) recommending that H.B. No. 1542, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1542, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," 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. 1177) recommending that H.B. No. 180 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1178) recommending that H.B. No. 125, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 125, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1179) recommending that H.B. No. 1705, H.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1705, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Second Reading and was referred to

the Committee on Commerce, Consumer Protection and Housing.

Senators English, Menor and Inouye, for the Committee on Energy, Environment, and International Affairs, the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1180) recommending that H.B. No. 1015, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1015, H.D. 2, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1181) recommending that H.B. No. 20, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 20, S.D. 1, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1182) recommending that H.B. No. 1192, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1192, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LYON ARBORETUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Baker, for the Committee on Higher Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1183) recommending that H.B. No. 281, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 281, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Sakamoto, for the Committee on Higher Education and the Committee on Education and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1184) recommending that H.B. No. 1078, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1078, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1185) recommending that H.B. No. 1749, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1749, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1186) recommending that H.B. No. 1028, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1028, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII'S DISTANCE LEARNING PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Hanabusa, for the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1187) recommending that H.B. No. 1, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER 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. 1188) recommending that H.B. No. 505, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 505, H.D. 1, 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 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. 1189) recommending that H.B. No. 537, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 537, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION 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. 1190) recommending that H.B. No. 556, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS

ENHANCED 911,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Kanno, for the Committee on Health and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1191) recommending that H.B. No. 684, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 684, H.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS,” passed Second Reading and was referred to the Committee on Ways and Means.

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. 1192) recommending that H.B. No. 1304, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1304, 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.

Senators Ige and Hanabusa, for the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1193) recommending that H.B. No. 393, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 393, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE COUNTIES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Hanabusa, for the Committee on Intergovernmental Affairs and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1194) recommending that H.B. No. 1320, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1320, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY 911,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hee and Kanno, for the Committee on Higher Education and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1195) recommending that H.B. No. 5, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 5, H.D. 1, S.D. 1, 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 Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1196) recommending that H.B. No. 19, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 19, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Inouye, for the Committee on Education and Military Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1197) recommending that H.B. No. 10, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 10, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1198) recommending that H.B. No. 115, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 115, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1199) recommending that H.B. No. 758, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 758, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1200) recommending that H.B. No. 761, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 761, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FAMILY LEAVE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Baker, for the Committee on Education and Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1201) recommending that H.B. No. 1550, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1550, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kim and Kanno, for the Committee on Tourism and the Committee on Labor, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1202) recommending that H.B. No. 471, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 471, H.D. 2, S.D. 1, 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.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1203) recommending that H.B. No. 835, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 835, H.D. 2, 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. 1204) recommending that H.B. No. 997, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 997, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Espero, for the Committee on Tourism and the Committee on Business and Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1205) recommending that H.B. No. 998, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 998, H.D. 2, 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 Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1206) recommending that H.B. No. 266, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," 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. 1207) recommending that H.B. No. 1134, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1134, H.D. 2, 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 majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1208) recommending that H.B. No. 1608, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1608, H.D. 1, 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 English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1209) recommending that H.B. No. 606, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 606, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," 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. 1210) recommending that H.B. No. 278, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," 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. 1211) recommending that H.B. No. 384, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 384, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Ige, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1212)

recommending that H.B. No. 434 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 434, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS," 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. 1213) recommending that H.B. No. 447, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 447, H.D. 1, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1214) recommending that H.B. No. 466, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 466, H.D. 2, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1215) recommending that H.B. No. 497, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," 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. 1216) recommending that H.B. No. 1123, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1123, 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. 1217) recommending that H.B. No. 1393, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1393, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF

WOMEN," 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. 1218) recommending that H.B. No. 1737, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1737, H.D. 1, S.D. 1, 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. 1219) recommending that H.B. No. 1740, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1740, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," 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. 1220) recommending that H.B. No. 1750, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1750, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Kanno, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1221) recommending that H.B. No. 460, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 460, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1222) recommending that H.B. No. 1018, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1018, 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.

Senators English and Espero, for the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1223) recommending that H.B. No. 1784, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1784, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1224) recommending that H.B. No. 1723, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1723, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL INVESTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1225) recommending that H.B. No. 1033, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1033, H.D. 1, 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.

Senators Kokubun and Hee, for the Committee on Water, Land, and Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1226) recommending that H.B. No. 1280, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1280, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and Hee, for the Committee on Water, Land, and Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1227) recommending that H.B. No. 1360, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1360, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," 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. 1228) recommending that H.B. No. 488, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 488, 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. 1229) recommending that H.B. No. 1378, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1378, 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.

Senators Hanabusa and Baker, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1230) recommending that H.B. No. 1739, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1739, 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 Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1231) recommending that H.B. No. 1141, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Agriculture.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1141, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed Second Reading and was referred to the Committee on Water, Land, and Agriculture.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1232) recommending that H.B. No. 146, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 146, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," 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. 1233) recommending that H.B. No. 1060, H.D. 2, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No.

1060, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Senators Espero and Inouye, for the Committee on Business and Economic Development and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1234) recommending that H.B. No. 994, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 994, H.D. 2, 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 Kanno and Sakamoto, for the Committee on Labor and the Committee on Education and Military Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1235) recommending that H.B. No. 1614, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1614, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1236) recommending that H.B. No. 844, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 844, 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 and Military Affairs, presented a report (Stand. Com. Rep. No. 1237) recommending that H.B. No. 843, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 843, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker, Chun Oakland and Menor, for the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1238) recommending that H.B. No. 31, H.D. 2, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 31, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1239) recommending that H.B. No. 138, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 138, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOOKMOBILES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1240) recommending that H.B. No. 1583, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1583, H.D. 1, 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.

Senators English and Inouye, for the Committee on Energy, Environment, and International Affairs and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1241) 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 Hee, 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 CRUISE SHIPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1242) recommending that H.B. No. 1331, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1331, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1243) recommending that H.B. No. 1301, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1244) 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 Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1430, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1245) recommending that H.B. No. 1536, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1536, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1246) recommending that H.B. No. 408, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 408, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun 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. 1247) recommending that H.B. No. 1082, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1082, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1248) recommending that H.B. No. 328 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 328, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA," 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. 1249) recommending that H.B. No. 160, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 160, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO

THE COMPLIANCE RESOLUTION FUND," 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. 1250) recommending that H.B. No. 1721, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1721, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS," 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. 1251) 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 Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1217, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor, Hanabusa and Kokubun, for the Committee on Commerce, Consumer Protection and Housing, the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1252) recommending that H.B. No. 1731, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1731, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1253) recommending that H.B. No. 1295, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1295, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1254) recommending that H.B. No. 1132, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1132, 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.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1255)

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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1300, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1256) recommending that H.B. No. 1136, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1136, H.D. 3, 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. 1257) recommending that H.B. No. 140, 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 Hee, seconded by Senator Hogue 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 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. 1258) recommending that H.B. No. 244, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 244, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," 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. 1259) recommending that H.B. No. 1146, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1146, H.D. 1, 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 Kokubun 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. 1260) recommending that H.B. No. 1276, H.D. 3, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1276, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1261) recommending that H.B. No. 1308, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1308, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," 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. 1262) recommending that H.B. No. 1426, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1426, H.D. 2, S.D. 1, 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 Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1263) recommending that H.B. No. 1303, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1303, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1264) recommending that H.B. No. 852, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 852, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," 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. 1265) recommending that H.B. No. 1051, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1051, H.D. 2, 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 English and Kokubun, for the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1266) recommending that H.B. No. 895, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 895, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1267) recommending that H.B. No. 1017, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1017, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Second Reading and was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1268) recommending that H.B. No. 784, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 784, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," 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. 1269) recommending that H.B. No. 450, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 450, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1270) recommending that H.B. No. 500, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 500, H.D. 2, 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.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1271) recommending that H.B. No. 875, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 875, 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 Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1272) recommending that H.B. No. 1713, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

Senator Hee moved that Stand. Com. Rep. No. 1272 be adopted and H.B. No. 1713, H.D. 1, S.D. 1, having been read throughout, pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Hogue.

Senator Ihara rose to speak on the measure as follows:

"Mr. President, I'd like to speak on H.B. No. 1713, S.D. 1, on page 21. It's Stand. Com. Rep. No. 1272.

"Mr. President, I rise to state my strong reservations regarding H.B. No. 1713, S.D. 1. As you know, this Session both the House and Senate overwhelmingly supported establishing a voluntary public program to finance election campaigns for legislative races. Mr. President and colleagues, yesterday your Judiciary Committee amended the House bill to exclude legislative races and to keep in the governor's race and prosecutor's race.

"I voted no in Committee because I wanted to offer an alternative S.D. 1 that would have included legislative races and exclude the governor's race. This effort failed.

"There were three reasons given for excluding legislative races. The first one was that it would be very difficult for the state to find the funding to fully implement the program for all state level races. However, in testimony on the bill, it was shown that the governor's and lieutenant governor's races would cost three times more than House races which is the minimal race that the proponents support. I believe that switching legislative races for the governor's and lieutenant governor's race in this bill would save the state substantial funds.

"The second reason given was that the Committee wanted to focus on races that have contract-awarding authority or the executive branch. Mr. President, all past clean elections bills have focused on legislative races in the past four years and in fact it was actually only the House races that have been included in the past several years and last year the bill was in Conference Committee with House races only. Why legislative and actually House races were included in the past is because it was to reduce the influence of large special interest donations on policy making in the Legislature, and in the past it was the House races only and this year it included Senate races as well. That was also to remove conflict of interest of Legislators who have to vote on bills for whom these Legislators, and we are among these Legislators, who have a financial relationship with proponents or opponents of a bill which poses some conflict of interest concerns from the public.

"If proponents of this concern – the concern that we should focus on contract-awarding authorities, there is a free way to do that, and that would be to pass a bill we passed last year, Mr. President, which would ban campaign donations from government contractors so we won't have to spend \$15 million to accomplish it. We can accomplish it by just simply banning those donations and that concern would substantially go away and it would really cost nothing to the state treasury.

"The final reason given to exclude legislative races was because the House had requested that we do that. To this I say let the House make their exclusion of legislative races in public over the conference table and I urge the subsequent Senate Committee to take out the governor's race and put in the legislative races or I would also support simply putting back the legislative races.

"Thank you."

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and H.B. No. 1713, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," 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. 1273) recommending that H.B. No. 1733, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1733, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1274) recommending that H.B. No. 841, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 841, 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 Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1275) recommending that H.B. No. 1317, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1317, H.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. 1276) recommending that H.B. No. 802, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 802, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland, Baker and Menor, for the Committee on Human Services, 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. 1277) recommending that H.B. No. 97, 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 Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 97, H.D. 2, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1278) recommending that H.B. No. 109, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 109, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1279) recommending that H.B. No. 128, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 128, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1280) recommending that H.B. No. 330, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 330, H.D. 1, 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 Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1281) recommending that H.B. No. 1640, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1640, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS,"

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. 1282) recommending that H.B. No. 395, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 395, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Hee and Baker, for the Committee on Higher Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1283), recommending that S.C.R. No. 4 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO FULLY FUND ALL OF ITS NURSING PROGRAMS," was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM WEDNESDAY, MARCH 23, 2005

Stand. Com. Rep. No. 1143 (S.C.R. No. 63):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF MAY AS MENTAL HEALTH AWARENESS MONTH," was adopted.

Stand. Com. Rep. No. 1146 (S.R. No. 23):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 23, entitled: "SENATE RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was adopted.

#### ADVISE AND CONSENT

#### MATTERS DEFERRED FROM THURSDAY, MARCH 17, 2005 AND FRIDAY, MARCH 18, 2005

Stand. Com. Rep. No. 1019 (Gov. Msg. No. 119):

By unanimous consent, action on Stand. Com. Rep. No. 1019 and Gov. Msg. No. 119 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1020 (Gov. Msg. No. 143):

By unanimous consent, action on Stand. Com. Rep. No. 1020 and Gov. Msg. No. 143 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1021 (Gov. Msg. No. 251):

By unanimous consent, action on Stand. Com. Rep. No. 1021 and Gov. Msg. No. 251 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1022 (Gov. Msg. Nos. 252 and 253):

By unanimous consent, action on Stand. Com. Rep. No. 1022 and Gov. Msg. Nos. 252 and 253 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1023 (Gov. Msg. Nos. 254 and 255):

By unanimous consent, action on Stand. Com. Rep. No. 1023 and Gov. Msg. Nos. 254 and 255 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1027 (Gov. Msg. Nos. 247 and 248):

By unanimous consent, action on Stand. Com. Rep. No. 1027 and Gov. Msg. Nos. 247 and 248 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1028 (Gov. Msg. Nos. 294, 296, 297, 298, 299, 300, 301 and 302):

By unanimous consent, action on Stand. Com. Rep. No. 1028 and Gov. Msg. Nos. 294, 296, 297, 298, 299, 300, 301 and 302 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1029 (Gov. Msg. Nos. 124 and 125):

By unanimous consent, action on Stand. Com. Rep. No. 1029 and Gov. Msg. Nos. 124 and 125 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1030 (Gov. Msg. Nos. 126 and 127):

By unanimous consent, action on Stand. Com. Rep. No. 1030 and Gov. Msg. Nos. 126 and 127 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1031 (Gov. Msg. Nos. 134 and 135):

By unanimous consent, action on Stand. Com. Rep. No. 1031 and Gov. Msg. Nos. 134 and 135 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1032 (Gov. Msg. No. 136):

By unanimous consent, action on Stand. Com. Rep. No. 1032 and Gov. Msg. No. 136 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1033 (Gov. Msg. No. 137):

By unanimous consent, action on Stand. Com. Rep. No. 1033 and Gov. Msg. No. 137 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1034 (Gov. Msg. Nos. 152, 153, 154, 155, 156, 157, 158, 159 and 160):

By unanimous consent, action on Stand. Com. Rep. No. 1034 and Gov. Msg. Nos. 152, 153, 154, 155, 156, 157, 158, 159 and 160 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1035 (Gov. Msg. No. 203):

By unanimous consent, action on Stand. Com. Rep. No. 1035 and Gov. Msg. No. 203 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1036 (Gov. Msg. Nos. 286, 287 and 288):

By unanimous consent, action on Stand. Com. Rep. No. 1036 and Gov. Msg. Nos. 286, 287 and 288 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1037 (Gov. Msg. Nos. 161, 162, 163, 164 and 165):

By unanimous consent, action on Stand. Com. Rep. No. 1037 and Gov. Msg. Nos. 161, 162, 163, 164 and 165 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1038 (Gov. Msg. Nos. 181, 182 and 183):

By unanimous consent, action on Stand. Com. Rep. No. 1038 and Gov. Msg. Nos. 181, 182 and 183 was deferred until Thursday, March 31, 2005.

Stand. Com. Rep. No. 1039 (Gov. Msg. Nos. 184, 185, 186, 187, 188 and 189):

By unanimous consent, action on Stand. Com. Rep. No. 1039 and Gov. Msg. Nos. 184, 185, 186, 187, 188 and 189 was deferred until Thursday, March 31, 2005.

**REFERRAL OF HOUSE CONCURRENT RESOLUTION**

**MATTER DEFERRED FROM WEDNESDAY, MARCH 23, 2005**

The President made the following committee assignment of a House concurrent resolution that was received on Wednesday, March 23, 2005:

House Concurrent Resolution Referred to:

No. 62 Committee on Energy, Environment, and International Affairs

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 416, H.D. 2, S.D. 1 Committee on Business and Economic Development, then jointly to the Committee on Water, Land, and Agriculture and the Committee on Ways and Means

No. 1051, H.D. 2, S.D. 1 Committee on Health, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means

No. 1214, H.D. 2, S.D. 1 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 1747, H.D. 1 Committee on Judiciary and Hawaiian Affairs

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTION**

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

Senate Concurrent Resolution Referred to:

No. 200 Jointly to the Committee on Higher Education, the Committee on Health and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs

**RE-REFERRAL OF SENATE RESOLUTION**

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

Senate Resolution Referred to:

No. 108 Jointly to the Committee on Higher Education, the Committee on Health and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs

Senator Hee rose on a point of personal privilege as follows:

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

“I want to speak to the previous speaker’s comments on the clean elections bill as the Vice Chair of Judiciary, Mr. President. I want to be clear at least why I voted for the bill and that is that if there’s a clean election that needs to be held, it is really with the governor’s race, in my view. So far, at least what we know about what has been written in the press and from Mr. Watada is that the problems with clean elections have been circling around the former Mayor of the City and County of Honolulu. The former Mayor of the County of Maui has been implicated. A former Governor of the State of Hawaii and a former Lt. Governor, and even the present Governor has been mentioned in various aspects of illegal campaign donations.

“So, regardless of what was said by the previous speaker, to which I don’t have any material disagreements, I want to be clear that at least one member of the Judiciary Committee saw this issue as an issue that if any race needed to be cleaned up, it was a race that involves the Governor’s Office.

“Thank you, Mr. President.”

Senator Hemmings also rose on a point of personal privilege and said:

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

“I think there are enough problems in election process to go around all branches of government. To single out the executive branch of government, especially with the implications of the previous speaker, does not do justice to the record. The previous speaker was not in this Body last year when I attempted to read into the record the number of indicted and convicted members of the Legislature that have had problems with this very process regarding clean government.

“So I do believe that the speaker that was concerned about this process and clean elections was on very solid ground and I’d like the record to reflect it.

“Thank you, Mr. President.”

Senator Hee rose in rebuttal and said:

“Mr. President, I stand in rebuttal.

“If the previous speaker had listened carefully, I did not disagree with Senator Ihara’s comments. I rather offered my own reasons for voting. So it was not in disagreement to Senator Ihara.

“And regardless of whether I was here or wasn’t here, the media has accurately commented on numerous times that if one were to look at where clean elections should be, it is really with the governor’s race. That’s the sum and substance of my comments. I meant no disagreement to Senator Ihara but rather to comment on why the Vice Chair of the Committee on Judiciary feels very strongly that the governor’s race is where clean elections need to be held.

“Thank you.”

**ADJOURNMENT**

At 12:10 o’clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Monday, March 28, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-EIGHTH DAY

**Monday, March 28, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:44 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 with the exception of Senator Espero who was excused.

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

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. 436 to 533) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 436, letter dated March 23, 2005, notifying the Senate that she has approved the transfer of general funds from HTH 550 to HTH 530 in the amount of \$300,000 as authorized by the Legislature for the Department of Health, pursuant to Act 200, Section 133, SLH 2003, as amended by Act 41, SLH 2004, was placed on file.

Gov. Msg. No. 437, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of STEPHEN E. CALLO, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 438, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of HOWARD S. TODO, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 439, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of ULRIKE WEISS, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 440, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of CREIGHTON W. GOLDSMITH, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 441, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of RANDY L. PROTHERO, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 442, submitting for consideration and confirmation to the Hawaii Community Development Authority (HCDA), the nomination of KAY M. MUKAIGAWA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 443, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of STEPHANIE S. H. CRIVELLO, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 444, submitting for consideration and confirmation to the Contractors License Board, the nomination of TADY T. ARISUMI, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 445, submitting for consideration and confirmation to the Contractors License Board, the nomination of JOE S. KINDRICH, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 446, submitting for consideration and confirmation to the Contractors License Board, the nomination of AUDREY E. J. NG, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 447, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of BINA MOSSMAN CHUN, term to expire June 30, 2009, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 448, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ORALIE CARTER, term to expire September 20, 2008, was referred to the Committee on Health.

Gov. Msg. No. 449, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of ANN E. COLLINS, term to expire September 20, 2008, was referred to the Committee on Health.

Gov. Msg. No. 450, submitting for consideration and confirmation to the State Council on Developmental Disabilities, the nomination of CHARLOTTE K. YOSHIDA, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 451, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of MARIE E. KIMMEY, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 452, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of WILLIAM K. KOKI II, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 453, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of STERLING KRYSLER, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 454, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of MARK T. OBATAKE, term to expire June 30, 2007, was referred to the Committee on Health.



Gov. Msg. No. 455, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of NORMAN F. OLESEN, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 456, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of TODD KIYOSHI INAFUKU, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 457, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of TODD KIYOSHI INAFUKU, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 458, submitting for consideration and confirmation to the Education Commission of the States, the nomination of DALE C. WEBSTER, term to expire June 30, 2009, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 459, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of CAROLYN ARBUCKLE PH.D., term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 460, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of THOMAS J. MACDONALD, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 461, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of DARREN J. ROSARIO, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 462, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of BEVERLY I. TAKABA, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 463, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of MICHAEL S. CHU, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 464, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of SHELLI A. MCCELVEY, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 465, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of ROSS S. OKUDA PE, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 466, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of KEN OTA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 467, submitting for consideration and confirmation to the Environmental Council, the nomination of MONALISA G. GALLEG0, term to expire June 30, 2007, was

referred to the Committee on Energy, Environment, and International Affairs.

Gov. Msg. No. 468, submitting for consideration and confirmation to the Board of Health, the nomination of GENEVIEVE A. KINNEY, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 469, submitting for consideration and confirmation to the Board of Health, the nomination of ANN M. KWOCK, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 470, submitting for consideration and confirmation to the Board of Health, the nomination of BARRY SHITAMOTO MD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 471, submitting for consideration and confirmation to the Board of Health, the nomination of RICHARD E. SMITH REHS, MPH, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 472, submitting for consideration and confirmation to the Board of Health, the nomination of RICHARD E. SMITH REHS, MPH, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 473, submitting for consideration and confirmation to the Board of Health, the nomination of JEFF J. SOL MD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 474, submitting for consideration and confirmation to the Board of Directors of the Hawaii Health Systems Corporation, the nomination of ANDREA LEHUALANI COSMA, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 475, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of ANITA DIMAURO, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 476, submitting for consideration and confirmation to the Hawaii Historic Places Review Board, the nomination of JAMES S. GUEQUIERRE, term to expire June 30, 2009, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 477, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of RALPH CUSHNIE, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 478, submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, the nomination of NOA EMMETT ALULI, term to expire June 30, 2009, was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 479, submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, the nomination of MILTON M. ARAKAWA, term to expire June 30, 2007, was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 480, submitting for consideration and confirmation to the Kahoolawe Island Reserve Commission, the nomination of JOHN D. WAIHEE IV, term to expire June 30, 2009, was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 481, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of TARYN R. SCHUMAN CPA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 482, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of RAY N. K. TERAMOTO, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 483, submitting for consideration and confirmation to the Hawaii Medical Education Council, the nomination of MARY EVELYN WORRALL, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 484, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of BRIAN E. CODY, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 485, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of H ROGER NETZER MD, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 486, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of WAYNE K. DE LUZ, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 487, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of RANDAL M. MORIFUJI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 488, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of JANICE S. BOND, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 489, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of ROBERT I. CROWELL, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 490, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of DENNIS M. DUNN, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 491, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of KARL P. ESPALDON,

term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 492, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of MABEL FERREIRO-FUJIUCHI, term to expire June 30, 2008, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 493, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of RYAN R. PERREIRA, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 494, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of LEE A. ROMBAOA, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 495, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of RALPH STUEBER, term to expire June 30, 2008, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 496, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of TINA AULANI WILHELM, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 497, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of LAURIE STEELSMITH, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 498, 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, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 499, 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, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 500, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of ANA M. SILVA RN, CNA, BC, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 501, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of JOAN PRINDIVILLE WHITE, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 502, submitting for consideration and confirmation to the State Board of Nursing, the nomination of KATHARYN FROST DAUB RN, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 503, submitting for consideration and confirmation to the State Board of Nursing, the nomination of DARRYL N. ING, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 504, submitting for consideration and confirmation to the State Board of Nursing, the nomination of JILLIAN INOUE, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 505, submitting for consideration and confirmation to the State Board of Nursing, the nomination of PATRICIA A. LANGE-OTSUKA EDD, MSN APRN BC, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 506, submitting for consideration and confirmation to the State Board of Nursing, the nomination of BENJAMIN MERCADO, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 507, submitting for consideration and confirmation to the State Board of Nursing, the nomination of MARY FRANCES ONEHA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 508, submitting for consideration and confirmation to the State Board of Nursing, the nomination of BARBARA ANN TANNER RN, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 509, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of SALLY B. PROCTOR, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 510, 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, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 511, submitting for consideration and confirmation to the Board of Psychology, the nomination of EVELYN H. YANAGIDA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 512, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of LORI H. O. KAMIKAWA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 513, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of VICTORY KNEISLEY, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 514, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of MARJORIE M. KUNIYOSHI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 515, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of MARK MONIZ, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 516, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of STEIN ERIK RAFTO MD, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 517, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawaii, the nomination of GUY ONTAI, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 518, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of ANA A. GAMBLE, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 519, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of MONA S. TAKUMI, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 520, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of LENHANH P. TRAN MD, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 521, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of MARGARET K. WADA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 522, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of LANI LIU EWART, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 523, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of PETER J. HAMASAKI, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 524, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of KEVIN P. H. SUMIDA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 525, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of WILLIAM W. DAVES, term to expire June 30, 2009, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 526, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of HERRING K. KALUA, term to expire June 30,

2009, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 527, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of ERIC M. F. C. AKO DVM, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 528, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of PAM L. SMITH, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 529, 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, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 530, submitting for consideration and confirmation to the Wireless Enhanced 911 Board, the nomination of GORDON J. BRUCE, term to expire June 30, 2007, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 531, submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of MONA M. CHANG VIERRA ED.D., term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 532, submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of CAROL ANNE PHILIPS, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 533, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nomination of MARVIN R. KOGA, term to expire June 30, 2009, was referred to the Committee on Education and Military Affairs.

## ORDER OF THE DAY

### THIRD READING

H.B. No. 515, S.D. 1:

On motion by Senator Inouye, seconded by Senator Ige and carried, H.B. No. 515, 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, 23. Noes, none. Excused, 2 (Espero, Hanabusa).

H.B. No. 79:

Senator Inouye moved that H.B. No. 79, having been read throughout, pass Third Reading, seconded by Senator Ige.

Senator Hogue rose on a point of inquiry:

"Mr. President, point of inquiry and I guess I will direct this to the Transportation Chair, if I could, about this particular bill.

"My inquiry has to do with whether or not any veterans groups testified here. It appears that they're allowing the

transfer of special numbered plates, including veterans' license plates, to someone who may not be a veteran. If that would be the case, I would oppose this particular bill.

"As I understand it, when it came up at Committee, and I'm not on this Committee, it was just kind of like a streamlined bill. Could the Chair of Transportation please elucidate the reasons for this particular bill as a streamline bill and basically an anti-veteran organization bill."

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Inouye responded as follows:

"Mr. President, with regards to H.B. No. 79, there was a companion in the Senate as well. There was no testimony in both of our joint efforts by both Committees with IGA. Yes, as far as I'm concerned, the question raised by the Senator to my right is a valid one as well. There was no testimony from the veterans association. Now, knowing that there are no changes to the measure, perhaps I would tend to agree, if my colleague, the Chair of IGA, would, to defer this for one day and perhaps look at the situation and then advise you, Mr. President, so you can move this measure accordingly."

By unanimous consent, action on H.B. No. 79, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," was deferred until Wednesday, March 30, 2005.

H.B. No. 78, H.D. 1:

On motion by Senator Ige, seconded by Senator Inouye and carried, H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Hanabusa).

H.B. No. 291, H.D. 1:

On motion by Senator English, seconded by Senator Kokubun and carried, H.B. No. 291, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY COMMITTEE ON PESTICIDES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Hanabusa).

H.B. No. 98, H.D. 2, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Hooser and carried, H.B. No. 98, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHULUI HARBOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Hanabusa).

H.B. No. 169, H.D. 1, S.D. 1:

On motion by Senator Kokubun, seconded by Senator English and carried, H.B. No. 169, H.D. 1, S.D. 1, 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, 23. Noes, none. Excused, 2 (Espero, Hanabusa).

H.B. No. 125, H.D. 2, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Hooser and carried, H.B. No. 125, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Espero, Hanabusa).

**ADJOURNMENT**

At 12:14 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 30, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## THIRTY-NINTH DAY

## Wednesday, March 30, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:42 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 with the exception of Senators Inouye and Menor who were excused.

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

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

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 534 to 546) were read by the Clerk and were placed on file:

Gov. Msg. No. 534, letter dated March 18, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Department of Education in the increased amount of \$42,451.

Gov. Msg. No. 535, letter dated March 22, 2005, notifying the Senate that she has approved the increase of expenditure levels and expenditure of non-appropriated federal funds for the Department of Transportation in the increased amount of \$1,573,500.

Gov. Msg. No. 536, letter dated March 22, 2005, notifying the Senate that she has approved the expenditure of federal funds in excess of levels authorized by the Legislature for the Natural Energy Laboratory of Hawaii (NELHA) in the Department of Business, Economic Development and Tourism in the increased amount of \$410,000.

Gov. Msg. No. 537, letter dated March 23, 2005, transmitting her proposed changes to H.B. No. 100, H.D. 1, and requesting the Senate's favorable consideration for those budget items.

Gov. Msg. No. 538, letter dated March 23, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$5,462,500.

Gov. Msg. No. 539, letter dated March 23, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$2,199,375.

Gov. Msg. No. 540, letter dated March 23, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$1,638,750.

Gov. Msg. No. 541, letter dated March 23, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$1,552,500.

Gov. Msg. No. 542, letter dated March 23, 2005, acknowledging receipt of the Senate's letter dated March 18,

2005, expressing concern over the significant number of vacancies to be filled for boards and commissions and informing the Senate of her intent to transmit nominees for the remaining boards and commissions no later than April 21, 2005.

Gov. Msg. No. 543, dated March 23, 2005, transmitting a Report on the Activities of the Deposit Beverage Container Program, prepared by the Department of Health pursuant to Act 176, Section 16, SLH 2002.

Gov. Msg. No. 544, letter dated March 24, 2005, notifying the Senate that the decision of the arbitration panel for Bargaining Unit 11, represented by Hawaii Firefighters Association was received on February 15, 2004, and transmitting, for the Senate's consideration, a proposed Senate draft amending H.B. No. 260 in its entirety to fund the settlement.

Gov. Msg. No. 545, letter dated March 28, 2005, notifying the Senate that she has approved the expenditure of non-appropriated federal funds for the Department of Transportation in the amount of \$1,092,500.

Gov. Msg. No. 546, letter dated March 28, 2005, notifying the Senate that she has approved the Hawaii State Public Library System's request to increase their appropriated federal fund ceiling in the amount of \$1,000,000 funded from the Library Services and Technology Act, Public Law 104-208.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 360 and 361) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 360, transmitting H.C.R. No. 82, which was adopted by the House of Representatives on March 28, 2005, was placed on file.

By unanimous consent, H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES OF AMERICA TO SUPPORT THE CONTINUED FUNDING OF THE DEEP OCEAN ASSESSMENT AND REPORTING OF TSUNAMI BUOYS," was referred jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs.

Hse. Com. No. 361, transmitting H.C.R. No. 83, which was adopted by the House of Representatives on March 28, 2005, was placed on file.

By unanimous consent, H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS (NCOIL) PROPERTY-CASUALTY INSURANCE MODERNIZATION ACT AS AMENDED ON NOVEMBER 21, 2003," was referred to the Committee on Commerce, Consumer Protection and Housing.

## STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1284) recommending that H.B. No. 624, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 624, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1285) recommending that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

DONALD DYMOND, in accordance with Gov. Msg. No. 266;

GEORGE J. HANDGIS, in accordance with Gov. Msg. No. 267;

NOELANI WHITTINGTON, in accordance with Gov. Msg. No. 268; and

MICHAEL C. L. YEE, in accordance with Gov. Msg. No. 269.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1285 and Gov. Msg. Nos. 266, 267, 268 and 269 was deferred until Thursday, March 31, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1286) recommending that the Senate advise and consent to the nominations to the Stadium Authority of the following:

MARVIN A. FONG, in accordance with Gov. Msg. No. 271; and

ALEXANDER C. KANE JR., in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1286 and Gov. Msg. Nos. 271 and 272 was deferred until Thursday, March 31, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1287) recommending that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

ROY SEIYEI AKAMINE, in accordance with Gov. Msg. No. 194; and

THOMAS S. VENDETTA, in accordance with Gov. Msg. No. 195.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1287 and Gov. Msg. Nos. 194 and 195 was deferred until Thursday, March 31, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1288) recommending that the Senate advise and consent to the nomination of ALTON T. KUIOKA to the Board of Trustees of the Employees' Retirement System (ERS), in accordance with Gov. Msg. No. 394.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1288 and Gov. Msg. No. 394 was deferred until Thursday, March 31, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1289) recommending that the Senate advise and consent to the nomination of KENNETH T. TAIRA to the Board of Trustees of the Deferred Compensation Plan, in accordance with Gov. Msg. No. 147.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1289 and Gov. Msg. No. 147 was deferred until Thursday, March 31, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1290) recommending that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

GLADYS C. BAISA, in accordance with Gov. Msg. No. 303;

JEFFREY BLOOM, in accordance with Gov. Msg. No. 304;

JONATHAN J. CHUN, in accordance with Gov. Msg. No. 305;

ALAN L. GARSON ED.D., in accordance with Gov. Msg. No. 306; and

DENIS MACTAGONE, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1290 and Gov. Msg. Nos. 303, 304, 305, 306 and 307 was deferred until Thursday, March 31, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1291) recommending that the Senate advise and consent to the nomination of MICHAEL J. CHOI to the Board of Taxation Review, 1<sup>st</sup> Taxation District (Oahu), in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1291 and Gov. Msg. No. 274 was deferred until Thursday, March 31, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1292) recommending that the Senate advise and consent to the nomination of ALAN K. BERNALDO to the Board of Taxation Review, 2<sup>nd</sup> Taxation District (Maui), in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1292 and Gov. Msg. No. 275 was deferred until Thursday, March 31, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1293) recommending that the Senate advise and consent to the nomination of DWAYNE STEPHEN LERMA to the Board of Taxation Review, 3<sup>rd</sup> Taxation District (Hawaii), in accordance with Gov. Msg. No. 276.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1293 and Gov. Msg. No. 276 was deferred until Thursday, March 31, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1294) recommending that the Senate advise and consent to the nomination of CAROL P. WEIR to the Board of Taxation Review, 3<sup>rd</sup> Taxation District (Hawaii), in accordance with Gov. Msg. No. 277.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1294 and Gov. Msg. No. 277 was deferred until Thursday, March 31, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1295) recommending that the Senate advise and consent to the nominations to the Board of Taxation Review, 4<sup>th</sup> Taxation District (Kauai) of the following:

SANDRA L. DAY MBA, CPA, in accordance with Gov. Msg. No. 278; and

ALBERT W. STIGLMEIER, in accordance with Gov. Msg. No. 279.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1295 and Gov. Msg. Nos. 278 and 279 was deferred until Thursday, March 31, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1296) recommending that H.B. No. 119, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 119, 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, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1297) recommending that H.B. No. 313 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1298) recommending that H.B. No. 320, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 320, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1299) recommending that H.B. No. 494 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 494, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No.

1300) recommending that H.B. No. 806, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 806, H.D. 1, 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 Friday, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1301) recommending that H.B. No. 894 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 894, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1302) recommending that H.B. No. 1221 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1221, 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 Friday, April 1, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1303) recommending that H.B. No. 496 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 496, entitled: "A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

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. 1304), recommending that S.C.R. No. 30, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE COST TO INSURE A GROUP HEALTH INSURANCE PLAN FOR THE STATE OF HAWAII BASED ON A RISK POOL EQUIVALENT TO THE STATE'S POPULATION," was referred to the Committee on Ways and Means.

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. 1305), recommending that S.C.R. No. 28, as amended in S.D. 1, be referred to the Committee on Ways and Means.



On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR INITIAL MEDICAL VISITS AND PSYCHOLOGICAL ASSESSMENTS, EVEN WHEN SUCH MEDICAL VISITS AND PSYCHOLOGICAL ASSESSMENTS MAY INCLUDE PREVIOUSLY UNDIAGNOSED MEDICAL AND PSYCHOLOGICAL CONDITIONS," 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. 1306) recommending that the Senate consent to the nomination of EDWIN C. NACINO 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. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1306 and Jud. Com. No. 1 was deferred until Thursday, March 31, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1307), recommending that H.C.R. No. 57, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 57, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION REVIEW STATE AIRPORT AND HARBOR FEES AND ADJUST THESE FEES AS NECESSARY," was referred to the Committee on Ways and Means.

Senators Menor and Espero, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1308) recommending that S.C.R. No. 18 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1308 and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS PROPERTY/CASUALTY INSURANCE MODERNIZATION ACT," was deferred until Thursday, March 31, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1309) recommending that H.B. No. 8, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 8, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1310) recommending that H.B. No. 644, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 644, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POOLED INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1311) recommending that H.B. No. 785, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 785, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 1, 2005.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1312), recommending that S.C.R. No. 67 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPEDITE ITS NEGOTIATIONS WITH HAWAII SUPERFERRY INC., AND REPORT BACK TO THE LEGISLATURE," was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1313), recommending that S.R. No. 39 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 39, entitled: "SENATE RESOLUTION ESTABLISHING HAWAII'S BILL OF RIGHTS DAY ON DECEMBER 15 ANNUALLY," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1314), recommending that H.C.R. No. 51 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OAHU METROPOLITAN PLANNING ORGANIZATION TO STUDY THE FEASIBILITY OF AN ALTERNATE ROUTE OF INGRESS TO AND EGRESS FROM MILILANI MAUKA," was referred to the Committee on Ways and Means.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1315), recommending that H.C.R. No. 7 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and

H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INCLUDE A REVIEW OF THE ECONOMIC FEASIBILITY OF CONSTRUCTING A FIXED RAIL SYSTEM AROUND THE ISLAND OF HAWAII IN THE HAWAII LONG RANGE LAND TRANSPORTATION PLAN," was referred to the Committee on Ways and Means.

No. 213 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs

No. 224 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Media, Arts, Science and Technology

**ORDER OF THE DAY**

**THIRD READING**

**MATTER DEFERRED FROM MONDAY, MARCH 28, 2005**

H.B. No. 79:

On motion by Senator Espero, seconded by Senator Ige and carried, H.B. No. 79, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Inouye, Menor).

**RE-REFERRAL OF GOVERNOR'S MESSAGES**

The Chair re-referred the following governor's messages that were received:

Governor's Message	Referred to:
No. 512	Committee on Health
No. 513	Committee on Health
No. 514	Committee on Health
No. 515	Committee on Health
No. 516	Committee on Health

**RE-REFERRAL OF HOUSE BILL**

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

House Bill	Referred to:
No. 109, H.D. 1, S.D. 1	Committee on Water, Land, and Agriculture, 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. 99	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 RESOLUTIONS**

The Chair re-referred the following Senate resolutions that were offered:

Senate Resolution	Referred to:
No. 121	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
No. 129	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Media, Arts, Science and Technology

Senator Hee, Chair of the Committee on Higher Education, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.R. No. 108.

Senator Hee noted:

"Mr. President, this resolution requests the University of Hawaii to conduct a study and propose recommendations relating to the feasibility of stem cell research for Hawaii. S.R. No. 108 is identical to S.C.R. No. 200 and was inadvertently left off the original agenda when S.C.R. No. 200 was posted."

The Chair then granted the waiver.

**ADJOURNMENT**

At 12:15 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 31, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTIETH DAY

## Thursday, March 31, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Chris Eng, Wai O Ke Ola Congregational 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-Ninth Day.

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

The Senate reconvened at 12:09 o'clock p.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 547, dated March 15, 2005, transmitting the Hawaii State Foundation on Culture and the Arts' Annual Report for Fiscal Year Ending June 30, 2004, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 362 to 380) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 362, transmitting H.C.R. No. 86, H.D. 1, which was adopted by the House of Representatives on March 30, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 86, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO EXPEDITIOUSLY CONCLUDE ITS NEGOTIATIONS WITH HAWAII SUPERFERRY, INC.," was deferred until Friday, April 1, 2005.

Hse. Com. No. 363, transmitting H.C.R. No. 127, which was adopted by the House of Representatives on March 30, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DETERMINE THE FEASIBILITY OF REGULATING AND LICENSING BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS," was deferred until Friday, April 1, 2005.

Hse. Com. No. 364, transmitting H.C.R. No. 214, which was adopted by the House of Representatives on March 30, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII," was deferred until Friday, April 1, 2005.

Hse. Com. No. 365, transmitting H.C.R. No. 245, H.D. 1, which was adopted by the House of Representatives on March 30, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 245, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NO CHILD LEFT BEHIND ACT OF 2001 ACCORDING TO THE RECOMMENDATIONS OF THE FINAL REPORT OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES' TASK FORCE ON NO CHILD LEFT BEHIND," was deferred until Friday, April 1, 2005.

Hse. Com. No. 366, transmitting H.C.R. No. 246, which was adopted by the House of Representatives on March 30, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO MAKE CERTAIN MODIFICATIONS AND ACKNOWLEDGMENTS WITH RESPECT TO THE NO CHILD LEFT BEHIND ACT OF 2001," was deferred until Friday, April 1, 2005.

Hse. Com. No. 367, transmitting H.C.R. No. 247, which was adopted by the House of Representatives on March 30, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE PERFORMANCE BASED INCENTIVES WHEN CONTRACTING WITH EDUCATION SERVICE PROVIDERS FOR SCHOOL RESTRUCTURING UNDER THE NO CHILD LEFT BEHIND ACT," was deferred until Friday, April 1, 2005.

Hse. Com. No. 368, returning S.B. No. 607, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 607, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 369, returning S.B. No. 608, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 608, and requested a conference on the subject matter thereof.

Hse. Com. No. 370, returning S.B. No. 675, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 675, and requested a conference on the subject matter thereof.

Hse. Com. No. 371, returning S.B. No. 693, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by

the House to S.B. No. 693, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 372, returning S.B. No. 700, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 700, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 373, returning S.B. No. 1348, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1348, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 374, returning S.B. No. 1349, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1349, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 375, returning S.B. No. 1796, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1796, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 376, returning S.B. No. 1798, which passed Third Reading in the House of Representatives on March 30, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1798, and requested a conference on the subject matter thereof.

Hse. Com. No. 377, returning S.B. No. 615, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, was placed on file.

Hse. Com. No. 378, returning S.B. No. 681, which passed Third Reading in the House of Representatives on March 30, 2005, was placed on file.

Hse. Com. No. 379, returning S.B. No. 1230, which passed Third Reading in the House of Representatives on March 30, 2005, was placed on file.

Hse. Com. No. 380, returning S.B. No. 1680, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 2005, 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. 1316) recommending that H.B. No. 161, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1317) recommending that H.B. No. 214, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 214, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1318) recommending that the Senate advise and consent to the nomination of WAYNE M. SHINTANI to the Credit Union Advisory Board, in accordance with Gov. Msg. No. 145.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1318 and Gov. Msg. No. 145 was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1319) recommending that the Senate advise and consent to the nominations to the Board of Dental Examiners of the following:

ARMAND K. CHONG DDS, FAGD, in accordance with Gov. Msg. No. 148; and

RANDALL S. CISLO D.M.D., in accordance with Gov. Msg. No. 149.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1319 and Gov. Msg. Nos. 148 and 149 was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1320) recommending that the Senate advise and consent to the nominations to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects of the following:

OSCAR PORTUGAL, in accordance with Gov. Msg. No. 166;

RICHARD M. SUZUKI P.E., in accordance with Gov. Msg. No. 167; and

MARC VENTURA AIA, in accordance with Gov. Msg. No. 168.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1320 and Gov. Msg. Nos. 166, 167 and 168 was deferred until Friday, April 1, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1321), recommending that S.C.R. No. 175 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 175, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE A REPORT TO THE STATE LEGISLATURE REGARDING THE STATUS OF THE 2004 FLOOD DAMAGE," 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. 1322) recommending that H.B. No. 553, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 553, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1323) recommending that H.B. No. 833, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS," passed Second Reading and was placed on the calendar for Monday, April 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1324) recommending that H.B. No. 1712, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1712, 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 Monday, April 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1325) recommending that H.B. No. 1715, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1715, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1326) recommending that the Senate advise and consent to the nomination of ROGER DANIEL RIZZO to the Civil Rights Commission, in accordance with Gov. Msg. No. 388.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1326 and Gov. Msg. No. 388 was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1327) recommending that the Senate advise and consent to the nominations to the Contractors License Board of the following:

ANACLETO ALCANTRA SR., in accordance with Gov. Msg. No. 139;

DENNY R. SADOWSKI, in accordance with Gov. Msg. No. 140;

NICHOLAS W. TEVES JR., in accordance with Gov. Msg. No. 141; and

THOMAS B. VINCENT, in accordance with Gov. Msg. No. 142.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1327 and Gov. Msg. Nos. 139, 140, 141 and 142 was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1328) recommending that the Senate advise and consent to the nominations to the Board of Medical Examiners of the following:

M. PIERRE K. W. PANG MD, in accordance with Gov. Msg. No. 204;

FEREYDOUN DON PARSA MD, in accordance with Gov. Msg. No. 205; and

G. MARKUS POLIVKA, in accordance with Gov. Msg. No. 206.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1328 and Gov. Msg. Nos. 204, 205 and 206 was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1329) recommending that the Senate advise and consent to the nominations to the Motor Vehicle Repair Industry Board of the following:

BILL W. GREEN, in accordance with Gov. Msg. No. 227; and

RICHARD Y. MITSUMORI, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1329 and Gov. Msg. Nos. 227 and 228 was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1330) recommending that the Senate advise and consent to the nomination of JANET M. WILLIAMS to the Board of Pharmacy, in accordance with Gov. Msg. No. 238.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1330 and Gov. Msg. No. 238 and was deferred until Friday, April 1, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1331) recommending that the Senate advise and consent to the nomination of CHRISTINA BAXENDALE to the Board of Physical Therapy, in accordance with Gov. Msg. No. 239.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1331 and Gov. Msg. No. 239 was deferred until Friday, April 1, 2005.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

#### MATTERS DEFERRED FROM THURSDAY, MARCH 24, 2005

Stand. Com. Rep. No. 1019 (Gov. Msg. No. 119):

Senator Hanabusa moved that Stand. Com. Rep. No. 1019 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RONALD T. HAJIME as Compact Administrator, State Council for Interstate Adult Offender Supervision, term to expire June 30, 2009, seconded by Senator Hee.

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

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

Stand. Com. Rep. No. 1020 (Gov. Msg. No. 143):

Senator Hanabusa moved that Stand. Com. Rep. No. 1020 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of DENISE J. JOHNSTON to the Correctional Industries Advisory Committee, term to expire June 30, 2006, seconded by Senator Hee.

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

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

Stand. Com. Rep. No. 1021 (Gov. Msg. No. 251):

Senator Hanabusa moved that Stand. Com. Rep. No. 1021 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of ROBERT ARTHURS to the Board of Registration of the Island of Hawaii, term to expire June 30, 2008, seconded by Senator Hee.

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

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

Stand. Com. Rep. No. 1022 (Gov. Msg. Nos. 252 and 253):

Senator Hanabusa moved that Stand. Com. Rep. No. 1022 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Board of Registration of the Islands of Kauai and Niihau of the following:

PATRICK J. CHILDS, term to expire June 30, 2007 (Gov. Msg. No. 252); and

CAROLYN S. POMPILIO, term to expire June 30, 2008 (Gov. Msg. No. 253),

seconded by Senator Hee.

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

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

Stand. Com. Rep. No. 1023 (Gov. Msg. Nos. 254 and 255):

Senator Hanabusa moved that Stand. Com. Rep. No. 1023 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Board of Registration of the Islands of Maui, Molokai, Lanai, and Kahoolawe of the following:

THOMAS A. HUGHES III, term to expire June 30, 2008 (Gov. Msg. No. 254); and

STEVE PFISTER, term to expire June 30, 2008 (Gov. Msg. No. 255),

seconded by Senator Hee.

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

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

Stand. Com. Rep. No. 1027 (Gov. Msg. Nos. 247 and 248):

Senator Espero moved that Stand. Com. Rep. No. 1027 be received and placed on file, seconded by Senator Baker and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Procurement Policy Board of the following:

GREG KING, term to expire June 30, 2008 (Gov. Msg. No. 247); and

RICHARD G. TOTTEN, term to expire June 30, 2008 (Gov. Msg. No. 248),

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 (Inouye).

Stand. Com. Rep. No. 1028 (Gov. Msg. Nos. 294, 296, 297, 298, 299, 300, 301 and 302):

Senator Hanabusa moved that Stand. Com. Rep. No. 1028 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Wireless Enhanced 911 Board of the following:

PAUL K. FERREIRA, term to expire June 30, 2008 (Gov. Msg. No. 294);

ROY K. IREI, term to expire June 30, 2006 (Gov. Msg. No. 296);

JOHN PETER JAEGER, term to expire December 31, 2005 (Gov. Msg. No. 297);

JOEL K. MATSUNAGA, term to expire June 30, 2008 (Gov. Msg. No. 298);

MILTON M. MATSUOKA, term to expire June 30, 2008 (Gov. Msg. No. 299);

RICHIE NAKASHIMA, term to expire June 30, 2007 (Gov. Msg. No. 300);

DEXTER TAKASHIMA, term to expire June 30, 2008 (Gov. Msg. No. 301); and

JEFF YAMANE, term to expire December 31, 2005 (Gov. Msg. No. 302),

seconded by Senator Hee.

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

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

Stand. Com. Rep. No. 1029 (Gov. Msg. Nos. 124 and 125):

Senator Menor moved that Stand. Com. Rep. No. 1029 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:

HOWARD KONG KAM JR., term to expire June 30, 2008 (Gov. Msg. No. 124); and

RANDALL T. KAYA, term to expire June 30, 2008 (Gov. Msg. No. 125),

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 (Inouye).

Stand. Com. Rep. No. 1030 (Gov. Msg. Nos. 126 and 127):

Senator Menor moved that Stand. Com. Rep. No. 1030 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:

KWANG CHAI, term to expire June 30, 2008 (Gov. Msg. No. 126); and

ANDREW L. PEPPER, term to expire June 30, 2008 (Gov. Msg. No. 127),

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 (Inouye).

Stand. Com. Rep. No. 1031 (Gov. Msg. Nos. 134 and 135):

Senator Menor moved that Stand. Com. Rep. No. 1031 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 Barbering and Cosmetology of the following:

HEIDI M. K. FOWLER, term to expire June 30, 2008 (Gov. Msg. No. 134); and

CARLA M. MORIOKA, term to expire June 30, 2008 (Gov. Msg. No. 135),

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 (Inouye).

Stand. Com. Rep. No. 1032 (Gov. Msg. No. 136):

Senator Menor moved that Stand. Com. Rep. No. 1032 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 GAY PORTER to the Cable Advisory Committee, 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, 24. Noes, none. Excused, 1 (Inouye).

Stand. Com. Rep. No. 1033 (Gov. Msg. No. 137):

Senator Menor moved that Stand. Com. Rep. No. 1033 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 NICHOLAS G. OPIE DC to the State Board of Chiropractic Examiners, term to expire June 30, 2008, 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 (Inouye).

Stand. Com. Rep. No. 1034 (Gov. Msg. Nos. 152, 153, 154, 155, 156, 157, 158, 159 and 160):

Senator Baker moved that Stand. Com. Rep. No. 1034 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 Policy Advisory Board for Elder Affairs of the following:

BERNADETTE GRUZINSKY, term to expire June 30, 2007 (Gov. Msg. No. 152);

JOHN R. HOFF, term to expire June 30, 2008 (Gov. Msg. No. 153);

JULIE JOW, term to expire June 30, 2008 (Gov. Msg. No. 154);

HAROLD K. KOZUMA, term to expire June 30, 2008 (Gov. Msg. No. 155);

DONALD K. MATSUI, term to expire June 30, 2006 (Gov. Msg. No. 156);

SANDRA S. RONGITSCH, term to expire June 30, 2008 (Gov. Msg. No. 157);

RUTH S. STEPULIS, term to expire June 30, 2008 (Gov. Msg. No. 158);

DIANE M. STOWELL, term to expire June 30, 2008 (Gov. Msg. No. 159); and

KEN TAKEUCHI, term to expire June 30, 2008 (Gov. Msg. No. 160),

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 (Inouye).

Stand. Com. Rep. No. 1035 (Gov. Msg. No. 203):

Senator Espero moved that Stand. Com. Rep. No. 1035 be received and placed on file, seconded by Senator Baker and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of ROBERT L. SIMMONS MD to the Medical Advisory Board, term to expire June 30, 2008, 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 (Inouye).

Stand. Com. Rep. No. 1036 (Gov. Msg. Nos. 286, 287 and 288):

Senator Espero moved that Stand. Com. Rep. No. 1036 be received and placed on file, seconded by Senator Baker and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

WILLIAM LINDEMANN, term to expire June 30, 2008 (Gov. Msg. No. 286);

KUUHAKU PARK, term to expire June 30, 2008 (Gov. Msg. No. 287); and

GAIL YUH, term to expire June 30, 2008 (Gov. Msg. No. 288),

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 (Inouye).

Stand. Com. Rep. No. 1037 (Gov. Msg. Nos. 161, 162, 163, 164 and 165):

Senator Baker moved that Stand. Com. Rep. No. 1037 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 Emergency Medical Services Advisory Committee of the following:

DIANE M. IRONS, term to expire June 30, 2008 (Gov. Msg. No. 161);

STUART DAVID LERNER M.D., term to expire June 30, 2008 (Gov. Msg. No. 162);

IAN T. SANTEE, term to expire June 30, 2008 (Gov. Msg. No. 163);

WILLIAM T. WATKINS JR., term to expire June 30, 2008 (Gov. Msg. No. 164); and

MILLICENT WELLINGTON, term to expire June 30, 2007 (Gov. Msg. No. 165),

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 (Inouye).

Stand. Com. Rep. No. 1038 (Gov. Msg. Nos. 181, 182 and 183):

Senator Baker moved that Stand. Com. Rep. No. 1038 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 Board of Health of the following:

MAILE BURKE MPA, term to expire June 30, 2008 (Gov. Msg. No. 181);

JASON E. MADDOCK PHD, term to expire June 30, 2008 (Gov. Msg. No. 182); and

ROGER B. MCKEAGUE, term to expire June 30, 2009 (Gov. Msg. No. 183),

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 (Inouye).

Stand. Com. Rep. No. 1039 (Gov. Msg. Nos. 184, 185, 186, 187, 188 and 189):

Senator Baker moved that Stand. Com. Rep. No. 1039 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 Board of Directors of the Hawaii Health Systems Corporation of the following:

ROSANNE C. HARRIGAN EDD, term to expire June 30, 2007 (Gov. Msg. No. 184);

SAMUEL DWIGHT LYONS MD, term to expire June 30, 2008 (Gov. Msg. No. 185);

CAROL MYRIANTHIS RPT, PSYD, term to expire June 30, 2008 (Gov. Msg. No. 186);

BRIAN K. NAKASHIMA, term to expire June 30, 2008 (Gov. Msg. No. 187);

TYLER SMITH, term to expire June 30, 2008 (Gov. Msg. No. 188); and

ROBERT VALENCIA SR., term to expire June 30, 2008 (Gov. Msg. No. 189),

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 (Inouye).

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1285 (Gov. Msg. Nos. 266, 267, 268 and 269):

Senator Espero moved that Stand. Com. Rep. No. 1285 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

DONALD DYMOND, term to expire June 30, 2008 (Gov. Msg. No. 266);

GEORGE J. HANDGIS, term to expire June 30, 2009 (Gov. Msg. No. 267);

NOELANI WHITTINGTON, term to expire June 30, 2006 (Gov. Msg. No. 268); and

MICHAEL C. L. YEE, term to expire June 30, 2008 (Gov. Msg. No. 269),

seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1286 (Gov. Msg. Nos. 271 and 272):

Senator Espero moved that Stand. Com. Rep. No. 1286 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Stadium Authority of the following:

MARVIN A. FONG, term to expire June 30, 2008 (Gov. Msg. No. 271); and

ALEXANDER C. KANE JR., term to expire June 30, 2008 (Gov. Msg. No. 272),

seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1287 (Gov. Msg. Nos. 194 and 195):

Senator Kanno moved that Stand. Com. Rep. No. 1287 be received and placed on file, seconded by Senator Ihara and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Hoisting Machine Operators Advisory Board of the following:

ROY SEIYEI AKAMINE, term to expire June 30, 2008 (Gov. Msg. No. 194); and

THOMAS S. VENDETTA, term to expire June 30, 2008 (Gov. Msg. No. 195),

seconded by Senator Ihara.

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

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

Stand. Com. Rep. No. 1288 (Gov. Msg. No. 394):

Senator Kanno moved that Stand. Com. Rep. No. 1288 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 ALTON T. KUIOKA to the Board of Trustees of the Employees' Retirement System (ERS), term to expire January 1, 2011, seconded by Senator Ihara.

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

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

Stand. Com. Rep. No. 1289 (Gov. Msg. No. 147):

Senator Kanno moved that Stand. Com. Rep. No. 1289 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 KENNETH T. TAIRA to the Board of Trustees of the Deferred Compensation Plan, term to expire June 30, 2008, seconded by Senator Ihara.

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

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

Stand. Com. Rep. No. 1290 (Gov. Msg. Nos. 303, 304, 305, 306 and 307):

Senator Kanno moved that Stand. Com. Rep. No. 1290 be received and placed on file, seconded by Senator Ihara and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

GLADYS C. BAISA, term to expire June 30, 2008 (Gov. Msg. No. 303);

JEFFREY BLOOM, term to expire June 30, 2008 (Gov. Msg. No. 304);

JONATHAN J. CHUN, term to expire June 30, 2009 (Gov. Msg. No. 305);

ALAN L. GARSON ED.D., term to expire June 30, 2008 (Gov. Msg. No. 306); and

DENIS MACTAGONE, term to expire June 30, 2006 (Gov. Msg. No. 307),

seconded by Senator Ihara.

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

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

Stand. Com. Rep. No. 1291 (Gov. Msg. No. 274):

Senator Taniguchi moved that Stand. Com. Rep. No. 1291 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of MICHAEL J. CHOI to the Board of Taxation Review, 1<sup>st</sup> Taxation District (Oahu), term to expire June 30, 2008, seconded by Senator Tsutsui.

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

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

Stand. Com. Rep. No. 1292 (Gov. Msg. No. 275):

Senator Taniguchi moved that Stand. Com. Rep. No. 1292 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of ALAN K. BERNALDO to the Board of Taxation Review, 2<sup>nd</sup> Taxation District (Maui), term to expire June 30, 2008, seconded by Senator Tsutsui.

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

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

Stand. Com. Rep. No. 1293 (Gov. Msg. No. 276):

Senator Taniguchi moved that Stand. Com. Rep. No. 1293 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of DWAYNE STEPHEN LERMA to the Board of Taxation Review, 3<sup>rd</sup> Taxation District (Hawaii), term to expire June 30, 2008, seconded by Senator Tsutsui.

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

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

Stand. Com. Rep. No. 1294 (Gov. Msg. No. 277):

Senator Taniguchi moved that Stand. Com. Rep. No. 1294 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of CAROL P. WEIR to the Board of Taxation Review, 3<sup>rd</sup> Taxation District (Hawaii), term to expire June 30, 2007, seconded by Senator Tsutsui.

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

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

Stand. Com. Rep. No. 1295 (Gov. Msg. Nos. 278 and 279):

Senator Taniguchi moved that Stand. Com. Rep. No. 1295 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, 4<sup>th</sup> Taxation District (Kauai) of the following:

SANDRA L. DAY MBA, CPA, term to expire June 30, 2008 (Gov. Msg. No. 278); and

ALBERT W. STIGLMEIER, term to expire June 30, 2007 (Gov. Msg. No. 279),

seconded by Senator Tsutsui.

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

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

Stand. Com. Rep. No. 1306 (Jud. Com. No. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1306 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of EDWIN C. NACINO 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 Hee.

Senator Hanabusa rose to speak in support of the nominee as follows:

“Mr. President, I stand in support of Jud. Com. No. 1, submitting for consideration and confirmation to the District Court of the First Circuit, judicial nominee Edwin C. Nacino.

“Mr. President, I’d like to begin by first saying I didn’t know Mr. Nacino before this process, but I want you and my colleagues to know that he has left an impression with me of someone that we do want to serve as a district court judge.

“Mr. Nacino was born in Kauai, moved to Oahu and actually grew up in Mayor Wright Housing. He did his middle school work at Central Intermediate and graduated from McKinley High School. Mr. Nacino went on to become a police officer with HPD for about eight to nine years and during that time Mr. Nacino achieved his Bachelor of Arts degree from the University of Hawaii while being a fulltime police officer. Then, in about 1986, 1987 he started law school at the William S. Richardson School of Law. Since then graduating in 1990, he has been a prosecuting attorney, a judge’s law clerk, and most recently a partner in the law firm of Roeca Louie and Hiraoka.

“I’d like to say that one of the things that struck me the most about Mr. Nacino is that he’s a very real person. The Hawaii State Bar Association rated him qualified and one of the people who spoke on his behalf described him as he’s not your classic Ivy Leaguer. Mr. President, we don’t want an Ivy Leaguer in this position.

“I think what I’d like to share with everyone is his own words when he said in response to the question of – what is it that you believe gives you that experience to be a good judge? He says, ‘My exposure to the unfortunate experiences of discrimination and prejudice, experiences that immigrants endure when English is not their first language, or when one lives in housing have provided me with the compassion and understanding for the underprivileged. The situation crisis intervention and training that I have gained as a police officer provided me the very unique view of people at both their worst and their best.’

“Mr. President, the thing about Mr. Nacino, if you sat through our hearings, is that he is such a real person. If you recall everyone who has come before us who wants to be a district court judge, the common theme that we must all look for is the fact that the district court judge is really where most people experience justice. Most people will have their first and last opportunity at the district court. The district court is the one that makes what we may consider to be not such major cases but the cases that affect the individual – there are traffic, there are trespass, there are landlord/tenant problems. The bulk of the people who have an experience with the judiciary will do it on the district court level.

“Mr. President, Mr. Nacino gives you the sense that he will be very fair, very compassionate, and very understanding. He may not be that Ivy Leaguer, but I will tell you – he is the face of the judiciary that we all want when we go there. I believe the fact that he grew up in housing and experienced everything and worked his way through school and went from police officer to defense lawyer is a great statement on his part.

“Mr. President, I’d also like to say that the fact that he is smart enough to send his daughter to St. Andrews Priory, his only child, is another indication of what a great mind this man really has. Unfortunately, Shelby isn’t here with us today, but I did want to mention the fact that he is also and proudly states that he is a participating member in the Priory PTA.

“Mr. President, I ask you and the rest of my colleagues to join me in consenting to the confirmation of Edwin C. Nacino to the district court.

“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 Nacino and his family to the members of the Senate.

At 12:17 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.

#### ADOPTION OF RESOLUTION

#### MATTER DEFERRED FROM WEDNESDAY, MARCH 30, 2005

Stand. Com. Rep. No. 1308 (S.C.R. No. 18):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 18, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS PROPERTY/CASUALTY INSURANCE MODERNIZATION ACT,” was adopted.

Senator Slom rose on a point of personal privilege as follows:

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

“Competition – two days ago a new shipping company made its debut in Hawaii and brought with it competition to two existing carriers. And immediately the two existing carriers found ways of lowering their rates to the consumers of Hawaii. Yesterday, the newest life and health casualty insurance company Summerlin Insurance announced it was going to be filing for a 20 percent rate reduction in premiums July 1<sup>st</sup>, and immediately the existing carriers began discussions about how they might reduce or change their rates as well.

“Colleagues, we debate a lot of bills and we’re always trying to help our consumers and help our taxpayers, but too often what we try to do is to regulate rates or put further restrictions or prohibitions on business. We have urged for a long period of time to extend and expand competition, because with competition comes not only better goods and services but also lower prices.

“So now that we have one-third of our Session remaining and we’re preparing to go into Conference, we should keep this in mind – if we truly want to help increase the standard of living of the people of Hawaii and also to help give us better services and goods, the way to go really is to find ways of removing impediments and increasing new businesses to come to Hawaii or for those here to expand so as to provide that competition and lower prices.

“Thank you, Mr. President.”

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**ADJOURNMENT**

At 12:24 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 1, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-FIRST DAY

## Friday, April 1, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Students of Punana Leo O Kawaiha'o, directed by Ms. Manu Williams, after which the Roll was called showing all Senators present.

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

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

The Senate reconvened at 12:04 o'clock p.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 381 to 388) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 381, transmitting H.C.R. No. 8, which was adopted by the House of Representatives on March 31, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH," was deferred until Monday, April 4, 2005.

Hse. Com. No. 382, transmitting H.C.R. No. 34, which was adopted by the House of Representatives on March 31, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO ACHIEVE UNIVERSAL HEALTH CARE BY 2012," was deferred until Monday, April 4, 2005.

Hse. Com. No. 383, transmitting H.C.R. No. 225, H.D. 1, which was adopted by the House of Representatives on March 31, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 225, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO UNDERTAKE A TRAFFIC LIGHT STUDY OF THE INTERSECTION OF KALANIANA'OLE HIGHWAY AND ULUPUI STREET IN KAILUA, OAHU," was deferred until Monday, April 4, 2005.

At 12:05 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.

Hse. Com. No. 384, returning S.B. No. 780, which passed Third Reading in the House of Representatives on March 31, 2005, was placed on file.

Hse. Com. No. 385, returning S.B. No. 778, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2005, was placed on file.

Hse. Com. No. 386, returning S.B. No. 782, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 2005, was placed on file.

Hse. Com. No. 387, returning S.B. No. 1210, which passed Third Reading in the House of Representatives on March 31, 2005, was placed on file.

Hse. Com. No. 388, returning S.B. No. 1249, which passed Third Reading in the House of Representatives on March 31, 2005, was placed on file.

## STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1332) recommending that H.B. No. 1413, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1413, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1333) recommending that H.B. No. 1450, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1450, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1334) recommending that H.B. No. 1453, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1453, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1335) recommending that the Senate advise and consent to the nomination of RUSSELL T. STODD MD to the Board of Directors of the Hawaii Health Systems Corporation, in accordance with Gov. Msg. No. 395.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1335 and Gov. Msg. No. 395 was deferred until Monday, April 4, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1336), recommending that S.C.R. No. 180, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 180, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY OF STATE FUNDING CRITERIA AND MODELS UTILIZED AT OTHER PUBLICLY FUNDED INSTITUTIONS OF HIGHER EDUCATION FOR A PER STUDENT FUNDING FORMULA," was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1318 (Gov. Msg. No. 145):

Senator Menor moved that Stand. Com. Rep. No. 1318 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 WAYNE M. SHINTANI to the Credit Union Advisory Board, term to expire June 30, 2008, 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. 1319 (Gov. Msg. Nos. 148 and 149):

Senator Menor moved that Stand. Com. Rep. No. 1319 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 Dental Examiners of the following:

ARMAND K. CHONG DDS, FAGD, term to expire June 30, 2008 (Gov. Msg. No. 148); and

RANDALL S. CISLO D.M.D., term to expire June 30, 2008 (Gov. Msg. No. 149),

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. 1320 (Gov. Msg. Nos. 166, 167 and 168):

Senator Menor moved that Stand. Com. Rep. No. 1320 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:

OSCAR PORTUGAL, term to expire June 30, 2008 (Gov. Msg. No. 166);

RICHARD M. SUZUKI P.E., term to expire June 30, 2006 (Gov. Msg. No. 167); and

MARC VENTURA AIA, term to expire June 30, 2008 (Gov. Msg. No. 168),

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. 1326 (Gov. Msg. No. 388):

Senator Hanabusa moved that Stand. Com. Rep. No. 1326 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of ROGER DANIEL RIZZO to the Civil Rights Commission, term to expire June 30, 2009, seconded by Senator Hee.

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. 1327 (Gov. Msg. Nos. 139, 140, 141 and 142):

Senator Menor moved that Stand. Com. Rep. No. 1327 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 Contractors License Board of the following:

ANACLETO ALCANTRA SR., term to expire June 30, 2008 (Gov. Msg. No. 139);

DENNY R. SADOWSKI, term to expire June 30, 2008 (Gov. Msg. No. 140);

NICHOLAS W. TEVES JR., term to expire June 30, 2008 (Gov. Msg. No. 141); and

THOMAS B. VINCENT, term to expire June 30, 2008 (Gov. Msg. No. 142),

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. 1328 (Gov. Msg. Nos. 204, 205 and 206):

Senator Menor moved that Stand. Com. Rep. No. 1328 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:

M. PIERRE K. W. PANG MD, term to expire June 30, 2008 (Gov. Msg. No. 204);

FEREYDOUN DON PARSA MD, term to expire June 30, 2006 (Gov. Msg. No. 205); and

G. MARKUS POLIVKA, term to expire June 30, 2007 (Gov. Msg. No. 206),

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. 1329 (Gov. Msg. Nos. 227 and 228):

Senator Menor moved that Stand. Com. Rep. No. 1329 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 Motor Vehicle Repair Industry Board of the following:

BILL W. GREEN, term to expire June 30, 2007 (Gov. Msg. No. 227); and

RICHARD Y. MITSUMORI, term to expire June 30, 2007 (Gov. Msg. No. 228),

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. 1330 (Gov. Msg. No. 238):

Senator Menor moved that Stand. Com. Rep. No. 1330 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 JANET M. WILLIAMS to the Board of Pharmacy, term to expire June 30, 2008, 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. 1331 (Gov. Msg. No. 239):

Senator Menor moved that Stand. Com. Rep. No. 1331 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 CHRISTINA BAXENDALE to the Board of Physical Therapy, term to expire June 30, 2008, 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.

### THIRD READING

H.B. No. 624, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, H.B. No. 624, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 119, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 119, 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, 25. Noes, none.

H.B. No. 313:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO 911 EMERGENCY SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 320, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 320, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"The bill, I believe, is overly broad and it has several problems with it, some of which I'd like to discuss at the moment. I don't have any problem with expanding the disclosure requirements for elected officials or for those agencies where salaries are earned and so forth. The problem I have with this bill is that it goes into boards and commissions to people that are not paid, also to their families' – to spouse's and to children's – financial statements. There were comments by the ethics commission that in fact they did not seek this and that this in fact may be a problem on many other areas and not the least of which may be privacy and other constitutional issues.

"When we pass or expand legislation like this, normally we do so because there is a compelling public interest. There was nothing mentioned in the bill or in the committee report that would indicate in fact that there is a compelling public interest or in fact that there's any public interest whatsoever to have this additional information.

"So again, my concern is with those people that are appointed to boards and commissions that are not paid and that it requires information about their spouses and about their children. I think, Mr. President, we have seen that it's difficult enough to get people to volunteer to be on boards or commissions. I think that this in fact would be further evidence that it would be very hard and discourage those people to do community service.

"So, for these reasons, I'm going to vote 'no' on the bill. Thank you."

Senator Hanabusa rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, the boards and commission provision of this bill that requires the disclosure, and it’s a public disclosure, are for those state board and commission members who have the authority to render declaratory rulings or hold contested case hearings in accordance with Chapter 91. Mr. President, I believe that the public does want to know and should know about any types of financial interest that these board members may have because they are in fact acting in a quasi-judicial manner.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, H.B. No. 320, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Sлом).

H.B. No. 494:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 494, 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, 25. Noes, none.

At 12:10 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.

#### **RECONSIDERATION OF ACTION TAKEN EARLIER ON THE CALENDAR**

H.B. No. 494:

Senator Hanabusa moved that the Senate reconsider its action taken earlier on the calendar in passing H.B. No. 494 on Third Reading, seconded by Senator Hee.

At 12:14 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.

Senator Hanabusa noted:

“Mr. President, H.B. No. 494 moved out of the Judiciary Committee unamended and we received notice that the judiciary has requested some changes to the measure. There is a Senate version that’s making its way through the House, so we would like to move to reconsider the vote so that we can then move to recommit this measure and work on the Senate version that’s moving through the House at this time.

“Thank you, Mr. President.”

The motion was put by the Chair and carried.

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 494, entitled: “A BILL FOR AN ACT

RELATING TO TRAFFIC INFRACTIONS,” was recommitted to the Committee on Judiciary and Hawaiian Affairs.

#### **THIRD READING**

H.B. No. 806, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 806, H.D. 1, 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, 25. Noes, none.

H.B. No. 894:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 894, 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, 25. Noes, none.

H.B. No. 1221:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1221, 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, 25. Noes, none.

H.B. No. 496:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 496, entitled: “A BILL FOR AN ACT RELATING TO PETTY MISDEMEANORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 8, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, H.B. No. 8, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MILITARY SERVICE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 644, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 644, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POOLED INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.



H.B. No. 785, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 785, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**HOUSE COMMUNICATIONS**

**MATTERS DEFERRED FROM THURSDAY, MARCH 31, 2005**

H.C.R. No. 86, H.D. 1 (Hse. Com. No. 362):

By unanimous consent, action on H.C.R. No. 86, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO EXPEDITIOUSLY CONCLUDE ITS NEGOTIATIONS WITH HAWAII SUPERFERRY, INC.," was deferred until Monday, April 4, 2005.

H.C.R. No. 127 (Hse. Com. No. 363):

By unanimous consent, action on H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DETERMINE THE FEASIBILITY OF REGULATING AND LICENSING BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS," was deferred until Monday, April 4, 2005.

H.C.R. No. 214 (Hse. Com. No. 364):

By unanimous consent, action on H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII," was deferred until Monday, April 4, 2005.

H.C.R. No. 245, H.D. 1 (Hse. Com. No. 365):

By unanimous consent, action on H.C.R. No. 245, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NO CHILD LEFT BEHIND ACT OF 2001 ACCORDING TO THE RECOMMENDATIONS OF THE FINAL REPORT OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES' TASK FORCE ON NO CHILD LEFT BEHIND," was deferred until Monday, April 4, 2005.

H.C.R. No. 246 (Hse. Com. No. 366):

By unanimous consent, action on H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO MAKE CERTAIN MODIFICATIONS AND ACKNOWLEDGMENTS WITH RESPECT TO THE NO CHILD LEFT BEHIND ACT OF 2001," was deferred until Monday, April 4, 2005.

H.C.R. No. 247 (Hse. Com. No. 367):

By unanimous consent, action on H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE PERFORMANCE BASED INCENTIVES WHEN CONTRACTING WITH EDUCATION SERVICE PROVIDERS FOR SCHOOL RESTRUCTURING UNDER

THE NO CHILD LEFT BEHIND ACT," was deferred until Monday, April 4, 2005.

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following Senate concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
No. 53	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 54	Committee on Health
No. 98	Committee on Health
No. 128	Committee on Human Services
No. 178	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
No. 222	Committee on Education and Military Affairs

**ADJOURNMENT**

At 12:17 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 4, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-SECOND DAY

## Monday, April 4, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:49 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.

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

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

The Senate reconvened at 12:03 o'clock p.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 548, advising the Senate of the withdrawal of the nomination of DELROY M. THOMPSON to the State Rehabilitation Council, under Gov. Msg. No. 263, dated January 28, 2005, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 548, the nomination listed under Gov. Msg. No. 263 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 389 to 492) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 389, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 98, H.D. 2 (S.D. 1);  
H.B. No. 125, H.D. 2 (S.D. 1);  
H.B. No. 169, H.D. 2 (S.D. 1); and  
H.B. No. 515, H.D. 2 (S.D. 1),

was placed on file.

Hse. Com. No. 390, transmitting H.C.R. No. 5, H.D. 1, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 5, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH A SOUTH KONA-KA'U COASTAL CONSERVATION PARTNERSHIP," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 391, transmitting H.C.R. No. 78, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING PENALTIES FOR THE CAPTURE OR DESTRUCTION OF MANTA RAYS WITHIN THE MARINE WATERS OF THE STATE OF HAWAII," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 392, transmitting H.C.R. No. 88, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONSIDER IMPOSING RESTRICTIONS ON PUBLIC ACCESS TO THE AHIHI-KINAU NATURAL AREA RESERVE," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 393, transmitting H.C.R. No. 91, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 394, transmitting H.C.R. No. 113, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE EFFECTIVENESS OF THE HAWAII INSURANCE BUREAU'S FIRE RATING PROGRAM," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 395, transmitting H.C.R. No. 141, H.D. 1, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ACTIVELY MONITOR LEVELS OF SULFUR DIOXIDE AND ESTABLISH A VOG INDEX ADVISORY PROGRAM FOR THE ENTIRE ISLAND OF HAWAII," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 396, transmitting H.C.R. No. 249, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 397, returning S.B. No. 60, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 60, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 398, returning S.B. No. 575, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 575, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 399, returning S.B. No. 637, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 637, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 400, returning S.B. No. 789, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 789, and requested a conference on the subject matter thereof.

Hse. Com. No. 401, returning S.B. No. 1129, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1129, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 402, returning S.B. No. 1699, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1699, S.D. 1, 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. 1337), recommending that S.C.R. No. 88 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, 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 AUDITOR TO CONDUCT A PROGRAM AUDIT ON THE EFFICACY OF LICENSE SUSPENSIONS FOR THE NONPAYMENT OF CHILD SUPPORT," 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. 1338) recommending that S.C.R. No. 95 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1338 and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING KOKUA COUNCIL TO CONVENE THE 2005 MODEL LEGISLATURE," was deferred until Tuesday, April 5, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1339), recommending that S.C.R. No. 146 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 146, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' RECEIPT, ADMINISTRATION, AND MANAGEMENT OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS," 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. 1340) recommending that S.C.R. No. 168 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1340 and S.C.R. No. 168, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES," was deferred until Tuesday, April 5, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1341), recommending that S.C.R. No. 37, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR A NEW PUBLIC HIGH SCHOOL IN KIHEI, MAUI TO BE FUNDED BY THE ISSUANCE OF CERTIFICATES OF PARTICIPATION," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1342) recommending that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

ALAN BUFFENSTEIN MD, in accordance with Gov. Msg. No. 212;

LIESJE CATTANEO, in accordance with Gov. Msg. No. 214;

RITA GOROSPE, in accordance with Gov. Msg. No. 215;

RANDOLPH C. HACK, in accordance with Gov. Msg. No. 216;

CANDACE M. SANDAL, in accordance with Gov. Msg. No. 218;

PAULINE SCHICK, in accordance with Gov. Msg. No. 219; and

SHARON P. YOKOTE, in accordance with Gov. Msg. No. 221.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1342 and Gov. Msg. Nos. 212, 214, 215, 216, 218, 219 and 221 was deferred until Tuesday, April 5, 2005.

Senators Sakamoto and Baker, for the Committee on Education and Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1343) recommending that S.C.R. No. 10, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1343 and S.C.R. No. 10, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO PROMOTE POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULA," was deferred until Tuesday, April 5, 2005.

Senators Sakamoto and Baker, for the Committee on Education and Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1344) recommending that S.R. No. 7, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1344 and S.R. No. 7, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO PROMOTE POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULA," was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1345) recommending that the Senate advise and consent to the nomination of L. DOUGLAS MACCLUER to the Board of Agriculture, in accordance with Gov. Msg. No. 128.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1345 and Gov. Msg. No. 128 was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1346) recommending that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides of the following:

JANET ASHMAN, in accordance with Gov. Msg. No. 233;

DON R. GERBIG, in accordance with Gov. Msg. No. 234;

CALVIN H. ODA, in accordance with Gov. Msg. No. 235;

SEAN O'KEEFE, in accordance with Gov. Msg. No. 236; and

WESLEY OTANI, in accordance with Gov. Msg. No. 237.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1346 and Gov. Msg. Nos. 233, 234, 235, 236 and 237 was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1347) recommending that the Senate advise and consent to the nominations to the Molokai Irrigation System Water Users Advisory Board of the following:

THOMAS D. DECOURCY, in accordance with Gov. Msg. No. 222;

ADOLPH M. HELM, in accordance with Gov. Msg. No. 223; and

RICHARD K. WHEELER, in accordance with Gov. Msg. No. 225.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1347 and Gov. Msg. Nos. 222, 223 and 225 was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1348) recommending that the Senate advise and consent to the nominations to the Kauai Aquatic Life and Wildlife Advisory Committee of the following:

JEFFREY BRYANT, in accordance with Gov. Msg. No. 129;

GEORGE R. COATES, in accordance with Gov. Msg. No. 130;

LOIS FUJISHIGE, in accordance with Gov. Msg. No. 131;

EDSON MARTIN, in accordance with Gov. Msg. No. 132; and

ELTON S. USHIO, in accordance with Gov. Msg. No. 133.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1348 and Gov. Msg. Nos. 129, 130, 131, 132 and 133 was deferred until Tuesday, April 5, 2005.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1349), recommending that S.C.R. No. 73, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION WORK TO ABOLISH THE ESTATE TAX PERMANENTLY, OR TO OTHERWISE EASE THE BURDEN OF THE ESTATE TAX UPON FARMERS AND SMALL BUSINESSES," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1350), recommending that S.R. No. 36, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION WORK TO ABOLISH THE ESTATE TAX PERMANENTLY, OR TO OTHERWISE EASE THE BURDEN OF THE ESTATE TAX UPON FARMERS AND SMALL BUSINESSES," was referred to the Committee on Ways and Means.

**ORDER OF THE DAY****ADVISE AND CONSENT**

Stand. Com. Rep. No. 1335 (Gov. Msg. No. 395):

Senator Baker moved that Stand. Com. Rep. No. 1335 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 RUSSELL T. STODD MD to the Board of Directors of the Hawaii Health Systems Corporation, term to expire June 30, 2009, seconded by Senator Chun Oakland.

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

Ayes, 25. Noes, none.

At 12:05 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.

**THIRD READING**

H.B. No. 161, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 214, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 214, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and said:

"Mr. President and colleagues, I rise in opposition to this bill.

"Normally I would be supportive of this or any bill that would reduce the bureaucracy and time involved particularly in lowering rates for the consumers, but I've got to admit I'm really baffled by this bill. This bill affects lowered rates and expedites lowered rates to go into effect immediately if they have to do with casualty, and property, and liability. But the biggest area of concern for consumers and for businesses happens to be healthcare rates, and yet strangely this bill specifically exempts them or does not give them the same expediency in terms of lowering rates.

"Last week I rose and I spoke against competition in the shipping area and also in the insurance area, pointing out that Summerlin Life and Health Insurance has given notice that they will file for a 20 percent-plus rate reduction. Now I find it really strange that we are talking so much about the high cost of health, healthcare, premiums of insurance and yet here we have a specific proposal to lower rates and that is not included in this bill. So any information that I can be given as to why that is not the case, I would certainly appreciate, but it stands out like a sore thumb.

"The other thing is that if we're going in this direction maybe we don't need an Insurance Commissioner at all, but that would

be wishful thinking. So at this point, regretfully, I will stand in opposition to the bill.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 214, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

H.B. No. 553, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 553, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 833, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1712, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1712, 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, 25. Noes, none.

H.B. No. 1715, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 1715, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hemmings rose to speak against the measure as follows:

"Mr. President, I rise to speak against this bill and in favor of civil rights.

"I'm speaking in favor of civil rights because it's a two-way street, Mr. President and colleagues, and I do believe that property owners have some rights too. This is a step down an interesting road that has been addressed before by this Legislature.

"For the record, I will note that the committee report says that there was a petition signed by 600 individuals. The people that submitted the petition have on record approximately 1,500 concerned citizens that are opposed to this.

"There are many other problems with this bill, one of which is it seems that discrimination is all right if you're a member of a very narrowly focused church group, but discrimination by anybody else would seem to be problematic. To me that

recognizes some duplicity within the concept that this bill is trying to implement. And of course the way the bill is written, especially when it comes to sexual orientation, there are many interpretations of that, not necessarily couples that seem to be the same gender indulging in sex. Sexual orientation could mean any number of other things, some of which could be fairly deviate, which would leave the renter of the property, upon finding out things like this, little or no recourse or little or no recourse in making a decision on who can or cannot rent their property.

“So, I’m hoping this Legislature sees the wisdom in not ultimately condoning this bill. If an exemption can be given to a narrowly focused church group, why can’t that same privilege be given to everybody else that has properties?”

“So, there seems to be, as I said earlier, rather a dichotomy or duplicitous nature to this particular piece of legislation and I urge my colleagues to consider a ‘no’ vote in the future. Even though I think via your caucus your minds are already made up, I’m hoping you’ll give it further thought as it proceeds through the process.

“Thank you, Mr. President. I will be voting ‘no.’”

Senator Sakamoto 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. 1715, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

H.B. No. 1413, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1413, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:36 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.

H.B. No. 1450, H.D. 2, S.D. 1:

Senator Hanabusa moved that H.B. No. 1450, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hemmings rose to speak against the bill and said:

“Mr. President, I rise to speak against H.B. No. 1450, H.D. 2, S.D. 1.

“Mr. President, I hope this is one of these bills that’s going to get scuttled in Conference Committee. Also, it seems extremely problematic. It actually puts into statute a definition clause that really should be looked at further because it defines expression identity or that expression includes a person’s actual or perceived gender. When we start defining sexual identity as perceived rather than actual, we’re headed down a very interesting road for all of us as a society.

“How does this affect companies that want to employ people where they wear uniforms, and what uniforms are they going to wear. I’d sure hate to be standing in the bathroom and have someone walk up to me that is a woman, but because she’s dressed in men’s clothing would feel that it’s her perceived gender identification or that she would be able to go into the men’s bathroom. This leads to many problems in the workplace and many identity problems, and I suggest that we give it further consideration before we let it pass Final Reading.

“I’m voting ‘no’ and will be urging my colleagues to do what is often done, which is to kill this bill in Conference Committee. Thank you, Mr. President.”

Senators Sakamoto and Kim requested their vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1450, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

H.B. No. 1453, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1453, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM  
FRIDAY, APRIL 1, 2005**

The President made the following committee assignments of House concurrent resolutions that were received on Thursday, March 31, 2005, and Friday, April 1, 2005:

House Concurrent Resolution	Referred to:
No. 8	Committee on Health
No. 34	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 86, H.D. 1	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 127	Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs
No. 214	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
No. 225, H.D. 1	Committee on Transportation and Government Operations

No. 245, H.D. 1      Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 246              Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 247              Committee on Education and Military Affairs, then to the Committee on Ways and Means

**ADJOURNMENT**

At 12:41 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 5, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-THIRD DAY

**Tuesday, April 5, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Michael Palompo, New Hope Mililani, 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 12:05 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.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 549 and 550) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 549, advising the Senate of the withdrawal of the nominations of:

CHERYL A. WILLIAMS to the Board of Directors of the Hawaii Tourism Authority, under Gov. Msg. No. 285, dated January 28, 2005; and

MICHAEL H. FURUKAWA to the Land Use Commission, under Gov. Msg. No. 396, dated March 9, 2005,

was placed on file.

In compliance with Gov. Msg. No. 549, the nominations listed under Gov. Msg. Nos. 285 and 396 were returned.

Gov. Msg. No. 550, submitting for consideration and confirmation to the Board of Directors of the Hawaii Tourism Authority, the nomination of LEON D. YOSHIDA, term to expire June 30, 2008, was referred to the Committee on Tourism.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 403 to 432) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 403, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 320, H.D. 1 (S.D. 1);  
H.B. No. 624 (S.D. 1);  
H.B. No. 644, H.D. 1 (S.D. 1);  
H.B. No. 785, H.D. 1 (S.D. 1); and  
H.B. No. 806, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 404, transmitting H.C.R. No. 4, H.D. 1, which was adopted by the House of Representatives on April 4, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE THE ADVISABILITY OF ENTERING INTO INTERSTATE COMPACTS WITH OTHER STATES CONCERNING CERTAIN PERILS AFFECTING THE COST OF PROPERTY AND CASUALTY INSURANCE," was deferred until Wednesday, April 6, 2005.

Hse. Com. No. 405, transmitting H.C.R. No. 56, which was adopted by the House of Representatives on April 4, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 56, 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 deferred until Wednesday, April 6, 2005.

Hse. Com. No. 406, transmitting H.C.R. No. 66, which was adopted by the House of Representatives on April 4, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 29, 2005, AS SAMUEL MANAIKALANI KAMAKAU DAY," was deferred until Wednesday, April 6, 2005.

Hse. Com. No. 407, transmitting H.C.R. No. 131, H.D. 1, which was adopted by the House of Representatives on April 4, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 131, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO AMEND TITLE 13, CHAPTER 34, HAWAII ADMINISTRATIVE RULES, THE PUPUKEA MARINE LIFE CONSERVATION DISTRICT, OAHU, TO ALLOW HOOK AND LINE POLE FISHING FOR AKULE," was deferred until Wednesday, April 6, 2005.

Hse. Com. No. 408, transmitting H.C.R. No. 151, H.D. 1, which was adopted by the House of Representatives on April 4, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 151, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAII GLOBAL YOUTH CENTER," was deferred until Wednesday, April 6, 2005.

Hse. Com. No. 409, transmitting H.C.R. No. 178, which was adopted by the House of Representatives on April 4, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO STUDY AND REPORT ON WASTE MANAGEMENT STRATEGIES FOR AUTOMOBILES, AUTOMOTIVE PRODUCTS, AND ELECTRONIC WASTE," was deferred until Wednesday, April 6, 2005.

Hse. Com. No. 410, transmitting H.C.R. No. 287, H.D. 1, which was adopted by the House of Representatives on April 4, 2005, was placed on file.



By unanimous consent, action on H.C.R. No. 287, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES, WORKING JOINTLY WITH THE COUNTIES AND THE UNITED STATES ARMY CORPS OF ENGINEERS, TO CONDUCT A STUDY ON FLOOD MITIGATION MEASURES FOR STREAMS IN THE KANEOHE AREA," was deferred until Wednesday, April 6, 2005.

Hse. Com. No. 411, returning S.B. No. 842, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, was placed on file.

Hse. Com. No. 412, returning S.B. No. 459, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 459, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 413, returning S.B. No. 943, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 943, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 414, returning S.B. No. 944, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 944, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 415, returning S.B. No. 945, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 945, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 416, returning S.B. No. 1018, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1018, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 417, returning S.B. No. 1045, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1045, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 418, returning S.B. No. 1046, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1046, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 419, returning S.B. No. 1047, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1047, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 420, returning S.B. No. 1048, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1048, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 421, returning S.B. No. 1049, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, 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. 422, returning S.B. No. 1050, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1050, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 423, returning S.B. No. 1253, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1253, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 424, returning S.B. No. 1579, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1579, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 425, returning S.B. No. 1580, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1580, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 426, returning S.B. No. 1581, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1581, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 427, returning S.B. No. 1582, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1582, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 428, returning S.B. No. 1583, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1583, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 429, returning S.B. No. 1584, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1584, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 430, returning S.B. No. 1585, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1585, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 431, returning S.B. No. 1883, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1883, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 432, returning S.B. No. 1893, which passed Third Reading in the House of Representatives on April 4, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1893, and requested a conference on the subject matter thereof.

#### STANDING COMMITTEE REPORTS

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1351) recommending that the Senate advise and consent to the nomination of DOUGLAS KAHIKINA CHANG to the Board of Directors of the Hawaii Tourism Authority, in accordance with Gov. Msg. No. 284.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1351 and Gov. Msg. No. 284 was deferred until Wednesday, April 6, 2005.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1352) recommending that S.C.R. No. 107, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1352 and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE CURRENT HAWAII COUNTY TRAFFIC PLANS TO ENSURE THE OBJECTIVES OF THE HAWAII STATE PLANNING ACT FOR TRANSPORTATION PLANNING ARE MET AND TO PREPARE A TRAFFIC SOLUTION PLAN FOR HAWAII COUNTY," was deferred until Wednesday, April 6, 2005.

Senators Inouye, Chun Oakland and Ige, for the Committee on Transportation and Government Operations, the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1353) recommending that S.C.R. No. 96 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1353 and S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DEVELOP A STRATEGIC PLAN FOR FURNISHING SENIOR TRANSPORTATION OPTIONS IN THEIR COUNTY," was deferred until Wednesday, April 6, 2005.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1354) recommending that S.C.R. No. 94 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1354 and S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII," was deferred until Wednesday, April 6, 2005.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1355) recommending that S.R. No. 58, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1355 and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE CURRENT HAWAII COUNTY TRAFFIC PLANS TO ENSURE THE OBJECTIVES OF THE HAWAII STATE PLANNING ACT FOR TRANSPORTATION PLANNING ARE MET AND TO PREPARE A TRAFFIC SOLUTION PLAN FOR HAWAII COUNTY," was deferred until Wednesday, April 6, 2005.

Senators Inouye and Ige, for the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1356) recommending that S.R. No. 53 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1356 and S.R. No. 53, entitled: "SENATE RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII," was deferred until Wednesday, April 6, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1357) recommending that H.B. No. 712, H.D. 2, 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. 712, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," was deferred until Thursday, April 7, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1358) recommending that H.B. No. 895, 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. 895, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," was deferred until Thursday, April 7, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1359) recommending that H.B. No. 1201, H.D. 2, 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. 1201, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," was deferred until Thursday, April 7, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1360) recommending that H.B. No. 1202, H.D. 2, 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. 1202, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," was deferred until Thursday, April 7, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1361) 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. 1361 and H.B. No. 1430, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," was deferred until Thursday, April 7, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1362) recommending that H.B. No. 1709, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 7, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection, and Housing, presented a report (Stand. Com. Rep. No. 1363) recommending that H.B. No. 81 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1363 and H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Thursday, April 7, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection, and Housing, presented a report (Stand. Com. Rep. No. 1364) recommending that H.B. No. 295, H.D. 2, 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. 295, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," was deferred until Thursday, April 7, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection, and Housing, presented a report (Stand. Com. Rep. No. 1365) recommending that H.B. No. 1118 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1365 and H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO NURSES," was deferred until Thursday, April 7, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1366) recommending that the Senate advise and consent to the nomination of BECKY L. HAYASHIDA CHOI to the Rental Housing Trust Fund Advisory Commission, in accordance with Gov. Msg. No. 265.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1366 and Gov. Msg. No. 265 was deferred until Wednesday, April 6, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1367) recommending that the Senate advise and consent to the nomination of JOYCE M. ALLEN to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 270.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1367 and Gov. Msg. No. 270 was deferred until Wednesday, April 6, 2005.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 1342 (Gov. Msg. Nos. 212, 214, 215, 216, 218, 219 and 221):

Senator Baker moved that Stand. Com. Rep. No. 1342 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 Mental Health of the following:

ALAN BUFFENSTEIN MD, term to expire June 30, 2008 (Gov. Msg. No. 212);

LIESJE CATTANEO, term to expire June 30, 2008 (Gov. Msg. No. 214);

RITA GOROSPE, term to expire June 30, 2006 (Gov. Msg. No. 215);

RANDOLPH C. HACK, term to expire June 30, 2008 (Gov. Msg. No. 216);

CANDACE M. SANDAL, term to expire June 30, 2008 (Gov. Msg. No. 218);

PAULINE SCHICK, term to expire June 30, 2007 (Gov. Msg. No. 219); and

SHARON P. YOKOTE, term to expire June 30, 2008 (Gov. Msg. No. 221),

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 (Menor).

Stand. Com. Rep. No. 1345 (Gov. Msg. No. 128):

Senator Kokubun moved that Stand. Com. Rep. No. 1345 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of L. DOUGLAS MACCLUER to the Board of Agriculture, term to expire June 30, 2008, 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 (Menor).

Stand. Com. Rep. No. 1346 (Gov. Msg. Nos. 233, 234, 235, 236 and 237):

Senator Kokubun moved that Stand. Com. Rep. No. 1346 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides of the following:

JANET ASHMAN, term to expire June 30, 2007 (Gov. Msg. No. 233);

DON R. GERBIG, term to expire June 30, 2008 (Gov. Msg. No. 234);

CALVIN H. ODA, term to expire June 30, 2008 (Gov. Msg. No. 235);

SEAN O'KEEFE, term to expire June 30, 2008 (Gov. Msg. No. 236); and

WESLEY OTANI, term to expire June 30, 2009 (Gov. Msg. No. 237),

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 (Menor).

Stand. Com. Rep. No. 1347 (Gov. Msg. Nos. 222, 223 and 225):

Senator Kokubun moved that Stand. Com. Rep. No. 1347 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Molokai Irrigation System Water Users Advisory Board of the following:

THOMAS D. DECOURCY, term to expire June 30, 2007 (Gov. Msg. No. 222);

ADOLPH M. HELM, term to expire June 30, 2009 (Gov. Msg. No. 223); and

RICHARD K. WHEELER, term to expire June 30, 2008 (Gov. Msg. No. 225),

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 (Menor).

Stand. Com. Rep. No. 1348 (Gov. Msg. Nos. 129, 130, 131, 132 and 133):

Senator Kokubun moved that Stand. Com. Rep. No. 1348 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Kauai Aquatic Life and Wildlife Advisory Committee of the following:

JEFFREY BRYANT, term to expire June 30, 2009 (Gov. Msg. No. 129);

GEORGE R. COATES, term to expire June 30, 2008 (Gov. Msg. No. 130);

LOIS FUJISHIGE, term to expire June 30, 2006 (Gov. Msg. No. 131);

EDSON MARTIN, term to expire June 30, 2007 (Gov. Msg. No. 132); and

ELTON S. USHIO, term to expire June 30, 2008 (Gov. Msg. No. 133),

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 (Menor).

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM MONDAY, APRIL 4, 2005

Stand. Com. Rep. No. 1338 (S.C.R. No. 95):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION

URGING KOKUA COUNCIL TO CONVENE THE 2005 MODEL LEGISLATURE," was adopted.

Stand. Com. Rep. No. 1340 (S.C.R. No. 168):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 168, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES," was adopted.

Stand. Com. Rep. No. 1343 (S.C.R. No. 10, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 10, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO PROMOTE POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULA," was adopted.

Stand. Com. Rep. No. 1344 (S.R. No. 7, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 7, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO PROMOTE POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULA," was adopted.

**HOUSE COMMUNICATIONS**

**MATTERS DEFERRED FROM MONDAY, APRIL 4, 2005**

H.C.R. No. 5, H.D. 1 (Hse. Com. No. 390):

By unanimous consent, action on H.C.R. No. 5, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH A SOUTH KONA-KA'U COASTAL CONSERVATION PARTNERSHIP," was deferred until Wednesday, April 6, 2005.

H.C.R. No. 78 (Hse. Com. No. 391):

By unanimous consent, action on H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING PENALTIES FOR THE CAPTURE OR DESTRUCTION OF MANTA RAYS WITHIN THE MARINE WATERS OF THE STATE OF HAWAII," was deferred until Wednesday, April 6, 2005.

H.C.R. No. 88 (Hse. Com. No. 392):

By unanimous consent, action on H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONSIDER IMPOSING RESTRICTIONS ON PUBLIC ACCESS TO THE AHIHI-KINAU NATURAL

AREA RESERVE," was deferred until Wednesday, April 6, 2005.

H.C.R. No. 91 (Hse. Com. No. 393):

By unanimous consent, action on H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII," was deferred until Wednesday, April 6, 2005.

H.C.R. No. 113 (Hse. Com. No. 394):

By unanimous consent, action on H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE EFFECTIVENESS OF THE HAWAII INSURANCE BUREAU'S FIRE RATING PROGRAM," was deferred until Wednesday, April 6, 2005.

H.C.R. No. 141, H.D. 1 (Hse. Com. No. 395):

By unanimous consent, action on H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ACTIVELY MONITOR LEVELS OF SULFUR DIOXIDE AND ESTABLISH A VOG INDEX ADVISORY PROGRAM FOR THE ENTIRE ISLAND OF HAWAII," was deferred until Wednesday, April 6, 2005.

H.C.R. No. 249 (Hse. Com. No. 396):

By unanimous consent, action on H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was deferred until Wednesday, April 6, 2005.

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTION**

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

Senate	
Concurrent	
Resolution	Referred to:

No. 99 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor, then to the Committee on Ways and Means

**RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 789 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 4, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 789, seconded by Senator Chun Oakland and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 789, seconded by Senator Chun Oakland.

Senator Baker noted:

“Mr. President, for the members’ edification, this is an emergency appropriation for home- and community-based services and basically all that the House did was make technical non-substantive form amendments, and so that’s why we want to move to agree.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 789, and S.B. No. 789, H.D. 1, entitled: “A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES,” was placed on the calendar for Final Reading on Wednesday, April 6, 2005.

S.B. No. 675 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on March 31, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 675, 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. 675, seconded by Senator Hanabusa.

Senator Chun Oakland noted:

“Mr. President, this bill provides the authority for the child support enforcement agency to provide services to non-custodial parents, allows disclosure of information in administrative proceedings and the issuance of income withholding orders. It requires the non-custodial parent to keep CSEA informed of medical insurance coverage and enables CSEA to notify employers of the requirement to provide medical insurance coverage by regular mail or transmission by electronic means. The House made technical non-substantive changes to this. We have gotten an SMA legal check and also consulted with the Attorney General’s Office.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 675, and S.B. No. 675, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT,” was placed on the calendar for Final Reading on Wednesday, April 6, 2005.

#### ADJOURNMENT

At 12:17 o’clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Wednesday, April 6, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-FOURTH DAY

**Wednesday, April 6, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Andrew Colver, University of Hawaii Student Intern, after which the Roll was called showing all Senators present with the exception of Senators Hogue, Ihara and Sakamoto who were excused.

The President announced that he had read and approved the Journal of the Forty-Third Day.

At 11:46 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.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 433 to 448) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 433, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 161, H.D. 1 (S.D. 1);  
 H.B. No. 214, H.D. 1 (S.D. 1);  
 H.B. No. 553, H.D. 1 (S.D. 1);  
 H.B. No. 833, H.D. 1 (S.D. 1);  
 H.B. No. 1413, H.D. 1 (S.D. 1);  
 H.B. No. 1450, H.D. 2 (S.D. 1);  
 H.B. No. 1453, H.D. 1 (S.D. 1);  
 H.B. No. 1712, H.D. 1 (S.D. 1); and  
 H.B. No. 1715, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 434, transmitting H.C.R. No. 95, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO RECOGNIZE THE IMPORTANCE OF THE CONTRIBUTIONS OF FAMILY CAREGIVERS AND TO SUPPORT THEM TO THE EXTENT POSSIBLE IN SERVING THE LONG-TERM CARE NEEDS OF THE STATE'S RESIDENTS," was referred jointly to the Committee on Health and the Committee on Human Services.

Hse. Com. No. 435, transmitting H.C.R. No. 96, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO DEVELOP METHODS TO SUPPORT FAMILY CAREGIVERS WHO PROVIDE AT-HOME CARE TO QUALIFIED RELATIVES," was referred jointly to the Committee on Health and the Committee on Human Services.

Hse. Com. No. 436, transmitting H.C.R. No. 162, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EASING OF RESTRICTIONS ON HUMANITARIAN VISAS," was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs.

Hse. Com. No. 437, transmitting H.C.R. No. 130, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REVIEW AND UPDATE THE KEEHI LAGOON RECREATION PLAN AND EXPLORE THE LEASING OF UNUTILIZED FAST AND SUBMERGED LANDS AT KEEHI LAGOON FOR THE PRIVATE DEVELOPMENT OF BOATING AND OCEAN RECREATIONAL FACILITIES," was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 438, transmitting H.C.R. No. 134, H.D. 1, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 134, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT GEORGE W. BUSH TO RECONSIDER HIS PLAN TO PRIVATIZE SOCIAL SECURITY," was referred jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 439, transmitting H.C.R. No. 142, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PASS LEGISLATION FOR A FEDERALLY-FUNDED, HIGH-QUALITY PUBLIC EDUCATION SYSTEM FROM THE PRESCHOOL TO UNIVERSITY LEVEL," was referred jointly to the Committee on Education and Military Affairs, the Committee on Higher Education and the Committee on Intergovernmental Affairs.

Hse. Com. No. 440, transmitting H.C.R. No. 163, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE USE OF THE STUDENT BODY OF KAPIOLANI COMMUNITY COLLEGE TO PROVIDE STATISTICAL EVIDENCE TO BUILD AN ADDITIONAL PARKING FACILITY AT KAPIOLANI COMMUNITY COLLEGE," was referred to the Committee on Higher Education.

Hse. Com. No. 441, transmitting H.C.R. No. 166, H.D. 1, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 166, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR SMART BUILDING AND COMMUNITY DESIGN TO DEVELOP ENERGY EFFICIENT DESIGN AND PERFORMANCE STANDARDS FOR NEW CONSTRUCTION, RENOVATION, AND RETROFITTING OF BUILDINGS THROUGHOUT THE UNIVERSITY OF HAWAII SYSTEM," was referred jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs.

Hse. Com. No. 442, transmitting H.C.R. No. 188, H.D. 1, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 188, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE A COST BREAKDOWN OF THE BUDGET AMOUNT ALLOCATED TO THE DEPARTMENT OF EDUCATION," was referred to the Committee on Education and Military Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 443, transmitting H.C.R. No. 199, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF PACIFIC RESOURCES FOR EDUCATION AND LEARNING IN HAWAII AND SUPPORTING ITS DESIGNATION AS AN 'EDUCATIONAL SERVICE AGENCY,'" was referred to the Committee on Education and Military Affairs.

Hse. Com. No. 444, transmitting H.C.R. No. 202, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING MAY 5, 2005, AS CLEANERS' APPRECIATION DAY IN THE STATE OF HAWAII," was referred to the Committee on Labor.

Hse. Com. No. 445, transmitting H.C.R. No. 208, H.D. 1, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 208, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES CONGRESS, AND THE UNITED STATES DEPARTMENT OF EDUCATION TO CONTINUE FUNDING FOR THE EVEN START FAMILY LITERACY PROGRAM," was referred jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs.

Hse. Com. No. 446, transmitting H.C.R. No. 216, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010," was referred jointly to the Committee on Health and the Committee on Intergovernmental Affairs.

Hse. Com. No. 447, transmitting H.C.R. No. 269, H.D. 1, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 269, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE NUMBER OF LESS THAN FULL-TIME PUBLIC EMPLOYEES THAT ARE INELIGIBLE FOR HEALTH BENEFITS," was referred jointly to the Committee on Labor and the Committee on Health.

Hse. Com. No. 448, transmitting H.C.R. No. 270, H.D. 1, which was adopted by the House of Representatives on April 5, 2005, was placed on file.

By unanimous consent, H.C.R. No. 270, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON CIVIL SERVICE EXEMPT POSITIONS IN EACH EMPLOYING STATE JURISDICTION," was referred to the Committee on Labor.

### STANDING COMMITTEE REPORTS

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1368) recommending that S.C.R. No. 195, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1368 and S.C.R. No. 195, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO IDENTIFY AND EVALUATE THE BARRIERS TO COMMUNITY-BASED ACCESS TO SPECIALTY CARE AND TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO SPECIALTY CARE ON THE NEIGHBOR ISLANDS AND IN RURAL OAHU," was deferred until Thursday, April 7, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1369) recommending that H.C.R. No. 77, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1369 and H.C.R. No. 77, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO SUPPORT EXISTING FEDERALLY QUALIFIED HEALTH CENTERS AND TO IDENTIFY STATEWIDE SITES THAT WOULD BENEFIT FROM THE DEVELOPMENT OF MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE," was deferred until Thursday, April 7, 2005.

Senators Baker and Ige, for the Committee on Health and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1370) recommending that S.C.R. No. 196 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1370 and S.C.R. No. 196, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010," was deferred until Thursday, April 7, 2005.

Senators Baker and Ige, for the Committee on Health and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1371) recommending that S.R. No. 106 be adopted.



By unanimous consent, action on Stand. Com. Rep. No. 1371 and S.R. No. 106, entitled: "SENATE RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010," was deferred until Thursday, April 7, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1372) recommending that S.C.R. No. 111, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EMERGENCY CONTRACEPTION INTERAGENCY WORK GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1373) recommending that S.R. No. 61, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.R. No. 61, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EMERGENCY CONTRACEPTION INTERAGENCY WORK GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1374) recommending that S.C.R. No. 171, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT TO THE LEGISLATURE REGARDING ITS ACTIONS TO INCREASE SAFETY AND SECURITY ON ITS CAMPUSES," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1375) recommending that S.C.R. No. 179, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FOLLOW-UP STUDY OF THE ADVISABILITY AND FEASIBILITY OF ESTABLISHING A HAWAII STATE UNIVERSITY," was referred to the Committee on Ways and Means.

Senators Hee and Chun Oakland, for the Committee on Higher Education and the Committee on Human Services,

presented a joint report (Stand. Com. Rep. No. 1376) recommending that S.C.R. No. 181 as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 181, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CREATE A TASK FORCE TO ASSESS THE NEED FOR DISABILITY ACCESS FOR EACH CAMPUS," 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. 1377) recommending that S.C.R. No. 185, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 185, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO ENSURE TIMELY UPDATES OF THE CHILD WELFARE SERVICES DATABASE AND REQUESTING A STUDY OF LAWS IN OTHER STATES OF EXPUNGEMENT OF UNSUBSTANTIATED REPORTS OF CHILD ABUSE AND NEGLECT AND AN INVESTIGATION OF THE PROCESS AND PROCEDURES IN HAWAII FOR EXPUNGEMENT," 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. 1378) recommending that S.C.R. No. 226, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 226, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR MALAMA O KAMALFI MAKAMAE IN ITS EFFORTS TO DEVELOP CARE HOME FACILITIES FOR CHILDREN OF HAWAIIAN ANCESTRY," 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. 1379) recommending that S.C.R. No. 129 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 129, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE CHIEF OF THE HAWAII COUNTY POLICE DEPARTMENT TO PUBLICLY DISCLOSE INFORMATION RELATED TO THE DISAPPEARANCE OF PETER KEMA, JR.," 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. 1380) recommending that S.R. No. 70 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.R. No. 70, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE CHIEF OF THE HAWAII COUNTY POLICE DEPARTMENT TO PUBLICLY DISCLOSE INFORMATION RELATED TO

THE DISAPPEARANCE OF PETER KEMA, JR.," 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. 1381) recommending that S.C.R. No. 170 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 170, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO POST TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BUDGET INFORMATION ON ITS WEBSITE FOR PUBLIC REVIEW," 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. 1382) recommending that S.C.R. No. 227, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1382 and S.C.R. No. 227, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING AN ADVISORY BOARD AND PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM," was deferred until Thursday, April 7, 2005.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1383) recommending that S.R. No. 130, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1383 and S.R. No. 130, S.D. 1, entitled: "SENATE RESOLUTION CREATING AN ADVISORY BOARD AND PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM," was deferred until Thursday, April 7, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1384) recommending that S.C.R. No. 93, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH URGENT CHILD AND ADOLESCENT PSYCHIATRIC SERVICES AT MAUI MEMORIAL MEDICAL CENTER IN THE FORM OF CRISIS STABILIZATION SERVICES," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1385) recommending that S.R. No. 52, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.R. No. 52, S.D. 1, entitled: "SENATE RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH URGENT CHILD AND ADOLESCENT PSYCHIATRIC SERVICES AT MAUI MEMORIAL MEDICAL CENTER IN THE FORM OF CRISIS STABILIZATION SERVICES," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1386) recommending that S.C.R. No. 113 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAMMATIC AND FINANCIAL AUDIT OF THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," was referred to the Committee on Ways and Means.

Senators Baker and English, for the Committee on Health and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1387) recommending that S.C.R. No. 135, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1387 and S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SHARE ITS FINDINGS AND THE STATUS OF ITS ACTIVITIES REGARDING THE CREATION OF A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII," was deferred until Thursday, April 7, 2005.

Senators Baker and English, for the Committee on Health and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1388) recommending that S.R. No. 73, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1388 and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SHARE ITS FINDINGS AND THE STATUS OF ITS ACTIVITIES REGARDING THE CREATION OF A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII," was deferred until Thursday, April 7, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1389) recommending that H.B. No. 584, 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 Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and H.B. No. 584, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1390) recommending that H.B. No. 868, 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 Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and H.B. No. 868, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 8, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep.

No. 1391) 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. 1391 and H.B. No. 1154, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Friday, April 8, 2005.

Senators Baker and Hee, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1392) recommending that S.C.R. No. 126, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 126, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO BRING ADDITIONAL PSYCHIATRIC SERVICES TO UNDER-SERVED AREAS AND POPULATIONS," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1393) recommending that S.C.R. No. 197, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 197, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A MEDICAL MARIJUANA WORKING GROUP TO MAKE RECOMMENDATIONS TO IMPROVE HAWAII'S MEDICAL MARIJUANA PROGRAM," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1394) recommending that S.C.R. No. 106, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Trimble and carried, the report of the Committee was adopted and S.C.R. No. 106, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE HAWAII PUBLIC PROCUREMENT CODE," was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1351 (Gov. Msg. No. 284):

Senator Kim moved that Stand. Com. Rep. No. 1351 be received and placed on file, seconded by Senator Nishihara and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of DOUGLAS KAHIKINA CHANG to the Board of Directors of the Hawaii Tourism Authority, term to expire June 30, 2008, seconded by Senator Nishihara.

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

Ayes, 22. Noes, none. Excused, 3 (Hogue, Ihara, Sakamoto).

Stand. Com. Rep. No. 1366 (Gov. Msg. No. 265):

Senator Menor moved that Stand. Com. Rep. No. 1366 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 CHOI to the Rental Housing Trust Fund Advisory Commission, term to expire June 30, 2008, seconded by Senator Baker.

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

Ayes, 22. Noes, none. Excused, 3 (Hogue, Ihara, Sakamoto).

Stand. Com. Rep. No. 1367 (Gov. Msg. No. 270):

Senator Menor moved that Stand. Com. Rep. No. 1367 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 JOYCE M. ALLEN to the Board of Speech Pathology and Audiology, 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, 22. Noes, none. Excused, 3 (Hogue, Ihara, Sakamoto).

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM TUESDAY, APRIL 5, 2005

Stand. Com. Rep. No. 1352 (S.C.R. No. 107, S.D. 1):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE CURRENT HAWAII COUNTY TRAFFIC PLANS TO ENSURE THE OBJECTIVES OF THE HAWAII STATE PLANNING ACT FOR TRANSPORTATION PLANNING ARE MET AND TO PREPARE A TRAFFIC SOLUTION PLAN FOR HAWAII COUNTY," was adopted.

Stand. Com. Rep. No. 1353 (S.C.R. No. 96):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DEVELOP A STRATEGIC PLAN FOR FURNISHING SENIOR TRANSPORTATION OPTIONS IN THEIR COUNTY," was adopted.

Stand. Com. Rep. No. 1354 (S.C.R. No. 94):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO

RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII," was adopted.

Stand. Com. Rep. No. 1355 (S.R. No. 58, S.D. 1):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE CURRENT HAWAII COUNTY TRAFFIC PLANS TO ENSURE THE OBJECTIVES OF THE HAWAII STATE PLANNING ACT FOR TRANSPORTATION PLANNING ARE MET AND TO PREPARE A TRAFFIC SOLUTION PLAN FOR HAWAII COUNTY," was adopted.

Stand. Com. Rep. No. 1356 (S.R. No. 53):

On motion by Senator Hee, seconded by Senator Trimble and carried, the joint report of the Committees was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII," was adopted.

**FINAL READING**

S.B. No. 675, 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. 675, and S.B. No. 675, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hogue, Ihara, Sakamoto).

S.B. No. 789, H.D. 1:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 789, and S.B. No. 789, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hogue, Ihara, Sakamoto).

**REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM TUESDAY, APRIL 5, 2005**

The President made the following committee assignments of House concurrent resolutions that were received on Monday, April 4, 2005, and Tuesday, April 5, 2005:

House Concurrent Resolution Referred to:

No. 4, H.D. 1 Committee on Commerce, Consumer Protection and Housing

No. 5, H.D. 1 Committee on Water, Land, and Agriculture

No. 56 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs

No. 66 Committee on Judiciary and Hawaiian Affairs

No. 78 Committee on Water, Land, and Agriculture

No. 88 Committee on Water, Land, and Agriculture

No. 91 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs

No. 113 Committee on Commerce, Consumer Protection and Housing

No. 131, H.D. 1 Committee on Water, Land, and Agriculture

No. 141, H.D. 1 Jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Health

No. 151, H.D. 1 Jointly to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs

No. 178 Committee on Energy, Environment, and International Affairs

No. 249 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 287, H.D. 1 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following Senate concurrent resolutions that were offered:

Senate Concurrent Resolution Referred to:

No. 64 Committee on Energy, Environment, and International Affairs

No. 136 Committee on Transportation and Government Operations, then to the Committee on Water, Land, and Agriculture

No. 176 Committee on Energy, Environment, and International Affairs

**RE-REFERRAL OF  
SENATE RESOLUTIONS**

The Chair re-referred the following Senate resolutions that were offered:

Senate  
Resolution                      Referred to:

No. 74                      Committee on Transportation and  
Government Operations, then to the Committee on Water,  
Land, and Agriculture

No. 100                      Committee on Energy, Environment, and  
International Affairs

At 11:57 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.

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. No. 957.

Senator Taniguchi noted:

“Mr. President, this bill establishes an earned income tax credit.”

The Chair then granted the waiver.

**ADJOURNMENT**

At 11:58 o'clock a.m., on motion by Senator Hee, seconded by Senator Trimble and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 7, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-FIFTH DAY

Thursday, April 7, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Cal Chinen, Moanalua Gardens Missionary Church, after which the Roll was called showing all Senators present with the exception Senator Sakamoto who was excused.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

At this time, Senator Hooser, on behalf of Senator Sakamoto and himself, introduced and welcomed Admiral William J. Fallon who assumed duties as U.S. Navy Commander, U.S. Pacific Command, on February 26, 2005. Accompanying Admiral Fallon was his wife Mary.

At this time, the President invited Admiral Fallon to the podium to address the members of the Senate.

Admiral Fallon addressed the members of the Senate as follows:

"Thank you very much. It's a great honor to be here. Mary and I are absolutely thrilled to be in Hawaii. We actually arrived about a month ago, and since that arrival we've been the kind recipients of a very, very warm and gracious welcome such as this, this morning. It's a real pleasure to be here and also to be in the company of such distinguished guests in the gallery and here in the front and maybe it's not too old for a gray-haired guy in the presence of the senior surfer here to take a lesson and learn a new sport. I look forward to that. (Laughter.)

"It's also a pleasant surprise to be in the Senate Chambers and not be at the end of a hot poker being grilled on various issues, and I'm very happy to be here.

"Pacific Command, which I'm very honored to head, is a very large entity and I have the honor of representing our military people from all the services, their families, active and reserve, folks in the community here in Hawaii. These people are, as you well know, situated in each of the islands here in the state. Our people are deeply rooted in the community and are a very vibrant part of it and they're delighted to be here.

"The Pacific Command is your representative in the Asian Pacific Rim. We have relations with countries that extend all the way to the coast of Africa. As we are here today, we have hundreds of people that are forwarding work with these many, many nations to try and enhance peace and stability in our region.

"It's a great honor to be here today. Thanks for the warm welcome. We look forward to seeing you as we get deeper into the community. Thank you again."

At 12:21 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.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 551, advising the Senate of the withdrawal of the nominations of:

RAY N. K. TERAMOTO to the Medical Advisory Board, under Gov. Msg. No. 482, dated March 24, 2005; and

BARBARA P. MATHEWS RN, MSN, CNAA to the Center for Nursing Advisory Board, under Gov. Msg. No. 499, dated March 24, 2005,

was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 551, the nominations listed under Gov. Msg. Nos. 482 and 499 were returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 449 to 470) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 449, returning S.B. No. 74, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 74, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 450, returning S.B. No. 527, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 527, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 451, returning S.B. No. 561, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 561, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 452, returning S.B. No. 702, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 702, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 453, returning S.B. No. 754, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 754, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 454, returning S.B. No. 768, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue 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. 455, returning S.B. No. 956, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 956, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 456, returning S.B. No. 1065, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1065, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 457, returning S.B. No. 1117, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1117, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 458, returning S.B. No. 1132, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1132, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 459, returning S.B. No. 1362, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1362, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 460, returning S.B. No. 1451, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1451, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 461, returning S.B. No. 1461, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1461, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 462, returning S.B. No. 1473, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1473, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 463, returning S.B. No. 1650, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1650, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 464, returning S.B. No. 1636, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1636, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 465, returning S.B. No. 1660, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1660, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 466, returning S.B. No. 1732, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1732, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 467, returning S.B. No. 1808, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1808, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 468, returning S.B. No. 781, which passed Third Reading in the House of Representatives on April 6, 2005, was placed on file.

Hse. Com. No. 469, returning S.B. No. 840, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, was placed on file.

Hse. Com. No. 470, returning S.B. No. 1802, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2005, was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1395) recommending that S.C.R.

No. 199, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 199, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COORDINATE STUDIES, WITH THE ASSISTANCE OF THE DEPARTMENT OF HEALTH, TO EVALUATE THE IMPACT OF THE PHYSICIAN ON-CALL CRISIS ON THE QUEEN'S MEDICAL CENTER TRAUMA CENTER TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII AND TO RECOMMEND ANY APPROPRIATE GOVERNMENT AND PRIVATE SECTOR RESPONSES TO THE 'ON-CALL' CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE," was referred to the Committee on Ways and Means.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1396) recommending that S.R. No. 40, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 40, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM IN THE STATE CAPITOL," was referred to the Committee on Ways and Means.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1397) recommending that S.C.R. No. 77, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM IN THE STATE CAPITOL," was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1398) recommending that S.C.R. No. 50, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1398 and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF METHODOLOGIES USED FOR CONTROLLING NON-NATIVE GAME ANIMALS IN HAWAII'S FOREST AREAS," was deferred until Friday, April 8, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1399) recommending that S.R. No. 26, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1399 and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF METHODOLOGIES USED FOR CONTROLLING NON-NATIVE GAME ANIMALS IN

HAWAII'S FOREST AREAS," was deferred until Friday, April 8, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1400) recommending that S.C.R. No. 138, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1400 and S.C.R. No. 138, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was deferred until Friday, April 8, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1401) recommending that S.R. No. 76, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1401 and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was deferred until Friday, April 8, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1402) recommending that S.C.R. No. 147 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 147, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1403) recommending that S.C.R. No. 209 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 209, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH LOCAL CHAPTERS OF NATIONAL APPRAISER ORGANIZATIONS IN ESTABLISHING A PROGRAM TO TRAIN APPRAISERS IN INCOME CAPITALIZATION APPRAISALS AND TO ESTABLISH A PILOT PROGRAM IMPLEMENTING AND TRACKING THE INCOME CAPITALIZATION APPRAISALS FOR REOPENINGS OF STATE AGRICULTURAL LEASES," was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1404) recommending that S.R. No. 116 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 116, entitled: "SENATE RESOLUTION REQUESTING THE



DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH LOCAL CHAPTERS OF NATIONAL APPRAISER ORGANIZATIONS IN ESTABLISHING A PROGRAM TO TRAIN APPRAISERS IN INCOME CAPITALIZATION APPRAISALS AND TO ESTABLISH A PILOT PROGRAM IMPLEMENTING AND TRACKING THE INCOME CAPITALIZATION APPRAISALS FOR REOPENINGS OF STATE AGRICULTURAL LEASES," was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1405) recommending that H.B. No. 1222, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1222, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1406) recommending that H.B. No. 1659, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1659, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1407) recommending that H.B. No. 164, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1407 and H.B. No. 164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1408) recommending that H.B. No. 551, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1408 and H.B. No. 551, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1409) recommending that H.B. No. 582, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1409 and H.B. No. 582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1410) recommending that H.B. No. 685, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1411) recommending that H.B. No. 852, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1411 and H.B. No. 852, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1412) recommending that H.B. No. 864, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1412 and H.B. No. 864, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1413) recommending that H.B. No. 938, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1413 and H.B. No. 938, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1414) recommending that H.B. No. 1442, H.D. 2, 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. 1442, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1415) recommending that H.B. No. 1749, 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. 1749, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES," was deferred until Tuesday, April 12, 2005.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1416) recommending that S.C.R. No. 22, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 22, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING DESIGNATION OF AN INDUSTRIAL PARK," 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. 1417) recommending that H.B. No. 477, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1417 and H.B. No. 477, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1418) 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. 1418 and H.B. No. 1214, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," was deferred until Tuesday, April 12, 2005.

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. 1419) recommending that H.B. No. 1060, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1419 and H.B. No. 1060, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred until Tuesday, April 12, 2005.

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. 1420) recommending that H.B. No. 1305, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1420 and H.B. No. 1305, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," was deferred until Tuesday, April 12, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1421) recommending that S.C.R. No. 53 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 53, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT AND THE DEPARTMENT OF EDUCATION TO CONDUCT A PROGRAM AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1422) recommending that S.C.R. No. 85, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1422 and S.C.R. No. 85, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS," was deferred until Friday, April 8, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1423) recommending that S.C.R. No. 188 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1423 and S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP A DEFINITION OF CIVIC RESPONSIBILITY BY USING AN INVENTORY OF SCHOOL-LEVEL ACTIVITIES THAT PROMOTE CIVIC LEARNING IN STUDENTS," was deferred until Friday, April 8, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1424) recommending that S.C.R. No. 191 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1424 and S.C.R. No. 191, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM IN EACH SCHOOL DISTRICT OF THE STATE," was deferred until Friday, April 8, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1425) recommending that S.C.R. No. 192 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1425 and S.C.R. No. 192, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was deferred until Friday, April 8, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1426) recommending that S.R. No. 47, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1426 and S.R. No. 47, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS," was deferred until Friday, April 8, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1427) recommending that S.R. No. 102 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1427 and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP A DEFINITION OF CIVIC RESPONSIBILITY BY USING AN INVENTORY OF SCHOOL-LEVEL ACTIVITIES THAT PROMOTE CIVIC LEARNING IN STUDENTS," was deferred until Friday, April 8, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1428) recommending that S.R. No. 103 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1428 and S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM IN EACH SCHOOL DISTRICT OF THE STATE," was deferred until Friday, April 8, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1429) recommending that S.R. No. 104 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1429 and S.R. No. 104, entitled: "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was deferred until Friday, April 8, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1430) recommending that S.C.R. No. 132 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1430 and S.C.R. No. 132, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO ESTABLISH A TASK FORCE TO DESIGN A SYSTEM FOR REPORTING HOSPITAL ACQUIRED INFECTIONS TO THE PUBLIC," was deferred until Friday, April 8, 2005.

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. 1431) recommending that H.B. No. 155, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

## ORDER OF THE DAY

### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM WEDNESDAY, APRIL 6, 2005

Stand. Com. Rep. No. 1368 (S.C.R. No. 195, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 195, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO IDENTIFY AND EVALUATE THE BARRIERS TO COMMUNITY-BASED ACCESS TO SPECIALTY CARE AND TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO SPECIALTY CARE ON THE NEIGHBOR ISLANDS AND IN RURAL OAHU," was adopted.

Stand. Com. Rep. No. 1369 (H.C.R. No. 77, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and

H.C.R. No. 77, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO SUPPORT EXISTING FEDERALLY QUALIFIED HEALTH CENTERS AND TO IDENTIFY STATEWIDE SITES THAT WOULD BENEFIT FROM THE DEVELOPMENT OF MORE FEDERALLY QUALIFIED HEALTH CENTERS STATEWIDE," was adopted.

Stand. Com. Rep. No. 1370 (S.C.R. No. 196):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 196, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010," was adopted with Senator Slom voting "No."

Stand. Com. Rep. No. 1371 (S.R. No. 106):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 106, entitled: "SENATE RESOLUTION URGING THE GOVERNOR, THE LEGISLATURE, AND THE MAYORS AND COUNCILS OF THE RESPECTIVE COUNTIES TO TAKE THE NECESSARY STEPS TO MAKE HAWAII A SMOKE-FREE STATE BY THE YEAR 2010," was adopted with Senator Slom voting "No."

Stand. Com. Rep. No. 1382 (S.C.R. No. 227, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 227, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING AN ADVISORY BOARD AND PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM," was adopted.

Stand. Com. Rep. No. 1383 (S.R. No. 130, S.D. 1):

On motion by Senator Hee, 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 CREATING AN ADVISORY BOARD AND PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM," was adopted.

Stand. Com. Rep. No. 1387 (S.C.R. No. 135, S.D. 1):

On motion by Senator Hee, 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 THE DEPARTMENT OF HEALTH TO SHARE ITS FINDINGS AND THE STATUS OF ITS ACTIVITIES REGARDING THE CREATION OF A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII," was adopted.

Stand. Com. Rep. No. 1388 (S.R. No. 73, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SHARE ITS FINDINGS AND THE STATUS OF ITS ACTIVITIES REGARDING THE CREATION OF A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII," was adopted.

## THIRD READING

Stand. Com. Rep. No. 1357 (H.B. No. 712, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1357 was adopted and H.B. No. 712, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1358 (H.B. No. 895, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1358 be adopted and H.B. No. 895, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Whalen rose in opposition to the measure and said:

"Mr. President, I rise in opposition.

"I would do a 'w/r' but I think it's a waste of time on the Floor. It's either yes or no in the Journal, so I'm going to vote 'no.'

"My concern is on the section of the bill that talks about light crossing the boundary lines towards the ocean. As far as I know, we all live on islands here and no matter which direction you point, you'll be pointing towards the ocean. And what we're doing, if you want to get technical, is we're saying you can't hang up Christmas lights because in urban areas where the lots are smaller of course the light from the Christmas lights are going to cross the property line towards the Pacific Ocean any direction you go. If we can get rid of that section, because it doesn't make sense, the bill would go much further to actually accomplish the purpose without the overkill part.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1358 was adopted and H.B. No. 895, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 3 (Hogue, Slom, Whalen). Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1359 (H.B. No. 1201, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1359 was adopted and H.B. No. 1201, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1360 (H.B. No. 1202, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1360 was adopted and H.B. No. 1202, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1361 (H.B. No. 1430, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1361 was adopted and H.B. No. 1430, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

H.B. No. 1709, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1709, S.D. 1, 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, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1363 (H.B. No. 81):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1363 was adopted and H.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1364 (H.B. No. 295, H.D. 2, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1364 was adopted and H.B. No. 295, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

Stand. Com. Rep. No. 1365 (H.B. No. 1118):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1365 was adopted and H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Inouye, Kim, Sakamoto).

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. 390 and 491.

Senator Taniguchi noted:

"Mr. President, H.B. No. 390, H.D. 1, S.D. 1, repeals the increase in the rental motor vehicle surcharge tax, and H.B. No. 491, S.D. 1, appropriates funds for lifeguard services at Makena State Beach Park."

The Chair then granted the waiver.

Senator Menor, Chair of the Committee on Commerce, Consumer Protection and Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1017.

Senator Menor noted:

“Mr. President, H.B. No. 1017, H.D. 3, S.D. 1, allows for installation of solar energy devices on any privately owned single-family residential dwelling or townhouse with limited restrictions.

“The reason for the waiver request is as follows – initially, your CPH Committee was not intending on hearing this measure because of the fact that the parties and testifiers with differing viewpoints on this measure appeared to be far apart. However, I have received indication that the parties that are interested in this bill wish to continue a dialogue with respect to possible amendments that might be made to this measure in the future. So, in that regard, by hearing this bill, keeping it alive, and moving it into Conference, we would allow the dialogue to continue and possible improvements to be made to this bill in the future.”

The Chair then granted the waiver.

At 12:40 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.

**APPOINTMENT OF CONFEREES**

S.B. No. 575, 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. 575, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kim, Taniguchi, co-chairs; Espero, Ige as managers on the part of the Senate at such conference.

S.B. No. 1699, 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. 1699, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; English, Tsutsui as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 12:42 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 8, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-SIXTH DAY

Friday, April 8, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, 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 with the exception of Senators Inouye and Sakamoto who were excused.

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 552 and 553) were read by the Clerk and were placed on file:

Gov. Msg. No. 552, informing the Senate that on April 8, 2005, she signed into law Senate Bill No. 73 as Act 3, entitled: "RELATING TO HIGHWAY SAFETY."

Gov. Msg. No. 553, informing the Senate that on April 8, 2005, she signed into law Senate Bill No. 119 as Act 2, entitled: "RELATING TO THE CONTINUING EDUCATION OF DESIGN PROFESSIONALS."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 471 to 475) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 471, transmitting H.C.R. No. 20, which was adopted by the House of Representatives on April 7, 2005, was placed on file.

By unanimous consent, H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HAWAII SCHOOLS TO IMPLEMENT STANDARD OF CONDUCT POLICIES TO DISCOURAGE INTIMIDATION AND PROMOTE SAFE AND PEACEFUL SCHOOLS THAT ENCOURAGE EFFECTIVE LEARNING ENVIRONMENTS," was referred to the Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 472, transmitting H.C.R. No. 170, which was adopted by the House of Representatives on April 7, 2005, was placed on file.

By unanimous consent, H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO APPLY TAX INCREMENT FINANCING TO FINANCE THE DEVELOPMENT OF INFRASTRUCTURE FOR AFFORDABLE HOUSING PROJECTS," was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 473, transmitting H.C.R. No. 267, H.D. 1, which was adopted by the House of Representatives on April 7, 2005, was placed on file.

By unanimous consent, H.C.R. No. 267, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE HOUSE COMMITTEE ON WATER, LAND, AND

OCEAN RESOURCES AND THE SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE, TOGETHER WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO CONDUCT COMMUNITY MEETINGS THROUGHOUT THE STATE TO SEEK PUBLIC PARTICIPATION TOWARDS ENSURING THE VIABILITY OF HAWAII'S MARINE RESOURCES NOW AND FOR FUTURE GENERATIONS," was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 474, transmitting H.C.R. No. 282, which was adopted by the House of Representatives on April 7, 2005, was placed on file.

By unanimous consent, H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO CREATE POLICIES THAT ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL CREDIT TO THE STUDENT MEMBER OF THE BOARD OF EDUCATION," was referred to the Committee on Education and Military Affairs.

Hse. Com. No. 475, transmitting H.C.R. No. 294, which was adopted by the House of Representatives on April 7, 2005, was placed on file.

By unanimous consent, H.C.R. No. 294, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING DECEMBER 15 OF EVERY YEAR AS BILL OF RIGHTS DAY," was referred to the Committee on Judiciary and Hawaiian Affairs.

## STANDING COMMITTEE REPORTS

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1432) recommending that S.C.R. No. 41 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1432 and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE," was deferred until Tuesday, April 12, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1433) recommending that S.R. No. 20 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1433 and S.R. No. 20, entitled: "SENATE RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE," was deferred until Tuesday, April 12, 2005.

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. 1434) recommending that S.C.R. No. 39, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR MARRIAGE AND FAMILY THERAPY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1435) recommending that S.C.R. No. 164, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 164, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PAINT OVER GRAFFITI ALONG ANY STATE-OWNED THOROUGHFARES, RIGHTS-OF-WAY, OR EASEMENTS WITHIN ITS JURISDICTION AS SOON AS POSSIBLE," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1436) 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 Hee, 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 DEPARTMENT OF TRANSPORTATION TO PAINT OVER GRAFFITI ALONG ANY STATE-OWNED THOROUGHFARES, RIGHTS-OF-WAY, OR EASEMENTS WITHIN ITS JURISDICTION AS SOON AS POSSIBLE," 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. 1437) recommending that S.C.R. No. 133, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 133, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STUDY AND REVIEW OF OPTIONS IN PROVIDING MEDICAL MALPRACTICE INSURANCE COVERAGE TO HEALTH CARE PROVIDERS," 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. 1438) recommending that S.C.R. No. 79, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1438 and S.C.R. No. 79, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO FACILITATE THE ESTABLISHMENT OF VIABLE NATURALLY OCCURRING RETIREMENT COMMUNITIES," was deferred until Tuesday, April 12, 2005.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1439) recommending that S.C.R. No. 5 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION URGING EMPLOYERS TO IMPLEMENT FLEXIBLE BENEFIT PLANS AND OTHER FAMILY-FRIENDLY POLICIES FOR PUBLIC AND PRIVATE SECTOR EMPLOYEES," was referred to the Committee on Ways and Means.

At 11:48 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.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1440) recommending that H.B. No. 106, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1440 and H.B. No. 106, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1441) recommending that H.B. No. 606, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1441 and H.B. No. 606, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," was deferred until Tuesday, April 12, 2005.

Senator Kanno, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1442) recommending that S.R. No. 3 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.R. No. 3, entitled: "SENATE RESOLUTION URGING EMPLOYERS TO IMPLEMENT FLEXIBLE BENEFIT PLANS AND OTHER FAMILY-FRIENDLY POLICIES FOR PUBLIC AND PRIVATE SECTOR EMPLOYEES," was referred to the Committee on Ways and Means.

Senators Kokubun 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. 1443) recommending that H.B. No. 416, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1443 and H.B. No. 416, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," was deferred until Tuesday, April 12, 2005.

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. 1444) recommending that H.B. No. 31, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1444 and H.B. No. 31, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1445) recommending that H.B. No. 437 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1445 and H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1446) recommending that H.B. No. 438, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1446 and H.B. No. 438, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1447) recommending that H.B. No. 502, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1447 and H.B. No. 502, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1448) recommending that H.B. No. 862, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1448 and H.B. No. 862, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1449) recommending that H.B. No. 919, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1449 and H.B. No. 919, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1450) recommending that H.B. No. 1550, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1450 and H.B. No. 1550, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," was deferred until Tuesday, April 12, 2005.

Senators Kanno and Ige, for the Committee on Labor and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1451) recommending that S.R. No. 49 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.R. No. 49, entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII'S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM," was referred to the Committee on Ways and Means.

Senators Kanno and Ige, for the Committee on Labor and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1452) recommending that S.C.R. No. 76 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII'S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1453) recommending that S.C.R. No. 90, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1453 and S.C.R. No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION STUDY THE STANDARDS OF ACHIEVEMENT UTILIZED BY OTHER JURISDICTIONS TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1454) recommending that S.R. No. 105 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 105, entitled: "SENATE RESOLUTION REQUESTING RELIEF ON REAL PROPERTY TAXES ON KULEANA LANDS," 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. 1455) recommending that S.C.R. No. 193 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 193, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING RELIEF ON REAL PROPERTY TAXES ON KULEANA LANDS," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1456) recommending that S.C.R. No. 222, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1456 and S.C.R. No. 222, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHARTER SCHOOL ADMINISTRATIVE OFFICE TO



COORDINATE A REVIEW TO ASSESS THE IMPACTS OF HAWAIIAN-FOCUSED CHARTER SCHOOLS ON HAWAIIAN STUDENT PERFORMANCE," was deferred until Tuesday, April 12, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1457) recommending that S.C.R. No. 134, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 134, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT KEEHI SMALL BOAT HARBOR FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY HONOLULU MARINE, INC., FOR A COMMERCIAL SHIP REPAIR FACILITY," was referred to the Committee on Ways and Means.

Senators Sakamoto and Chun Oakland, for the Committee on Education and Military Affairs and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1458) recommending that S.C.R. No. 57, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPAND ALTERNATIVE SCHOOLS TO INCLUDE STUDENTS WHO SUFFER FROM SUBSTANCE ABUSE," 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. 1459) recommending that H.B. No. 1747, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1747, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGNS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1460) recommending that H.B. No. 835, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1460 and H.B. No. 835, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," was deferred until Tuesday, April 12, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1461) recommending that H.B. No. 588, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 588, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1462) recommending that H.B. No. 150, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1462 and H.B. No. 150, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Tuesday, April 12, 2005.

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. 1463) recommending that S.C.R. No. 125, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 INSURANCE COMMISSIONER AND THE ATTORNEY GENERAL TO REVIEW CERTAIN CONCERNS AND TAKE DIRECT ACTION TO INVESTIGATE AND, IF APPROPRIATE, PROSECUTE ANY ACTIONS FOUND TO BE ILLEGAL REGARDING ANTI-COMPETITIVE AND MONOPOLISTIC BEHAVIOR AND PREDATORY PRICING ON THE PART OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS IN HAWAII," 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. 1464) recommending that S.R. No. 69, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 69, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER AND THE ATTORNEY GENERAL TO REVIEW CERTAIN CONCERNS AND TAKE DIRECT ACTION TO INVESTIGATE AND, IF APPROPRIATE, PROSECUTE ANY ACTIONS FOUND TO BE ILLEGAL REGARDING ANTI-COMPETITIVE AND MONOPOLISTIC BEHAVIOR AND PREDATORY PRICING ON THE PART OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS IN HAWAII," 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. 1465) recommending that S.C.R. No. 81, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1465 and S.C.R. No. 81, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR ALCOHOL AND DRUG ABUSE SCREENING IN EMERGENCY ROOMS," was deferred until Tuesday, April 12, 2005.

Senators Kim and Ige, for the Committee on Tourism and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1466) recommending that S.R. No. 21, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 21, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ENFORCE THE COLLECTION OF THE TRANSIENT ACCOMMODATIONS TAX ON UNREGISTERED VACATION RENTALS, AND REQUESTING THE COUNTIES TO ENFORCE THE ZONING LAWS AGAINST ILLEGAL OPERATIONS OF VACATION RENTALS," was referred to the Committee on Ways and Means.

Senators Kim and Ige, for the Committee on Tourism and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1467) recommending that S.C.R. No. 42, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, 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 DEPARTMENT OF TAXATION TO ENFORCE THE COLLECTION OF THE TRANSIENT ACCOMMODATIONS TAX ON UNREGISTERED VACATION RENTALS, AND REQUESTING THE COUNTIES TO ENFORCE THE ZONING LAWS AGAINST ILLEGAL OPERATIONS OF VACATION RENTALS," was referred to the Committee on Ways and Means.

Senators Hee, Baker and Fukunaga, for the Committee on Higher Education, the Committee on Health and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1468) recommending that S.R. No. 108, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 108, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Hee, Baker and Fukunaga, for the Committee on Higher Education, the Committee on Health and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1469) recommending that S.C.R. No. 200, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 200, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Espero and Hee, for the Committee on Business and Economic Development and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1470) recommending that S.C.R. No. 19, as amended in S.D. 1, be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED

REGULATION OF ATHLETE AGENTS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Espero and Ige, for the Committee on Business and Economic Development and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1471) recommending that S.C.R. No. 17, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF A UNIFORM STATEWIDE BUILDING CODE," was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1472) recommending that S.C.R. No. 142, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON SPORTSMANSHIP IN YOUTH SPORTS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1473) recommending that S.R. No. 80, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 80, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON SPORTSMANSHIP IN YOUTH SPORTS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Espero and Kim, for the Committee on Business and Economic Development and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 1474) recommending that S.C.R. No. 155, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1474 and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONVENE A WORK GROUP OF INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF HOSTING AN INTERNATIONAL PACIFIC ASIAN YOUTH BASEBALL LEAGUE CHAMPIONSHIP TOURNAMENT IN THE STATE," was deferred until Tuesday, April 12, 2005.

Senators Espero and Kim, for the Committee on Business and Economic Development and the Committee on Tourism, presented a joint report (Stand. Com. Rep. No. 1475) recommending that S.R. No. 87, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1475 and S.R. No. 87, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONVENE A WORK GROUP OF INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF HOSTING AN INTERNATIONAL PACIFIC ASIAN YOUTH BASEBALL LEAGUE CHAMPIONSHIP TOURNAMENT IN THE STATE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1476) recommending that H.B. No. 957, 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 Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 957, H.D. 1, 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, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1477) recommending that H.B. No. 1224, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1224, 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, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1478) recommending that H.B. No. 1235, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1235, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1479) recommending that H.B. No. 1236, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1480) recommending that H.B. No. 1461, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1461, 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 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1481) recommending that H.B. No. 1462, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1462, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1482) recommending that H.B. No. 1465, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1465, 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, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1483) recommending that H.B. No. 1666, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1666, 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 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1484) recommending that H.B. No. 1668, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1668, 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 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1485) recommending that H.B. No. 1672, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 1672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1486) recommending that H.B. No. 100, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No.

100, 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 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1487) recommending that H.B. No. 450, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1487 and H.B. No. 450, 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 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1488) recommending that H.B. No. 500, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1488 and H.B. No. 500, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 12, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1489) recommending that H.B. No. 85, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1489 and H.B. No. 85, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1490) recommending that S.C.R. No. 103 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1490 and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1491) recommending that S.C.R. No. 114 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1491 and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CHECK CASHERS," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1492) recommending that S.C.R. No. 167 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1492 and S.C.R. No. 167, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1493) recommending that S.C.R. No. 144 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1493 and S.C.R. No. 144, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO DO A STUDY ON MEDICAL MALPRACTICE INSURANCE," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1494) recommending that S.R. No. 55 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1494 and S.R. No. 55, entitled: "SENATE RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Tuesday, April 12, 2005.

Senators Kokubun and Menor, for the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 1495) recommending that S.C.R. No. 178, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE TRANSFER OF THE WAIHAOLE VALLEY AGRICULTURAL PARK AND RESIDENTIAL LOTS SUBDIVISION BY THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Judiciary and Hawaiian Affairs.

## ORDER OF THE DAY

### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM THURSDAY, APRIL 7, 2005

Stand. Com. Rep. No. 1398 (S.C.R. No. 50, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF METHODOLOGIES USED FOR CONTROLLING NON-NATIVE GAME ANIMALS IN HAWAII'S FOREST AREAS," was adopted.

Stand. Com. Rep. No. 1399 (S.R. No. 26, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF METHODOLOGIES USED FOR CONTROLLING NON-NATIVE GAME ANIMALS IN HAWAII'S FOREST AREAS," was adopted.

Stand. Com. Rep. No. 1400 (S.C.R. No. 138, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 138, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY

THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Stand. Com. Rep. No. 1401 (S.R. No. 76, S.D. 1):

On motion by Senator Hee, 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 THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Stand. Com. Rep. No. 1422 (S.C.R. No. 85, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 85, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS," was adopted.

Stand. Com. Rep. No. 1423 (S.C.R. No. 188):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP A DEFINITION OF CIVIC RESPONSIBILITY BY USING AN INVENTORY OF SCHOOL-LEVEL ACTIVITIES THAT PROMOTE CIVIC LEARNING IN STUDENTS," was adopted.

Stand. Com. Rep. No. 1424 (S.C.R. No. 191):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 191, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM IN EACH SCHOOL DISTRICT OF THE STATE," was adopted.

Stand. Com. Rep. No. 1425 (S.C.R. No. 192):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 192, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was adopted.

Stand. Com. Rep. No. 1426 (S.R. No. 47, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 47, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS," was adopted.

Stand. Com. Rep. No. 1427 (S.R. No. 102):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE

DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP A DEFINITION OF CIVIC RESPONSIBILITY BY USING AN INVENTORY OF SCHOOL-LEVEL ACTIVITIES THAT PROMOTE CIVIC LEARNING IN STUDENTS," was adopted.

Stand. Com. Rep. No. 1428 (S.R. No. 103):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM IN EACH SCHOOL DISTRICT OF THE STATE," was adopted.

Stand. Com. Rep. No. 1429 (S.R. No. 104):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 104, entitled: "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was adopted.

Stand. Com. Rep. No. 1430 (S.C.R. No. 132):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 132, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO ESTABLISH A TASK FORCE TO DESIGN A SYSTEM FOR REPORTING HOSPITAL ACQUIRED INFECTIONS TO THE PUBLIC," was adopted.

### THIRD READING

H.B. No. 584, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 584, 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 said:

"Mr. President, I rise in opposition to this measure.

"Colleagues, charitable gift annuities as an estate tool should be used very sparingly. I have consistently opposed measures that would make it easier to be used. Its potential for misuse in Hawaii is particularly great because we have a lot of our elderly residents that sit on appreciated assets, which are their homes. I encourage you to think seriously on this measure before voting.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 584, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Trimble). Excused, 2 (Inouye, Sakamoto).

H.B. No. 868, H.D. 2, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 868, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1391 (H.B. No. 1154, H.D. 1, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1391 was adopted and H.B. No. 1154, H.D. 1, 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, 23. Noes, none. Excused, 2 (Inouye, Sakamoto).

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 bills and resolution:

H.B. No. 99;  
H.B. No. 1763;  
H.B. No. 1784; and  
S.C.R. No. 134.

Senator Taniguchi noted:

"Mr. President, H.B. No. 99, H.D. 1, S.D. 1, reduces the fee for notice filing of SEC Form D for private placement of securities by issuers.

"H.B. No. 1784, H.D. 2, S.D. 1, establishes the Office of International Affairs.

"H.B. No. 1763, H.D. 3, S.D. 1, establishes a committee to conduct a comprehensive review of the Hawaii Penal Code."

The Chair then granted the waiver.

Senator Ihara rose and said:

"Mr. President, I believe, if I'm not mistaken, the WAM Chair was going to give the reasons for the request. If that's so, could he proceed with that?"

Senator Taniguchi then noted:

"Just for your information, since the waiver has already been granted, for H.B. No. 99 we'd like to use that as a vehicle for the Business Action Center because we received some concerns from the AG's Office right around the time we found out the bills were not proceeding. So we want to use that as a vehicle for that.

"H.B. No. 1784, the Office of International Affairs, we thought the Senate bill had crossed first, but we were corrected and actually the House bill had crossed first and we need to act on it.

"H.B. No. 1763, with regard to the Hawaii Penal Code, I guess the Judiciary Committees would like to proceed with this comprehensive review.

"In regards to S.C.R. No. 134, we were just made aware that we need to act on this expeditiously."

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested that the referrals of S.C.R. Nos. 111 and 197 to the Committee on Judiciary and Hawaiian Affairs be waived.

Senator Hanabusa noted:

"Mr. President, S.C.R. No. 111, S.D. 1, requests the emergency contraceptive interagency work group to develop a mechanism to effectively disseminate information on the available over-the-counter emergency contraception in the state.

"S.C.R. No. 197, S.D. 1, requests the Department of Health to convene a medical marijuana working group to make recommendations to improve Hawaii's medical marijuana program.

"Mr. President, both measures have passed out of the Health Committee."

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolutions were placed on the calendar for Adoption on Tuesday, April 12, 2005:

S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EMERGENCY CONTRACEPTION INTERAGENCY WORK GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE"; and

S.C.R. No. 197, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A MEDICAL MARIJUANA WORKING GROUP TO MAKE RECOMMENDATIONS TO IMPROVE HAWAII'S MEDICAL MARIJUANA PROGRAM."

#### APPOINTMENT OF CONFEREES

S.B. No. 459, 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. 459, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Tsutsui, co-chair; Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 575, S.D. 1 (H.D. 1):

The President appointed Senator Hogue as an additional 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. 575, S.D. 1.

S.B. No. 607, 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. 607, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

S.B. No. 637, 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. 637, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Fukunaga, Tsutsui, Slom as managers on the part of the Senate at such conference.



chair; Trimble as managers on the part of the Senate at such conference.

S.B. No. 1699, S.D. 1 (H.D. 1):

The President appointed Senator Hogue as an additional 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. 1699, S.D. 1.

S.B. No. 1796, 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. 1796, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 515 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 515, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Fukunaga, Ige, co-chairs; Whalen as managers on the part of the Senate at such conference.

H.B. No. 1453, 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. 1453, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1712, 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. 1712, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Hee, Whalen as managers on the part of the Senate at such conference.

#### STANDING COMMITTEE REPORTS

On motion by Senator Hee, seconded by Senator Hogue and carried unanimously, the Senate authorized the Clerk 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 11:55 o'clock a.m., the Senate took the following actions on the following House bills and standing committee reports:

Senators Inouye and Taniguchi, for the Committee on Transportation and Government Operations and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1496) recommending that H.B. No. 162, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1496 and H.B. No. 162, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1497) recommending that H.B. No. 912, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1497 and H.B. No. 912, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1498) recommending that H.B. No. 556, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1498 and H.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1499) recommending that H.B. No. 758, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1499 and H.B. No. 758, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1500) recommending that H.B. No. 841, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1500 and H.B. No. 841, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1501) recommending that H.B. No. 842, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1501 and H.B. No. 842, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1502) recommending that H.B. No. 843, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1502 and H.B. No. 843, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1503) recommending that H.B. No. 844, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1503 and H.B. No. 844, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1504) recommending that H.B. No. 1029, S.D. 1, as amended in S.D. 2, pass Third Reading.



By unanimous consent, action on Stand. Com. Rep. No. 1504 and H.B. No. 1029, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1505) recommending that H.B. No. 1132, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1505 and H.B. No. 1132, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1506) recommending that H.B. No. 1136, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1506 and H.B. No. 1136, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1507) recommending that H.B. No. 1295, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1507 and H.B. No. 1295, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1508) 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. 1508 and H.B. No. 1300, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1509) recommending that H.B. No. 1555, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1509 and H.B. No. 1555, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1510) recommending that H.B. No. 1605, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1510 and H.B. No. 1605, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1511) recommending that H.B. No. 1728, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1511 and H.B. No. 1728, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1512) recommending that H.B. No. 408, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1512 and H.B. No. 408, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1513) recommending that H.B. No. 792, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1513 and H.B. No. 792, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1514) recommending that H.B. No. 1015, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1514 and H.B. No. 1015, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1515) recommending that H.B. No. 1301, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1515 and H.B. No. 1301, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1516) recommending that H.B. No. 1536, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1516 and H.B. No. 1536, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1517) recommending that H.B. No. 516, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1517 and H.B. No. 516, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1518) recommending that H.B. No. 683, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1518 and H.B. No. 683, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1519) recommending that H.B. No. 684, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1519 and H.B. No. 684, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1520) recommending that H.B. No. 1304, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1520 and H.B. No. 1304, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1521) recommending that H.B. No. 19, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1521 and H.B. No. 19, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1522) recommending that H.B. No. 20, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1522 and H.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1523) recommending that H.B. No. 505, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1523 and H.B. No. 505, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1524) recommending that H.B. No. 1317, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1524 and H.B. No. 1317, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1525) recommending

that H.B. No. 1320, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1525 and H.B. No. 1320, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1526) recommending that H.B. No. 278, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1526 and H.B. No. 278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1527) recommending that H.B. No. 384, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1527 and H.B. No. 384, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1528) recommending that H.B. No. 434, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1528 and H.B. No. 434, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1529) recommending that H.B. No. 447, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1529 and H.B. No. 447, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1530) recommending that H.B. No. 466, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1530 and H.B. No. 466, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1531) recommending that H.B. No. 488, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1531 and H.B. No. 488, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1532) recommending that H.B. No. 1393, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1532 and H.B. No. 1393, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1533) recommending that H.B. No. 1713, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1533 and H.B. No. 1713, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1534) recommending that H.B. No. 1733, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1534 and H.B. No. 1733, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1535) recommending that H.B. No. 1740, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1535 and H.B. No. 1740, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1536) recommending that H.B. No. 1745, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1536 and H.B. No. 1745, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1537) recommending that H.B. No. 1750, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1537 and H.B. No. 1750, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1538) recommending that H.B. No. 250, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1538 and H.B. No. 250, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1539) recommending that H.B. No. 251, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1539 and H.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1540) recommending that H.B. No. 252, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1540 and H.B. No. 252, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1541) recommending that H.B. No. 253, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1541 and H.B. No. 253, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1542) recommending that H.B. No. 254, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1542 and H.B. No. 254, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1543) recommending that H.B. No. 255, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1543 and H.B. No. 255, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1544) recommending that H.B. No. 256, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1544 and H.B. No. 256, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1545) recommending that H.B. No. 257, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1545 and H.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1546) recommending that H.B. No. 258, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1546 and H.B. No. 258, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1547) recommending that H.B. No. 259, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1547 and H.B. No. 259, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1548) recommending that H.B. No. 260, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1548 and H.B. No. 260, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1549) recommending that H.B. No. 261, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1549 and H.B. No. 261, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1550) recommending that H.B. No. 262, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1550 and H.B. No. 262, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1551) recommending that H.B. No. 263, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1551 and H.B. No. 263, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1552) recommending that H.B. No. 325, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1552 and H.B. No. 325, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1553) recommending that H.B. No. 1318, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1553 and H.B. No. 1318, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1554) recommending that H.B. No. 1528, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1554 and H.B. No. 1528, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1555) recommending that H.B. No. 1548, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1555 and H.B. No. 1548, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1556) recommending that H.B. No. 1594, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1556 and H.B. No. 1594, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1557) recommending that H.B. No. 1595, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1557 and H.B. No. 1595, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1558) recommending that H.B. No. 1596, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1558 and H.B. No. 1596, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1559) recommending that H.B. No. 1597, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1559 and H.B. No. 1597, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1560) recommending that H.B. No. 1598, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1560 and H.B. No. 1598, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1561) recommending that H.B. No. 1599, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1561 and H.B. No. 1599, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1562) recommending that H.B. No. 1614, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1562 and H.B. No. 1614, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1563) recommending that H.B. No. 1758, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1563 and H.B. No. 1758, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT BENEFITS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1564) recommending that H.B. No. 283, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1564 and H.B. No. 283, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1565) recommending that H.B. No. 906, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1565 and H.B. No. 906, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1566) recommending that H.B. No. 1476, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1566 and H.B. No. 1476, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NORTH KOHALA," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1567) recommending that H.B. No. 1657, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1567 and H.B. No. 1657, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1568) recommending that H.B. No. 1152, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1568 and H.B. No. 1152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1569) recommending that H.B. No. 1309, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1569 and H.B. No. 1309, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1570) recommending that H.B. No. 1556, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1570 and H.B. No. 1556, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1571) recommending that H.B. No. 1645, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1571 and H.B. No. 1645, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1572) recommending that H.B. No. 128, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1572 and H.B. No. 128, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1573) recommending that H.B. No. 168, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1573 and H.B. No. 168, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1574) recommending that H.B. No. 328, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1574 and H.B. No. 328, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1575) recommending that H.B. No. 330, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1575 and H.B. No. 330, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1576) recommending that H.B. No. 955, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1576 and H.B. No. 955, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1577) recommending that H.B. No. 1082, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1577 and H.B. No. 1082, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1578) recommending that H.B. No. 1238, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1578 and H.B. No. 1238, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1579) recommending that H.B. No. 1276, H.D. 3, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1579 and H.B. No. 1276, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1580) recommending that H.B. No. 1433, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1580 and H.B. No. 1433, S.D. 2, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1581) recommending that H.B. No. 1641, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1581 and H.B. No. 1641, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1582) recommending that H.B. No. 1303, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1582 and H.B. No. 1303, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1583) recommending that H.B. No. 138, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1583 and H.B. No. 138, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOOKMOBILES," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1584) 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. 1584 and H.B. No. 422, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1585) recommending that H.B. No. 244, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1585 and H.B. No. 244, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1586) recommending that H.B. No. 460, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1586 and H.B. No. 460, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1587) recommending that H.B. No. 875, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1587 and H.B. No. 875, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO GOVERNMENT,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1588) recommending that H.B. No. 1590, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1588 and H.B. No. 1590, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1589) recommending that H.B. No. 954, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1589 and H.B. No. 954, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1590) recommending that H.B. No. 1360, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1590 and H.B. No. 1360, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1591) recommending that H.B. No. 1308, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1591 and H.B. No. 1308, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND CONSERVATION,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1592) recommending that H.B. No. 1640, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1592 and H.B. No. 1640, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS,” was deferred until Tuesday, April 12, 2005.

Senators Hanabusa and Taniguchi, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1593) recommending that H.B. No. 109, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1593 and H.B. No. 109, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND USE COMMISSION,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1594) recommending that H.B. No. 1200, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1594 and H.B. No. 1200, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1595) recommending that H.B. No. 222, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1595 and H.B. No. 222, S.D. 2, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1596) recommending that H.B. No. 140, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1596 and H.B. No. 140, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HUMAN SERVICES,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1597) recommending that H.B. No. 1146, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1597 and H.B. No. 1146, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CIVIL SERVICE,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1598) recommending that H.B. No. 393, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1598 and H.B. No. 393, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE COUNTIES,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1599) recommending that H.B. No. 429, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1599 and H.B. No. 429, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1600) recommending that H.B. No. 471, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1600 and H.B. No. 471, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1601) recommending

that H.B. No. 491, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1601 and H.B. No. 491, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1602) recommending that H.B. No. 1278, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1602 and H.B. No. 1278, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1603) recommending that H.B. No. 1280, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1603 and H.B. No. 1280, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," was deferred until Tuesday, April 12, 2005.

Senator Menor, for the majority of the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1604) recommending that H.B. No. 332, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1604 and H.B. No. 332, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS," was deferred until Tuesday, April 12, 2005.

Senators Menor and Taniguchi, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1605) recommending that H.B. No. 1017, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1605 and H.B. No. 1017, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," was deferred until Tuesday, April 12, 2005.

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. 1606) recommending that H.B. No. 1051, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1606 and H.B. No. 1051, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1607) recommending that H.B. No. 631, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1607 and H.B. No. 631, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1608) recommending that H.B. No. 769, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1608 and H.B. No. 769, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1609) recommending that H.B. No. 390, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1609 and H.B. No. 390, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1610) 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. 1610 and H.B. No. 704, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1611) recommending that H.B. No. 99, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1611 and H.B. No. 99, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1612) recommending that H.B. No. 998, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1612 and H.B. No. 998, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1613) recommending that H.B. No. 97, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1613 and H.B. No. 97, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1614) recommending that H.B. No. 863, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1614 and H.B. No. 863, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," was deferred until Tuesday, April 12, 2005.



Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1615) recommending that H.B. No. 931, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1615 and H.B. No. 931, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1616) recommending that H.B. No. 997, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1616 and H.B. No. 997, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1617) recommending that H.B. No. 1378, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1617 and H.B. No. 1378, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1618) recommending that H.B. No. 1554, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1618 and H.B. No. 1554, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1619) recommending that H.B. No. 1608, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1619 and H.B. No. 1608, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1620) recommending that H.B. No. 1763, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1620 and H.B. No. 1763, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1621) recommending that H.B. No. 1784, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1621 and H.B. No. 1784, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1622) recommending that H.B. No. 115, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1622 and H.B. No. 115, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1623) recommending that H.B. No. 160, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1623 and H.B. No. 160, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," was deferred until Tuesday, April 12, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1624) recommending that H.B. No. 1331, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1624 and H.B. No. 1331, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC," was deferred until Tuesday, April 12, 2005.

**ADJOURNMENT**

At 8:00 o'clock p.m., the Senate adjourned until 10:00 o'clock a.m., Tuesday, April 12, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-SEVENTH DAY

Tuesday, April 12, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 10:12 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Bishop Yoshiaki Fujitani (Retired), Honpa Hongwanji, after which the Roll was called showing all Senators present.

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. 554 to 677) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 554, advising the Senate of the withdrawal of the nominations of:

JAMES M. MIHALKE to the State Council on Mental Health, under Gov. Msg. No. 217, dated January 28, 2005;

ELIAS T. BENIGA to the Hawaii Workforce Development Council, under Gov. Msg. No. 435, dated March 22, 2005; and

BEVERLY I. TAKABA to the Emergency Medical Services Advisory Committee, under Gov. Msg. No. 462, dated March 24, 2005,

was placed on file.

In compliance with Gov. Msg. No. 554, the nominations listed under Gov. Msg. Nos. 217, 435 and 462 were returned.

Gov. Msg. No. 555, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of YUKIO KITAGAWA, term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 556, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of WAYNE K. KATAYAMA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 557, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of ROBERT V. OSGOOD, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 558, 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, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 559, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of ROBERT S. SUTHERLAND, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 560, 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, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 561, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of NARIYOSHI HIRAOKA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 562, submitting for consideration and confirmation to the Hawaii Community Development Authority (HCDA), the nomination of GRADY L. CHUN, term to expire June 30, 2007, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 563, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of HARRY L. ALONSO, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 564, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of DAVID FUERTES, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 565, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of GARY S. FUKUROKU, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 566, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of JANET K. KUWAHARA, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 567, submitting for consideration and confirmation to the Crime Victim Compensation Commission, the nomination of REBECCA S. WARD, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 568, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of MARIA JO FARINA, term to expire June 30, 2009, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 569, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of DANIEL F. FUJII DDS, MPH, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 570, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of MARIAN J. GREY, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 571, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination

of CHERYL M. NAKAGAWA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 572, submitting for consideration and confirmation to the Education Commission of the States, the nomination of ANN R. BOTTICELLI, term to expire June 30, 2008, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 573, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nomination of GARY SIMON, term to expire June 30, 2009, was referred to the Committee on Human Services.

Gov. Msg. No. 574, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of DEAN D. CHOY, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 575, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of MAURICE F. TORIGOE, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 576, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of STUART K. HANCHETT, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 577, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of LILI BRYAN-CONANT, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 578, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of JOANNE H. KEALOHA, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 579, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of VIRGINIA PRESSLER MD, MBA, FACS, term to expire June 30, 2006, was referred to the Committee on Health.

Gov. Msg. No. 580, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of JAMES D. LACLAIR, term to expire June 30, 2009, was referred jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development.

Gov. Msg. No. 581, submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, the nomination of DAVID LASSNER PHD, term to expire June 30, 2009, was referred jointly to the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development.

Gov. Msg. No. 582, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of RICHARD M. MERSCHDORF, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 583, submitting for consideration and confirmation to the Board of Directors of the Housing and Community Development Corporation of Hawaii (HCDCH), the nomination of CHARLES A. STED, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 584, submitting for consideration and confirmation to the Board of Directors of the Hawaii Hurricane Relief Fund, the nomination of HAROLD R. DECOSTA, term to expire June 30, 2005, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 585, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of ANNA CARIAGA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 586, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of RONALD N. M. DELA CRUZ, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 587, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of LENINGRAD ELARIONOFF, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 588, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of J. KEOLALANI HANOA, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 589, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of ROY HELBUSH, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 590, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of JACQUI L. HOOVER, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 591, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of KU KAHAKALAU PHD, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 592, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of MELVYN KALEO KUALII, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 593, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of CYNTHIA NAZARA, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 594, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of DUTCHIE K. SAFFREY, term to expire June

30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 595, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of CHARLES KUI HIN YOUNG, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 596, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of EDWARD HALEALOHA AYAU, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 597, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of EDWINA H. CACOUOLIDIS, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 598, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of LANCE M. DUNBAR, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 599, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of PEARL A. HODGINS, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 600, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of CLARENCE HALONA KAOPUIKI, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 601, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of WILLIAM K. MALO, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 602, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nomination of GEORGE 'KEOKI' E. PESCAIA, term to expire June 30, 2006, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 603, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of CLARENCE DE LUDE, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 604, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of CHARLES A. EHRHORN, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 605, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of ALICE U. GREENWOOD, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 606, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the

nomination of ANALU K. JOSEPHIDES, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 607, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of ANDREW K.T. KELIIOA, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 608, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of AARON D. MAHI, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 609, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of MARK KAWIKA MCKEAGUE, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 610, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of JACE L. MCQUIVEY, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 611, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nomination of LINDA PAIK-MATSUURA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 612, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of MARK S. HUBBARD SPHR, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 613, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of D. LA FRANCE KAPAKA-ARBOLEDA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 614, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of JOHN A. P. KRUSE, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 615, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of SANDRA P. QUINSAAT, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 616, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of LEIANA P. ROBINSON, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 617, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of PRESLEY V. WANN, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 618, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of SCOTT FISHER, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 619, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of WILLIAM C. FRAMPTON, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 620, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of DANA MOMILANI NAONE HALL, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 621, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of EDWARD HOAPILII KAAHUI, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 622, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of KEMA L. KANAKAOLE, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 623, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of KEEAMOKU J. KAPU, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 624, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of LESLIE A. KULOLOIO, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 625, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nomination of CLOTHILDA PUALANI PAOA, term to expire June 30, 2007, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 626, submitting for consideration and confirmation to the Hawaii Labor Relations Board, the nomination of EMORY J. SPRINGER, term to expire June 30, 2011, was referred to the Committee on Labor.

Gov. Msg. No. 627, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of BERTON HAMAMOTO CRB, CRS, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 628, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of JAMES M. LOWSON, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 629, submitting for consideration and confirmation to the Land Use Commission, the nomination of THOMAS CONTRADES, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 630, submitting for consideration and confirmation to the Land Use Commission, the nomination of DUANE KANUHA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 631, submitting for consideration and confirmation to the Land Use Commission, the nomination of RANSOM A.K. PILTZ, term to expire June 30, 2006, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 632, submitting for consideration and confirmation to the Land Use Commission, the nomination of NICHOLAS W. TEVES JR., term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 633, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of VIT U. PATEL MD, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 634, submitting for consideration and confirmation to the Hawaii Medical Education Council, the nomination of CHRISTI L. KELIPIO, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 635, submitting for consideration and confirmation to the Hawaii Medical Education Council, the nomination of LESLIE J. KRENK RPH, CDE, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 636, submitting for consideration and confirmation to the Hawaii Medical Education Council, the nomination of SUSAN REHBERG MERRILL-MURRAY, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 637, submitting for consideration and confirmation to the Hawaii Medical Education Council, the nomination of GALE S. POLLOCK, term to expire June 30, 2007, was referred to the Committee on Higher Education.

Gov. Msg. No. 638, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawaii Service Area Board, the nomination of G.M. MIKE DURANT, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 639, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of THOMAS I. NAKAMA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 640, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of GWEN HONJO, term to expire June 30, 2009, was referred jointly to the Committee on Higher Education and the Committee on Labor.

Gov. Msg. No. 641, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of REBECCA R. ALAKAI, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 642, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of RICHARD P. HOEFLINGER, term to expire

June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 643, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of SCOTT K. ROWLAND, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 644, submitting for consideration and confirmation to the Natural Area Reserve System Commission, the nomination of SYLVIANNE C. YEE, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 645, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of GARY R. KIENBAUM RN, term to expire June 30, 2005, was referred to the Committee on Higher Education.

Gov. Msg. No. 646, submitting for consideration and confirmation to the Center for Nursing Advisory Board, the nomination of GARY R. KIENBAUM RN, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 647, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of DANTE P. BUERANO JR., term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 648, submitting for consideration and confirmation to the Pest Control Board, the nomination of MOHINDER S. MAAN, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 649, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of ROBERT D. HAUFF, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 650, submitting for consideration and confirmation to the Real Estate Commission, the nomination of BRIAN J. FORREST, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 651, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of JANE KNOX, term to expire June 30, 2009, was referred to the Committee on Human Services.

Gov. Msg. No. 652, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of LARRY M. LITTLETON, term to expire June 30, 2009, was referred to the Committee on Human Services.

Gov. Msg. No. 653, submitting for consideration and confirmation to the State Rehabilitation Council, the nomination of KRISTINE K. H. PAGANO, term to expire June 30, 2009, was referred to the Committee on Human Services.

Gov. Msg. No. 654, submitting for consideration and confirmation to the Hawaii Simplified Sales and Use Tax Administration Act, the nomination of CRAIG K. HIRAI, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 655, submitting for consideration and confirmation to the Hawaii Simplified Sales and Use Tax Administration Act, the nomination of LOWELL KALAPA, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 656, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of SHARON L. PANG, term to expire June 30, 2005, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 657, submitting for consideration and confirmation to the Small Business Regulatory Review Board, the nomination of SHARON L. PANG, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 658, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of BARRY F. LUTERMAN PH.D., term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 659, submitting for consideration and confirmation to the Tax Review Commission, the nomination of ISAAC W. CHOY, term to expire Adjournment Sine Die 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 660, submitting for consideration and confirmation to the Tax Review Commission, the nomination of RONALD I. HELLER, term to expire Adjournment Sine Die 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 661, submitting for consideration and confirmation to the Tax Review Commission, the nomination of LON K. OKADA, term to expire Adjournment Sine Die 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 662, submitting for consideration and confirmation to the Tax Review Commission, JOHN W. ROBERTS, term to expire Adjournment Sine Die 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 663, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of WRAY JOSE, term to expire June 30, 2006, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 664, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of CHARLENE H. MIYASHIRO, term to expire June 30, 2008, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 665, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of STEVE NAKASATO, term to expire June 30, 2007, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 666, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of ANNETTE NISHIKAWA, term to expire June 30, 2007, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 667, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of CATHERINE H. PAYNE, term to expire June

30, 2007, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 668, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of FAIRFAX A. REILLY M.ED., term to expire June 30, 2008, was referred to the Committee on Education and Military Affairs.

Gov. Msg. No. 669, submitting for consideration and confirmation to the Commission on Transportation, the nomination of DAVID R. MARSHALL, term to expire June 30, 2006, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 670, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of ALLAN R. LANDON, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 671, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of RONALD K. MIGITA, term to expire June 30, 2005, was referred to the Committee on Higher Education.

Gov. Msg. No. 672, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of RONALD K. MIGITA, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 673, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of VICTOR D. MORELAND PHD, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 674, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of CHARLES H. DAWRS, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 675, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of KENNETH J KNAPP, term to expire June 30, 2005, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 676, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of KENNETH J KNAPP, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 677, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of LEWIS CURTIS TINDELL III, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 476 to 499) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 476, transmitting H.C.R. No. 75, H.D. 1, which was adopted by the House of Representatives on April 8, 2005, was placed on file.

By unanimous consent, H.C.R. No. 75, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RE-EVALUATE ITS MEMORANDUM OF UNDERSTANDING WITH THE CRUISE SHIP INDUSTRY," was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Health.

Hse. Com. No. 477, returning S.B. No. 3, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 478, returning S.B. No. 40, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 40, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 479, returning S.B. No. 76, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 76, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 480, returning S.B. No. 122, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 122, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 481, returning S.B. No. 556, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 556, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 482, returning S.B. No. 621, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.





Hse. Com. No. 498, returning S.B. No. 1872, which passed Third Reading in the House of Representatives on April 8, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1872, and requested a conference on the subject matter thereof.

Hse. Com. No. 499, informing the Senate that the House reconsidered its action taken on April 8, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 624 (S.D. 1), was placed on file.

**STANDING COMMITTEE REPORT**

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1625) recommending that S.C.R. No. 134, S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1625 and S.C.R. No. 134, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT KEEHI SMALL BOAT HARBOR FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY HONOLULU MARINE, INC., FOR A COMMERCIAL SHIP REPAIR FACILITY," was deferred until Thursday, April 14, 2005.

**ORDER OF THE DAY**

**ADOPTION OF RESOLUTIONS**

**MATTERS DEFERRED FROM  
FRIDAY, APRIL 8, 2005**

Stand. Com. Rep. No. 1432 (S.C.R. No. 41):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE," was adopted.

Stand. Com. Rep. No. 1433 (S.R. No. 20):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 20, entitled: "SENATE RESOLUTION REQUESTING THE DAMON ESTATE TO CONSIDER DEDICATING MOANALUA GARDENS AND KAMANANUI VALLEY TO MOANALUA GARDENS FOUNDATION AND ASSISTING MOANALUA GARDENS FOUNDATION IN SETTING UP AN ENDOWMENT TO ENSURE THE GARDENS REMAIN AVAILABLE FOR PUBLIC USE," was adopted.

Stand. Com. Rep. No. 1438 (S.C.R. No. 79, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 79, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO FACILITATE THE ESTABLISHMENT OF VIABLE NATURALLY OCCURRING RETIREMENT COMMUNITIES," was adopted.

Stand. Com. Rep. No. 1453 (S.C.R. No. 90, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION STUDY THE STANDARDS OF ACHIEVEMENT UTILIZED BY OTHER JURISDICTIONS TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was adopted.

Stand. Com. Rep. No. 1456 (S.C.R. No. 222, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 222, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHARTER SCHOOL ADMINISTRATIVE OFFICE TO COORDINATE A REVIEW TO ASSESS THE IMPACTS OF HAWAIIAN-FOCUSED CHARTER SCHOOLS ON HAWAIIAN STUDENT PERFORMANCE," was adopted.

Stand. Com. Rep. No. 1465 (S.C.R. No. 81, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 81, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR ALCOHOL AND DRUG ABUSE SCREENING IN EMERGENCY ROOMS," was adopted.

Stand. Com. Rep. No. 1474 (S.C.R. No. 155, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONVENE A WORK GROUP OF INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF HOSTING AN INTERNATIONAL PACIFIC ASIAN YOUTH BASEBALL LEAGUE CHAMPIONSHIP TOURNAMENT IN THE STATE," was adopted.

Stand. Com. Rep. No. 1475 (S.R. No. 87, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 87, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONVENE A WORK GROUP OF INTERESTED PARTIES TO EXAMINE THE FEASIBILITY OF HOSTING AN INTERNATIONAL PACIFIC ASIAN YOUTH BASEBALL LEAGUE CHAMPIONSHIP TOURNAMENT IN THE STATE," was adopted.

Stand. Com. Rep. No. 1490 (S.C.R. No. 103):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted.

Stand. Com. Rep. No. 1491 (S.C.R. No. 114):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CHECK CASHERS," was adopted.

Stand. Com. Rep. No. 1492 (S.C.R. No. 167):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 167, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was adopted.

Stand. Com. Rep. No. 1493 (S.C.R. No. 144):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 144, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO DO A STUDY ON MEDICAL MALPRACTICE INSURANCE," was adopted.

Stand. Com. Rep. No. 1494 (S.R. No. 55):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 55, entitled: "SENATE RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted.

#### ADOPTION OF RESOLUTIONS

S.C.R. No. 111, S.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EMERGENCY CONTRACEPTION INTERAGENCY WORK GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE," was adopted.

S.C.R. No. 197, S.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.C.R. No. 197, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A MEDICAL MARIJUANA WORKING GROUP TO MAKE RECOMMENDATIONS TO IMPROVE HAWAII'S MEDICAL MARIJUANA PROGRAM," was adopted.

At 10:18 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:23 o'clock a.m.

#### THIRD READING

H.B. No. 1659, H.D. 1, S.D. 1:

On motion by Senator Kokubun, seconded by Senator Hooser and carried, H.B. No. 1659, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1407 (H.B. No. 164, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1407 was adopted and H.B. No. 164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," 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. 551, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1408 was adopted and H.B. No. 551, H.D. 1, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1409 (H.B. No. 582, H.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1409 was adopted and H.B. No. 582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILD CENTER-HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 685, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE," 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. 852, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1411 was adopted and H.B. No. 852, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," 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. 864, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1412 was adopted and H.B. No. 864, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1415 (H.B. No. 1749, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1415 was adopted and H.B. No. 1749, H.D. 2, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1417 (H.B. No. 477, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1417 was adopted and H.B. No. 477, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 155, H.D. 1, S.D. 1:

On motion by Senator Kim, seconded by Senator Menor and carried, H.B. No. 155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1441 (H.B. No. 606, H.D. 1, S.D. 2):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1441 was adopted and H.B. No. 606, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1445 (H.B. No. 437):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1445 was adopted and H.B. No. 437, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1446 (H.B. No. 438, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1446 was adopted and H.B. No. 438, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1447 (H.B. No. 502, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1447 was adopted and H.B.

No. 502, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1450 (H.B. No. 1550, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1450 was adopted and H.B. No. 1550, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1460 (H.B. No. 835, H.D. 2, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1460 was adopted and H.B. No. 835, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1462, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, H.B. No. 1462, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1666, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, H.B. No. 1666, 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, 25. Noes, none.

H.B. No. 1668, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, H.B. No. 1668, 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. 1487 (H.B. No. 450, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1487 was adopted and H.B. No. 450, 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.

Stand. Com. Rep. No. 1488 (H.B. No. 500, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1488 was adopted and H.B. No. 500, H.D. 2, 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. 1496 (H.B. No. 162, H.D. 2, S.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1496 was adopted and H.B. No. 162, H.D. 2, 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. 1497 (H.B. No. 912, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1497 was adopted and H.B. No. 912, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1498 (H.B. No. 556, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1498 was adopted and H.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1499 (H.B. No. 758, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1499 was adopted and H.B. No. 758, H.D. 2, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1501 (H.B. No. 842, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1501 was adopted and H.B. No. 842, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS FOR EDUCATION PURPOSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1502 (H.B. No. 843, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1502 was adopted and H.B. No. 843, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1504 (H.B. No. 1029, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1504 was adopted and H.B. No. 1029, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1507 (H.B. No. 1295, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1507 was adopted and H.B. No. 1295, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1509 (H.B. No. 1555, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1509 was adopted and H.B. No. 1555, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1510 (H.B. No. 1605, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1510 was adopted and H.B. No. 1605, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1513 (H.B. No. 792, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1513 was adopted and H.B. No. 792, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1515 (H.B. No. 1301, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1515 was adopted

and H.B. No. 1301, H.D. 1, S.D. 2, 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.

Stand. Com. Rep. No. 1516 (H.B. No. 1536, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1516 was adopted and H.B. No. 1536, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1517 (H.B. No. 516, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1517 was adopted and H.B. No. 516, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH POWERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1518 (H.B. No. 683, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1518 was adopted and H.B. No. 683, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1519 (H.B. No. 684, H.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1519 was adopted and H.B. No. 684, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1521 (H.B. No. 19, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1521 was adopted and H.B. No. 19, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1522 (H.B. No. 20, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1522 was adopted

and H.B. No. 20, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1527 (H.B. No. 384, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1527 was adopted and H.B. No. 384, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1528 (H.B. No. 434, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1528 was adopted and H.B. No. 434, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAREER CRIMINAL PROSECUTION UNITS AND VICTIM WITNESS ASSISTANCE PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1529 (H.B. No. 447, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1529 was adopted and H.B. No. 447, 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.

Stand. Com. Rep. No. 1530 (H.B. No. 466, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1530 was adopted and H.B. No. 466, H.D. 2, 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. 1531 (H.B. No. 488, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1531 was adopted and H.B. No. 488, 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, 25. Noes, none.

Stand. Com. Rep. No. 1534 (H.B. No. 1733, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1534 was adopted and H.B. No. 1733, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," having

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1535 (H.B. No. 1740, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1535 was adopted and H.B. No. 1740, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1537 (H.B. No. 1750, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1537 was adopted and H.B. No. 1750, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1538 (H.B. No. 250, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1538 was adopted and H.B. No. 250, 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. 1539 (H.B. No. 251, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1539 was adopted and H.B. No. 251, 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. 1540 (H.B. No. 252, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1540 was adopted and H.B. No. 252, 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. 1541 (H.B. No. 253, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1541 was adopted and H.B. No. 253, 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. 1542 (H.B. No. 254, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1542 was adopted and H.B. No. 254, 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. 1543 (H.B. No. 255, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1543 was adopted and H.B. No. 255, 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. 1544 (H.B. No. 256, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1544 was adopted and H.B. No. 256, 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. 1545 (H.B. No. 257, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1545 was adopted and H.B. No. 257, 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. 1546 (H.B. No. 258, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1546 was adopted and H.B. No. 258, 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. 1547 (H.B. No. 259, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1547 was adopted and H.B. No. 259, 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. 1548 (H.B. No. 260, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1548 was adopted and H.B. No. 260, 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. 1549 (H.B. No. 261, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1549 was adopted and H.B. No. 261, 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. 1550 (H.B. No. 262, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1550 was adopted and H.B. No. 262, 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. 1551 (H.B. No. 263, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1551 was adopted and H.B. No. 263, 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, 25. Noes, none.

Stand. Com. Rep. No. 1556 (H.B. No. 1594, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1556 was adopted and H.B. No. 1594, 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. 1557 (H.B. No. 1595, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1557 was adopted

and H.B. No. 1595, 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. 1558 (H.B. No. 1596, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1558 was adopted and H.B. No. 1596, 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. 1559 (H.B. No. 1597, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1559 was adopted and H.B. No. 1597, 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. 1560 (H.B. No. 1598, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1560 was adopted and H.B. No. 1598, 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. 1561 (H.B. No. 1599, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1561 was adopted and H.B. No. 1599, 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. 1564 (H.B. No. 283, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1564 was adopted and H.B. No. 283, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1565 (H.B. No. 906, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1565 was adopted and H.B. No. 906, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1567 (H.B. No. 1657, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1567 was adopted and H.B. No. 1657, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1568 (H.B. No. 1152, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1568 was adopted and H.B. No. 1152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1570 (H.B. No. 1556, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1570 was adopted and H.B. No. 1556, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1573 (H.B. No. 168, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1573 was adopted and H.B. No. 168, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1574 (H.B. No. 328, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1574 was adopted and H.B. No. 328, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF AGRICULTURAL LANDS IN WAHIAWA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1575 (H.B. No. 330, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1575 was adopted and H.B. No. 330, H.D. 1, 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. 1576 (H.B. No. 955, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1576 was adopted and H.B. No. 955, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATING FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1577 (H.B. No. 1082, H.D. 3, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1577 was adopted and H.B. No. 1082, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1578 (H.B. No. 1238, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1578 was adopted and H.B. No. 1238, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1579 (H.B. No. 1276, H.D. 3, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1579 was adopted and H.B. No. 1276, H.D. 3, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1580 (H.B. No. 1433, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1580 was adopted and H.B. No. 1433, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.



Stand. Com. Rep. No. 1583 (H.B. No. 138, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1583 was adopted and H.B. No. 138, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOOKMOBILES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1586 (H.B. No. 460, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1586 was adopted and H.B. No. 460, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1589 (H.B. No. 954, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1589 was adopted and H.B. No. 954, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR AGRICULTURAL INFRASTRUCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1590 (H.B. No. 1360, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1590 was adopted and H.B. No. 1360, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIALUA AGRIBUSINESS INCUBATOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1592 (H.B. No. 1640, H.D. 3, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1592 was adopted and H.B. No. 1640, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1594 (H.B. No. 1200, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1594 was adopted and H.B. No. 1200, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1595 (H.B. No. 222, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1595 was adopted and H.B. No. 222, S.D. 2, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR THE PRESCHOOLS OPEN DOORS PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1598 (H.B. No. 393, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1598 was adopted and H.B. No. 393, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1600 (H.B. No. 471, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1600 was adopted and H.B. No. 471, H.D. 2, S.D. 2, 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.

Stand. Com. Rep. No. 1601 (H.B. No. 491, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1601 was adopted and H.B. No. 491, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MAKENA STATE BEACH PARK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1602 (H.B. No. 1278, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1602 was adopted and H.B. No. 1278, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1603 (H.B. No. 1280, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1603 was adopted and H.B. No. 1280, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1607 (H.B. No. 631, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1607 was adopted and H.B. No. 631, H.D. 1, 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. 1611 (H.B. No. 99, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1611 was adopted and H.B. No. 99, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1617 (H.B. No. 1378, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1617 and H.B. No. 1378, H.D. 1, S.D. 2, was deferred until later in the calendar.

Stand. Com. Rep. No. 1618 (H.B. No. 1554, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1618 was adopted and H.B. No. 1554, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1620 (H.B. No. 1763, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1620 was adopted and H.B. No. 1763, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1622 (H.B. No. 115, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1622 was adopted and H.B. No. 115, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:52 o'clock a.m.

**THIRD READING**

Stand. Com. Rep. No. 1514 (H.B. No. 1015, H.D. 2, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1514 be adopted and H.B. No. 1015, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble then offered the following amendment (Floor Amendment No. 4) to H.B. No. 1015, H.D. 2, S.D. 1:

SECTION 1. HB 1015 H.D.2 S.D.2 is amended by adding the following to be designated as sections 1-19:

"SECTION 1. The legislature finds that recycling is an important element of an integrated solid waste management system, which can protect and preserve environmental resources and reduce economic costs to residents and businesses within the state.

The legislature finds that the state deposit beverage container program (state deposit program) under part VIII of chapter 342G, Hawaii Revised Statutes, was enacted before the city and county of Honolulu decided to fully implement a comprehensive residential recycling program.

The legislature further finds that the city and county of Honolulu's comprehensive residential recycling program, when fully implemented, will accept a substantial majority of empty beverage containers currently recycled under the state deposit program. Given that seventy-two per cent of Hawaii's residents live on the island of Oahu and will benefit from the city and county of Honolulu's comprehensive residential recycling program once it is fully implemented, the legislature finds that the need for the state deposit program will be substantially reduced.

Because the legislature finds that the state deposit program has caused Hawaii's residents extreme difficulty in recycling their empty beverage containers and will be unduly burdensome and unnecessarily duplicative once the city and county of Honolulu fully implements its comprehensive residential recycling program, Part I of this Act will:

- (1) Amend the state deposit program to eliminate the deposit and related requirements; provided that the city and county of Honolulu has fully implemented its comprehensive residential recycling program by December 31, 2005; and
- (2) Support county recycling programs by requiring the state to provide revenues from the deposit beverage container fee to counties that have implemented comprehensive residential recycling programs.

**PART I**

SECTION 2. Section 342G-101, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read:

"Comprehensive residential recycling program" means a county-wide recycling program in which residential recyclable material is collected from a majority of the county's residents and:

- (1) Received by an approved in-state company for an approved end use recycling;
- (2) Received by a department-permitted recycling facility;
- or
- (3) Transported out-of-state."

2. By amending the definitions of "consumer" and "dealer" to read:

"Consumer" means a person who buys a beverage in a deposit beverage container for use or consumption [and pays the deposit].

"Dealer" means a person who engages in the sale of beverages in deposit beverage containers to a consumer [for off-premises consumption in the State]."

3. By repealing the definitions of "on-premises consumption", "recycling facility", "redeemer", "redemption center", "redemption rate", "refillable beverage container", and "reverse vending machine".

"On-premises consumption" means to consume deposit beverages by a consumer immediately and within the area under control of the establishment, including bars, restaurants, passenger ships, and airplanes.

"Recycling facility" means all contiguous land and structures and other appurtenances, and improvements on the land used for the collection, separation, recovery, and sale [or] reuse of secondary resources that would otherwise be disposed of as municipal solid waste, and is an integral part of a manufacturing

process aimed at producing a marketable product made of postconsumer material.

"Redeemer" means a person, other than a dealer or distributor, who demands the refund value in exchange for the empty deposit beverage container.

"Redemption center" means an operation which accepts from consumers and provides the refund value for empty deposit beverage containers intended to be recycled and ensures that the empty deposit beverage containers are properly recycled.

"Redemption rate" means the percentage of deposit beverage containers redeemed over a reporting period. The percentage is calculated by dividing the number of deposit beverage containers redeemed by the number of deposit beverage containers sold and then multiplying that number by one hundred.

"Refillable beverage container" means any deposit beverage container which ordinarily would be returned to the manufacturer to be refilled and resold.

"Reverse vending machine" means a mechanical device, which accepts one or more types of empty deposit beverage containers and issues a redeemable credit slip with a value not less than the container's refund value. The refund value payments shall be aggregated and then paid if more than one container is redeemed in a single transaction."

SECTION 3. Section 342G-102, Hawaii Revised Statutes, is amended to read as follows:

"§342G-102 Deposit beverage container fee. (a) Beginning on October 1, 2002, every deposit beverage distributor shall pay to the department a deposit beverage container fee on each polyethylene terephthalate, high density polyethylene, or metal deposit beverage container manufactured in or imported into the [State.] state. The fee shall be imposed only once on the same deposit beverage container. The fee shall be 0.5 [cents] cent per deposit beverage container.

(b) Beginning on October 1, 2004, every deposit beverage distributor shall pay to the department a deposit beverage container fee on each deposit beverage container manufactured in or imported into the [State.] state. The deposit beverage container fee shall not apply to deposit beverage containers exported for sale outside of the [State.] state. The fee shall be imposed only once on the same deposit beverage container. The fee shall be 1 cent per deposit beverage container.

(c) No county shall impose or collect any assessment or fee on deposit beverage containers for the same or similar purpose that is the subject of this chapter.

~~(d) Beginning January 1, 2005, and every August 1 thereafter, the department shall notify deposit beverage distributors in writing of the amount of the deposit beverage container fee. The effective date of changes to the fee amount shall be September 1. The fee shall be based on the redemption rate calculated annually based on the redemption rate information submitted to the department for the previous period of July 1 through June 30. The fee amount shall be as follows:~~

- ~~(1) If the redemption rate is seventy per cent or less: 1 cent per container; and~~
- ~~(2) If the redemption rate is greater than seventy per cent: 1.5 cents per container."~~

SECTION 4. Section 342G-104, Hawaii Revised Statutes, is amended to read as follows:

"§342G-104 Deposit into deposit beverage container [deposit] special fund; use of funds. (a) There is established in the state treasury the deposit beverage container [deposit] special fund, into which shall be deposited:

- (1) All revenues generated from the deposit beverage container fee as described under sections 342G-102 and 342G-105;
- (2) All revenues generated from the deposit beverage container deposit as described under sections 342G-105 and 342G-110; and
- (3) (2) All accrued interest from the fund.

(b) Moneys in the deposit beverage container [deposit] special fund shall be used to reimburse [refund values and pay handling fees to redemption centers. The department may also use the money to:] the department for administering this part and to provide moneys to any county that has certified in writing to the department that it has implemented a comprehensive residential recycling program. The department shall distribute the moneys to the qualifying counties monthly on a per capita basis. A county that receives a portion of the deposit beverage container special fund shall use the money to:

- (1) Fund administrative, audit, and compliance activities associated with [collection and payment of the deposits and handling fees of the deposit beverage container] the comprehensive residential recycling program;
- (2) Conduct recycling education and demonstration projects;
- (3) Promote recyclable market development activities;
- (4) Support the handling and transportation of [the deposit beverage containers] recyclable material to end-markets;
- (5) Hire personnel to oversee the implementation and administration of the [deposit beverage container] comprehensive residential recycling program, including permitting and enforcement activities; [and]
- (6) Fund associated office expenses[-]; and
- (7) Advance any other purpose deemed necessary by the county to support its comprehensive residential recycling program."

~~[(c) Any funds that accumulate in the deposit beverage container deposit special fund shall be retained in the fund unless determined by the auditor to be in excess, after adjustments to the deposit beverage fee, pursuant to the management and financial audits conducted in accordance with section 342G-107.]"~~

SECTION 5. Section 342G-105, Hawaii Revised Statutes, is amended to read as follows:

"[F]§342G-105[F] Deposit beverage container inventory report and payment. (a) 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 inventory reports of the deposit beverage distributors. All deposit beverage distributors shall submit to the department documentation in sufficient detail that identifies:

- (1) The number of beverages in deposit beverage containers[-, by container size and type,] manufactured in or imported [to] into the [State;] state; and
- (2) The number of these deposit beverage containers[-, by container size and type,] exported [and intended] for [consumption out] sale outside of the [State] state during the reporting period.

(b) The amount due from deposit beverage distributors shall be the net number of deposit beverage containers imported into or manufactured [into] in the [State] state (the total number of containers imported or manufactured less the total number of containers exported for [consumption] sale outside of the [State] state) multiplied by the [sum of the prevailing] deposit beverage container fee [and the refund value of 5 cents]. Payment shall be made by check or money order payable to the "Department of Health, State of Hawaii". All inventory reports and payments shall be made no later than the fifteenth day of the month following the end of the payment period of the previous month."

SECTION 6. Section 342G-107, Hawaii Revised Statutes, is amended to read as follows:

"[F]§342G-107[F] Management and financial audit. The auditor shall conduct a management and financial audit of the program for fiscal years 2004-2005 and 2005-2006, and for each fiscal year thereafter ending in an even-numbered year. The auditor shall submit the audit report, including [the amount of unredeemed refund value and] recommendations, to the legislature and the department no later than twenty days prior to

the convening of [the] next applicable regular session. The costs incurred by the auditor for the audit shall be reimbursed by the deposit beverage container program special fund. The auditor may contract the audit services of a third party to conduct the audit.”

SECTION 7. Section 342G-111, Hawaii Revised Statutes, is amended to read as follows:

**“§342G-111 Sales of beverages in deposit beverage containers; distributor report; fee [and deposit payment].**

(a) By January 1, 2005, every deposit beverage distributor who pays a deposit beverage container fee to the department shall charge the dealer or consumer a deposit [equal to the refund value] beverage container fee for each deposit beverage container sold in Hawaii. [The deposit charge may appear as a separate line item on the invoice.

(b) Each dealer shall charge the consumer the deposit beverage container deposit at the point of sale of the beverage, excluding sales for on-premises consumption. The deposit charge may appear as a separate line item on the invoice.

(c) Each deposit beverage distributor shall generate and submit to the department a monthly report on:

- (1) The number of deposit beverage containers [—by container size and type;] manufactured in or imported into the [State;] state; and
- (2) The number of deposit beverage containers [—by container size and type;] exported [and intended for consumption out] for sale outside of the [State] state during the reporting period.

All information contained in the reports, including confidential commercial and financial information, shall be treated as confidential and protected to the extent allowed by state law.

(d) Payment of the deposit beverage container fee [and deposits as described in section 342G-110] shall be made monthly based on reports of the deposit beverage distributors under subsection (c).

(e) Beginning January 1, 2005, a deposit beverage distributor who annually imports or manufactures one hundred thousand or fewer deposit beverage containers may submit reports and payments required under subsections (b) and (c) [and (d)] on a semi-annual basis; provided that the semi-annual report and payment period shall end on June 30 and December 31 of each year.

(f) The amount due from a deposit beverage distributor shall be the net number of deposit beverage containers sold multiplied by the [sum of the prevailing] deposit beverage container fee [and the deposit value of 5 cents]. Payment shall be made by check or money order payable to the “Department of Health, State of Hawaii”. All reports and payments shall be made no later than the fifteenth day of the month following the end of the previous payment period.

(g) The department may allow dealers to charge customers the refund value beginning November 1, 2004; provided that the deposit beverage containers are clearly marked with the refund value and the deposit beverage distributor has paid the refund value on each container to the department. The dealer shall inform customers that the deposits paid prior to January 1, 2005, shall not be redeemable until January 1, 2005.”

SECTION 8. Section 342G-121, Hawaii Revised Statutes, is amended to read as follows:

**“[§342G-121] Audit authority.** The records of the deposit beverage distributor [—dealer, redemption center, and recycling facility] shall be made available, upon request, for inspection by the department, a duly authorized agent of the department, or the auditor. Any proprietary information obtained by them shall be kept confidential and shall not be disclosed to any other person, except:

- (1) As may be reasonably required in an administrative or judicial proceeding to enforce any provision of this chapter or any rule adopted pursuant to this chapter; or
- (2) Under an order issued by a court or administrative agency hearing officer.”

SECTION 9. Section 342G-110, Hawaii Revised Statutes, is repealed.

**“[§342G-110] Payment and application of deposits.** (a) By January 1, 2005, every deposit beverage container sold in this State shall have a refund value of 5 cents. Each container shall have the refund value clearly indicated on it as provided in section 342G-112.

(b) The refund value is the amount of the deposit required. Once a refund value has been applied to a deposit beverage container, the deposit on that container may not be changed and shall be paid to the State.

(c) The deposit on each filled deposit beverage container shall be paid by the deposit beverage distributor, who manufactures or imports beverages in deposit beverage containers. Payment and reporting of the deposits shall be in accordance with section 342G-105. The deposits shall be deposited into the deposit beverage container deposit special fund as described in section 342G-104.

(d) Deposit beverage distributors who are required under subsection (c) to pay a deposit shall also pay a deposit beverage container fee and register with the State.”

SECTION 10. Section 342G-112, Hawaii Revised Statutes, is repealed.

**“[§342G-112] Deposit beverage container requirements.**

(a) Except as provided in subsection (b), every deposit beverage container sold in the State shall clearly indicate the refund value of the container and the word “Hawaii” or the letters “HI”. The names or letters representing the names of other states with comparable deposit legislation may also be included in the indication of refund value. The refund value on every deposit beverage container shall be clearly, prominently, and indelibly marked by painting, printing, scratch embossing, raised letter embossing, or securely affixed stickers and shall be affixed on the top or side of the container in letters at least one-eighth inch in size.

(b) Subsection (a) does not apply to any type of refillable glass deposit beverage container which has a brand name permanently marked on it and which has the equivalent of a refund value of at least 5 cents which is paid upon receipt of the container by a dealer or deposit beverage distributor.

(c) All deposit beverage containers that do not indicate the Hawaii refund value by January 1, 2005, and are intended for sale shall be sold with stickers as specified in subsection (d).

(d) Stickers that indicate the Hawaii refund value may be purchased from the department from November 1, 2004, to December 31, 2004. Surplus stickers may be redeemed at the department by March 1, 2005. The cost of a sticker shall be equal to the Hawaii refund value.”

SECTION 11. Section 342G-113, Hawaii Revised Statutes, is repealed.

**“[§342G-113] Redemption of empty deposit beverage containers.** (a) Except as provided in subsection (b), a dealer shall:

- (1) Operate a redemption center by July 1, 2005, and shall accept all types of empty deposit beverage containers with a Hawaii refund value;
- (2) Pay to the redeemer the full refund value for all deposit beverage containers that bear a valid Hawaii refund value; and
- (3) Ensure each deposit beverage container collected is recycled, and forward documentation necessary to support claims for payment as stated in section 342G-119 or rules adopted under this part.

(b) Subsection (a) shall not apply to any dealer:

- (1) Who is located in a high density population area as defined by the director in rules, and within two miles of a certified redemption center that is operated independently of a dealer;
- (2) Who is located in a rural area as defined by rule;
- (3) Who subcontracts with a certified redemption center to be operated on the dealer’s premises;

- (4) Whose sales of deposit beverage containers are only via vending machines;
- (5) Whose place of business is less than five thousand square feet of interior space;
- (6) Who can demonstrate physical or financial hardship, or both, based on specific criteria established by rule; or
- (7) Who meets other criteria established by the director.

Notwithstanding paragraphs (1) and (2), the director may allow the placement of redemption centers at greater than prescribed distances to accommodate geographical features while ensuring adequate consumer convenience.

(c) Regardless of the square footage of a dealer's place of business, dealers who are not redemption centers shall post a clear and conspicuous sign at the primary public entrance of the dealer's place of business that specifies the name, address, and hours of operation of the closest redemption center locations.

(d) If there is no redemption center within the two-mile radius of a dealer due to the criteria described in subsection (b), then the respective county and the State shall determine the need for a redemption center in that area. If a redemption center is deemed necessary, then the State, with assistance from the county, shall establish the redemption center with funding from the deposit beverage container deposit special fund.

(e) Businesses that sell deposit beverages for on-premises consumption, such as hotels, bars, and restaurants, shall collect used deposit beverage containers from the consumer, and use a certified redemption center for the collection of containers, or become a certified redemption center."

SECTION 12. Section 342G-114, Hawaii Revised Statutes, is repealed.

~~["§342G-114 Redemption centers. (a) Prior to operation, redemption centers shall be certified by the department.~~

~~(b) Applications for certification as a redemption center shall be filed with the department of health on forms prescribed by the department.~~

~~(c) The State, at any time, may review the certification of a redemption center. After written notice to the person responsible for the establishment and operation of the redemption center and to the dealers served by the redemption center, the State, after it has afforded the redemption center operator a hearing in accordance with chapter 91, may withdraw the certification of the center if it finds that there has not been compliance with applicable laws, rules, permit conditions, or certification requirements:~~

- ~~(d) Redemption centers shall:~~
  - ~~(1) Accept all types of empty deposit beverage containers for which a deposit has been paid;~~
  - ~~(2) Verify that all containers to be redeemed bear a valid Hawaii refund value;~~
  - ~~(3) Pay to the redeemer the full refund value in either cash or a redeemable voucher for all deposit beverage containers, except as provided in section 342G-116;~~
  - ~~(4) Ensure each deposit beverage container collected is recycled through a contractual agreement with an out-of-state recycler or an in-state recycling facility permitted by the department; provided that this paragraph shall not apply if the redemption center is operated by a recycler permitted by the department; and~~
  - ~~(5) Forward the documentation necessary to support claims for payment as stated in section 342G-119.~~

~~(e) Redemption centers' redemption areas shall be maintained in full compliance with applicable laws and with the orders and rules of the department, including permitting requirements, if deemed necessary, under chapter 342H."~~

SECTION 13. Section 342G-115, Hawaii Revised Statutes, is repealed.

~~["§342G-115 Reverse vending machine requirements. Reverse vending machines may be used by redemption centers to satisfy the requirements of section 342G-113. Reverse vending machines shall accept any type of empty deposit beverage container and pay out the full refund value in either~~

~~cash or a redeemable voucher for those containers that bear a valid Hawaii refund value. If the reverse vending machine is unable to read the barcode to calculate the refund value, then the department may specify a delayed date in which the reverse vending machines may be used. The reverse vending machine shall be routinely serviced to ensure proper operation and continuous acceptance of empty deposit beverage containers and payment of the refund value."~~

SECTION 14. Section 342G-116, Hawaii Revised Statutes, is repealed.

~~["§342G-116 Refusal of refund value payment for a deposit beverage container. Redemption centers shall refuse to pay the refund value on any broken, corroded, dismembered, flattened deposit beverage container, or any deposit beverage container which:~~

- ~~(1) Contains a free flowing liquid;~~
- ~~(2) Does not properly indicate a refund value; or~~
- ~~(3) Contains a significant amount of foreign material."~~

SECTION 15. Section 342G-117, Hawaii Revised Statutes, is repealed.

~~["§342G-117 Handling fees and refund values for certified redemption centers. (a) The department shall pay to each certified redemption center a handling fee of not less than the prevailing deposit beverage container fee for each deposit beverage container redeemed by a consumer that is:~~

- ~~(1) Transported out of state;~~
- ~~(2) Received by an approved in-state company for an approved end use for recycling; or~~
- ~~(3) Received by a department-permitted recycling facility.~~

~~(b) The department shall evaluate the handling fee at least once per year. If the department changes the amount of the handling fee, the department shall publish notice of the change within thirty days of its determination.~~

~~(c) The handling fee shall be paid in addition to the refund value of each empty deposit beverage container. Payments for handling fees shall be based on redemption center reports submitted to the department; provided that there is no discrepancy in the reports. The department may choose to pay the handling fee and refund value on the basis of the total weight of the containers received by material type and the average weight of each container type.~~

~~(d) A handling fee and refund value may only be paid once for each container redeemed by a consumer and claimed by a redemption center in accordance with section 342G-119."~~

SECTION 16. Section 342G-119, Hawaii Revised Statutes, is repealed.

~~["§342G-119 Redemption center reporting. The department shall pay certified redemption centers handling fees and refund values as described in section 342G-117, based on collection reports submitted by the redemption centers. All redemption centers shall submit to the department the following information on forms prescribed by the department, which information shall include at a minimum:~~

- ~~(1) The number or weight of deposit beverage containers of each material type accepted at the redemption center for the reporting period;~~
- ~~(2) The amount of refunds paid out by material type;~~
- ~~(3) The number or weight of deposit beverage containers of each material type transported out of state or to a permitted recycling facility; and~~
- ~~(4) Copies of out of state transport and weight receipts or acceptance receipts from permitted recycling facilities. If the redemption center and the recycling facility are the same entity, copies of out of state transport and weight receipts, or documentation of end use accepted by the department, shall also be included.~~

~~The requests for payment shall be no more frequent than two times per month."~~

SECTION 17. Section 342G-120, Hawaii Revised Statutes, is repealed.

~~["§342G-120] Recycling facility reporting. Recycling facilities, in addition to any requirements under chapter 342H, shall prepare or maintain the documents involving empty beverage containers, as required by the department."~~

~~SECTION 18. Section 342G-122, Hawaii Revised Statutes, is repealed.~~

~~["§342G-122] Advisory committee. The department shall convene an advisory committee to assist it in developing any rules needed to implement this chapter. The department shall select members of the committee so as to obtain input on the state level as well as assess the impact on each individual county, consumers, recyclers, and the beverage industry. Members of the committee shall be appointed by the director and shall serve at the director's pleasure. A simple majority of the committee members shall constitute a quorum for the purposes of recommending rules and providing input to the director."~~

## PART II

SECTION 19. The legislature finds that recycling of beverage containers is an important element of integrated solid waste management system within the state. However, the current deposit beverage container law in its current form, could be revised to work out some problem areas. Part II of this Act will make necessary changes to the current law to ensure maximum recycling in a more user-friendly way."

SECTION 2. HB 1015 H.D.2 S.D.2 is amended by renumbering the remaining sections, sections 20-26.

SECTION 3. HB 1015 H.D.2 S.D.2 is amended by adding a new section, to be designated section 27, with the following language:

"SECTION 27. Part II of this Act shall take effect only if Part I of this Act in not complied with, and shall be effective upon its approval."

Senator Trimble moved that Floor Amendment No. 4 be adopted, seconded by Senator Hogue.

Senator Trimble rose in support of the amendment and said:

"Mr. President, colleagues, the bill title has to do with beverage containers. The larger issue is recycling. I think that we all want the same thing. I have had a lot of feedback from my constituents and they fall into two different categories. One is that I live in a condominium, and in this condominium we have had a recycling program for many years. The other is that there are a lot of small businesses in my district and eating establishments and they also have been in the business of recycling for many years.

"So, instead of trying to recycle the past and decide whether the beverage container law is a Rube Goldberg machine or not, which may be of academic interest, what I've done – and hopefully it is bipartisan – I took a bill that Representative Ken Hiraki introduced in the House this year and amended it to H.B. No. 1015. And what it does is it allows that if the county has a successful curbside recycling program, which has been proven to be the most effective way of encouraging recycling, if that goes into effect by December 31 of this year, then the existing beverage container law will be suspended.

"I urge that you favorably consider this issue, and I ask for a Roll Call vote."

Senator English rose to speak against the floor amendment and stated:

"Mr. President, I rise in opposition to the floor amendment.

"Members, this floor amendment is exactly what the previous speaker said – it's a repeal of the entire bottle bill law should the city and county of Oahu not implement a curbside recycling system.

"There seems to be this continual desire by many people to link the idea of a curbside recycling system with recycling bottles, when in fact you could have both existing, which would help reduce our waste stream considerably.

"The other part of this that's rather strange is that it says a statewide program goes down if one county does something. So, it sets a bad precedent down the line for us because I could set up many other bills to say that if something doesn't happen in Maui County, then something else goes out in the whole state, or if something doesn't happen on Kaua'i, then the program is dead in the whole state.

"It's bad precedent. It does not accomplish what we did before, which was to put in place a recycling system, and so I would ask the members to vote this measure down.

"Thank you."

The motion to adopt Floor Amendment No. 4 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 5. Noes, 20 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui).

The motion to adopt Stand. Com. Rep. No. 1514 and pass H.B. No. 1015, H.D. 2, S.D. 1, on Third Reading was then put by the Chair and carried, Stand. Com. Rep. No. 1514 was adopted and H.B. No. 1015, H.D. 2, 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, 24. Noes, 1 (Slom).

At 10:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:00 o'clock a.m.

Stand. Com. Rep. No. 1582 (H.B. No. 1303, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1582 be adopted and H.B. No. 1303, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hogue then offered the following amendment (Floor Amendment No. 5) to H.B. No. 1303, H.D. 2, S.D. 2:

SECTION 1. HB 1303 HD2 SD2, section 1 is unamended.

SECTION 2. HB 1303 HD2 SD2, sections 2-25 are deleted and replaced with the following language:

SECTION 2. Chapter 201G, Hawaii Revised Statutes, is amended by adding to part II a new subpart to be appropriately designated and to read as follows:

" . **REVOLVING FUNDS EXEMPT FROM LAPSE AND TRANSFER**  
§201G- **Revolving funds exempt from lapse and transfer.** Notwithstanding any other provision of law, no moneys from the revolving funds administered by the

corporation under subparts B, G, and H or sections 201G-45, 201G-142, and 201G-153 shall be lapsed or transferred to the general fund, except as determined by the corporation to be necessary to further the purposes of the revolving fund.”

SECTION 3. Chapter 201G, Hawaii Revised Statutes, is amended by adding to part III a new subpart to be appropriately designated and to read as follows:

**“ . REVOLVING FUNDS EXEMPT FROM LAPSE AND TRANSFER**

**§201G- Revolving funds exempt from lapse and transfer.** Notwithstanding any other provision of law, no moneys from the revolving funds administered by the corporation under subparts A, C, O, and Q or sections 201G-170, 201G-170.5, 201G-223, 201G-411, and 201G-432 shall be lapsed or transferred to the general fund, except as determined by the corporation to be necessary to further the purposes of the revolving fund.”

SECTION 4. Chapter 237, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

**“§237- Affordable housing development exemption.** (a) There shall be an exemption from the taxes imposed by this chapter for the development of affordable housing. The housing and community development corporation of Hawaii may certify for exemption any qualified person involved with the planning, design, financing, or construction of affordable housing units developed by a private developer; provided that in the case of projects involving the development of market-price as well as affordable housing units, the exemption under this section shall apply exclusively to the units developed as affordable housing units as defined in subsection (e).

(b) All claims for exemption shall be filed with and certified by the housing and community development corporation of Hawaii and forwarded to the department of taxation. The housing and community development corporation of Hawaii shall not be considered a governmental contracting party when it approves any claim for exemption for the purposes of section 104-2.

(c) The exemption shall apply to all amounts received by any certified person for the planning, design, financing, or construction in the State of affordable housing units as described in subsection (a), and on which actual construction has started between July 1, 2005, and June 30, 2007, and which is completed by June 30, 2009, as verified by the housing and community development corporation of Hawaii; provided that the exemption shall not be applied until verification by the housing and community development corporation of Hawaii has been completed; and provided further that if the developer is delayed or hindered from completing the project by reason of floods, earthquakes, or other acts of nature, strikes, lockouts, inability to procure materials, failure of power, riots, insurrection, war, civil or criminal proceedings, injunctions, writs, appeals, stays, or other reason of a like nature, which is not the fault of or capable of being prevented by the developer, then the December 31, 2007 completion deadline may be extended for a period equivalent to the period of the delay. In the event of a delay, the developer shall be required to submit verification of the date of commencement as well as the date of cessation of any of the delaying events, to the housing and community development corporation of Hawaii for verification.

(d) The exemption shall apply only to projects containing the first two thousand five hundred affordable housing units which are certified and completed by December 31, 2007. The amount of the exemption shall not exceed \$ \_\_\_\_\_ per affordable housing unit.

(e) For the purposes of this section:

“Actual construction” means construction of residential improvements, as well as grubbing, grading, or leveling of the land, construction of roads, installation of utilities, or otherwise preparing undeveloped land for the construction of improvements. “Actual construction” does not mean and shall

exclude project planning, design, or obtaining necessary permits for construction.

“Affordable housing units” means housing units which are sold or rented at rates affordable to households earning up to one hundred forty per cent of the area median income as determined by the United States Department of Housing and Urban Development, and which meet the following unit size specifications:

- (1) Not less than 400 square feet for a studio unit;
- (2) Not less than 600 square feet for a one-bedroom unit; and
- (3) Not less than 800 square feet for a two-bedroom unit.

(f) The provisions of this section shall apply to property subject to chapter 238.

**§237- Taxes paid on the rental of residential rental dwellings other than transient accommodations; disposition.**

(a) Twenty-five per cent of all taxes paid under this chapter for the rental of residential rental dwellings other than transient accommodations shall be deposited into the rental housing trust fund under section 201G-432.

(b) The department shall adopt rules in accordance to chapter 91 and create forms necessary to effectuate this section.

For the purposes of this section, “residential rental dwellings other than transient accommodations” means the furnishing of a room, apartment, suite, house, or similar dwelling that is customarily occupied by a tenant for more than one hundred eighty consecutive days for each letting by a homeowner, hotel, apartment hotel, motel, condominium property regime or apartment as defined in chapter 514A, cooperative apartment, or rooming house that provides living quarters, or sleeping accommodations, or other place in which lodgings are regularly furnished to tenants for consideration.”

SECTION 5. Section 201G-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is created a board consisting of nine members, of whom six shall be public members appointed by the governor as provided in section 26-34. Public members shall be appointed from each of the counties of Honolulu, Hawaii, Maui, and Kauai. ~~[One public member shall be the chairperson of the rental housing trust fund advisory commission.] One member shall be a person appointed from a list of nominees submitted by the continuum of care systems of each county. Each county continuum of care system shall submit three nominees. For purposes of this section, “continuum of care system” shall have the same meaning that it does in title 24 Code of Federal Regulations section 586.5. At least one public member shall be a person who is directly assisted by the corporation under the federal low-rent public housing or federal section 8 tenant-based housing assistance payments program while serving on the board. The public members of the board shall serve four-year staggered terms; provided that the initial appointments shall be as follows: two members to be appointed for four years; two members to be appointed for three years; and one member to be appointed for two years. [The chairperson of the rental housing trust fund advisory commission shall serve a concurrent term on the board.]~~ The director of business, economic development, and tourism and the director of human services, or their designated representatives, and a representative of the governor’s office, shall be ex officio voting members. The corporation shall be headed by the board.”

SECTION 6. Section 201G-44, Hawaii Revised Statutes, is amended to read as follows:

**“§201G-44 Administration of state low income housing projects and programs.** (a) The corporation may construct, develop, and administer property or housing for the purpose of state ~~[low income] low-income~~ housing projects and programs.

(b) The corporation shall complete all repairs and renovations to vacant low-income housing units in the State necessary to ensure that the units are sanitary, habitable, and available for rent by December 31, 2008. Twenty-five per cent of all vacant units shall be repaired and ready for occupancy by

December 31, 2006; fifty per cent shall be completed by December 31, 2007; and the balance shall be completed by December 31, 2008.

(c) The corporation shall apply for federal funds through capital fund program grants administered by the United States Department of Housing and Urban Development and may issue bonds in accordance with part III to complete the repairs to the vacant low income housing units as required by subsection (b).

(d) The corporation shall construct new low-income housing units in the State to be available for rent by December 31, 2008. Twenty-five per cent of the units shall be completed and ready for occupancy by December 31, 2006; fifty per cent by December 31, 2007; and the balance shall be completed by December 31, 2008.

(e) The corporation may issue bonds in accordance with part III to complete construction of low-income housing units as required by subsection (c).

~~(f)~~ (f) The corporation shall adopt necessary rules in accordance with chapter 91 including the establishment and collection of reasonable fees for administering the projects or programs and to carry out any state program under ~~[H]subsection[H]~~ (a)."

SECTION 7. Section 201G-118, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The corporation may develop, on behalf of the State or with an eligible developer, or may assist under a government assistance program in the development of, housing projects which shall be exempt from all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of units thereon; provided that:

- (1) The corporation finds the project is consistent with the purpose and intent of this chapter, and meets minimum requirements of health and safety;
- (2) The development of the proposed project does not contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission for public utilities or the various boards of water supply authorized under chapter 54; and
- (3) The legislative body of the county in which the project is to be situated shall have approved the project.
  - (A) The legislative body shall approve or disapprove the project by resolution within forty-five days after the corporation has submitted the preliminary plans and specifications for the project to the legislative body. If on the forty-sixth day a project is not disapproved, it shall be deemed approved by the legislative body;
  - (B) No action shall be prosecuted or maintained against any county, its officials, or employees on account of actions taken by them in reviewing, approving, or disapproving the plans and specifications; and
  - (C) The final plans and specifications for the project shall be deemed approved by the legislative body if the final plans and specifications do not substantially deviate from the preliminary plans and specifications. The final plans and specifications for the project shall constitute the zoning, building, construction, and subdivision standards for that project. If the project comprises a land area of fifty acres or less, the final plans and specifications for the project shall constitute the land use classification for the project. For purposes of sections 501-85 and 502-17, the executive director of the corporation, or the responsible county official may certify maps and plans of lands connected with the project as having complied with applicable laws and ordinances relating to consolidation and

subdivision of lands, and the maps and plans shall be accepted for registration or recordation by the land court and registrar; and

- (4) ~~The land use commission shall approve or disapprove a boundary change within forty-five days after the corporation has submitted a petition to the commission as provided in section 205-4. If on the forty-sixth day the petition is not disapproved, it shall be deemed approved by the commission.~~"

SECTION 8. Section 201G-121, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) In any county, the corporation may develop or may enter into agreements for housing projects with an eligible developer if in the corporation's reasonable judgment a project ~~[is primarily designed for lower income housing.]~~ provides per cent of lower income housing units. The agreement may provide for the housing to be placed under the control of the corporation, or to be sold by the corporation, or to be sold to the corporation as soon as the units are completed and shall contain terms, conditions, and covenants as the corporation, by rules, deems appropriate. Every agreement shall provide for the developer to furnish a performance bond[-] in favor of the corporation, assuring the timely and complete performance of the housing project. Sureties on the bond must be satisfactory to the corporation."

SECTION 9. Section 201G-411, Hawaii Revised Statutes, is amended to read as follows:

**"§201G-411 Dwelling unit revolving fund.** There is created a dwelling unit revolving fund. The funds appropriated for the purpose of the dwelling unit revolving fund and all moneys received or collected by the corporation for the purpose of the revolving fund shall be deposited in the revolving fund. The proceeds in the revolving fund shall be used to reimburse the general fund to pay the interest on general obligation bonds issued for the purposes of the revolving fund, for the necessary expenses in administering subpart F, part II, and for carrying out the purposes of subpart F, part II, including but not limited to the expansion of community facilities constructed in conjunction with housing projects, permanent financing, and supplementing building costs, federal guarantees required for operational losses, and all things required by any federal agency in the construction and receipt of federal funds for housing projects."

SECTION 10. Section 201G-432, Hawaii Revised Statutes, is amended to read as follows:

**"§201G-432 Rental housing trust fund.** (a) There is hereby established a rental housing trust fund to be placed within the corporation.

(b) An amount from the fund, to be set by the corporation and authorized by the legislature, may be used for administrative expenses incurred by the corporation in administering the fund; however, fund moneys may not be used to finance day-to-day administrative expenses of projects allotted fund moneys.

(c) The following may be deposited into the fund: appropriations made by the legislature, revenues from the rental of residential rental dwellings other than transient accommodations as provided in section 237-, private contributions, repayment of loans, interest, other returns, and moneys from other sources.

(d) The fund shall be used to provide loans or grants for the development, pre-development, construction, acquisition, preservation, and substantial rehabilitation of rental housing units. Permitted uses of the fund may include but are not limited to planning, design, land acquisition, costs of options, agreements of sale, downpayments, equity financing, capacity building of nonprofit housing developers, or other housing development services or activities as provided in rules adopted by the corporation pursuant to chapter 91. The rules may provide for a means of recapturing loans or grants made from the fund if a rental housing project financed under the fund is



refinanced or sold at a later date. The rules may also provide that moneys from the fund shall be leveraged with other financial resources to the extent possible.

~~(e) Moneys in the fund shall be used for the purpose of providing in whole or in part loans or grants for housing projects wherein:~~

- ~~(1) At least fifty per cent of the available units are for persons and families with incomes at or below sixty per cent of the median family income;~~
- ~~(2) At least ten per cent of the available units are for persons and families with incomes at or below thirty per cent of the median income; and~~
- ~~(3) The remaining units are for persons and families with incomes at or below one hundred per cent of the median family income; provided that the corporation may establish rules to ensure full occupancy of fund projects.~~

~~(f) Commencing with fiscal year 1999-2000, at the close of each biennium, at least one-third of the funds allocated to construction projects for the period shall have been committed to projects that guarantee affordable units to persons or families with incomes at or below thirty per cent of the median income pursuant to [subsection] (e)(2). Commencing with the regular session of 2000, the corporation shall submit an annual report to the legislature documenting existing projects in compliance with this subsection no later than twenty days prior to the convening of each regular session.~~

~~(g) (c)~~ For the purposes of this subpart, the applicable median family income shall be the median family income for the county or standard metropolitan statistical area in which the project is located as determined by the United States Department of Housing and Urban Development, as adjusted from time to time.

~~(h) providing (f) In providing loans and grants under this section; provided that,~~ the corporation ~~shall~~ may establish loan-to-value ratios to protect the fund from inordinate risk ~~[and that under no circumstances shall the rules permit the loan-to-value ratio to exceed ninety-five per cent]; [and] provided [further] that the underwriting guidelines shall include a debt-coverage ratio of not less than [1.05 to 1.0] 1.0 to 1.0."~~

SECTION 11. Section 201G-434, Hawaii Revised Statutes, is amended to read as follows:

~~"[§201G-434] Duties of the [advisory commission.] corporation.~~ (a) In addition to any other duties granted by this subpart, the ~~[advisory commission shall advise and assist the board of the corporation.] corporation shall~~ evaluate the fund program each year, and report its evaluation with suggested changes to the legislature not fewer than twenty days before the convening of each regular session starting with the regular session of 1998.

(b) In addition to any other powers and duties granted under subsection (a), the ~~[commission] corporation shall~~:

- ~~(1) Define define~~ the guidelines, procedures, conditions, and details of loans and grants under this section~~];~~, including~~;~~ but not limited to the establishment of loan-to-value and debt-coverage ratios~~]; and~~
- ~~(2) Have the authority to obtain the services of technical and support staff from other government agencies to carry out the purposes of this chapter]."~~

SECTION 12. Section 201G-435, Hawaii Revised Statutes, is amended to read as follows:

~~"[§201G-435] Eligible applicants for funds.~~ Eligible applicants for funds shall include nonprofit and for-profit ~~[developers, including] corporations, limited liability corporations or partnerships, partnerships, and~~ government agencies, who are qualified in accordance with rules adopted by the corporation pursuant to chapter 91."

SECTION 13. Section 201G-436, Hawaii Revised Statutes, is amended to read as follows:

~~"[§201G-436] Eligible projects.~~ (a) Activities eligible for assistance from the fund shall include but not be limited to:

- (1) New construction, rehabilitation, or preservation of ~~[low-income] rental housing units for persons and families with incomes at or below one hundred forty per cent of the median family income~~ that meet the criteria for eligibility described in subsection (c);
- (2) The leveraging of moneys with the use of fund assets;
- (3) Pre-development activity grants or loans to nonprofit organizations; and
- (4) Acquisition of rental housing units for the purpose of preservation as [low-income or very low-income housing.] rental housing units for persons and families with incomes at or below one hundred forty per cent of the median family income.

~~(b) [Preference shall be given to projects producing] An eligible project shall produce~~ units in at least one of the following categories:

- (1) Multifamily units;
- (2) Attached single-family units;
- (3) Apartments;
- (4) Townhouses;
- (5) Housing units above commercial or industrial space;
- (6) Single room occupancy units;
- (7) Accessory apartment units;
- (8) Employee housing; ~~[and]~~
- (9) Mixed finance public housing developments; and
- ~~(9)~~ (10) Other types of units meeting the criteria for eligibility set forth in subsection (c).

(c) The corporation shall establish an application process for fund allocation that gives preference to projects meeting the criteria set forth below ~~[that are listed in descending order of priority]:~~

- (1) Serve the original target group;
- (2) Provide at least per cent of the total number of units for persons and families with incomes at or below thirty per cent of the median family income;
- ~~(2)~~ (3) Provide the maximum number of units [for the least amount of subsidy;] for persons and families with incomes at or below per cent of the median family income;
- ~~(3)~~ (4) Are committed to serving the target population over a longer period of time;
- ~~(4)~~ (5) Increase the integration of income levels of the immediate community area;
- ~~(5)~~ (6) Meet the geographic needs of the target population, such as proximity to employment centers and services; and
- ~~(6)~~ (7) Have favorable past performance ~~[with fund moneys;] in developing, owning, managing, or maintaining affordable rental housing.~~

The corporation may include other criteria in the above process as it deems necessary to carry out the purposes of this part.

If the corporation, after applying the process described in this subsection, finds a nonprofit project equally ranked with a for-profit or government project the corporation shall give preference to the nonprofit project in allotting fund moneys."

SECTION 14. Section 237-31, Hawaii Revised Statutes, is amended to read as follows:

~~"§237-31 Remittances.~~ All remittances of taxes imposed by this chapter shall be made by money, bank draft, check, cashier's check, money order, or certificate of deposit to the office of the department of taxation to which the return was transmitted. The department shall issue its receipts therefor to the taxpayer and shall pay the moneys into the state treasury as a state realization, to be kept and accounted for as provided by law; provided that:

- (1) The sum from all general excise tax revenues realized by the State that represents the difference between \$45,000,000 and the proceeds from the sale of any general obligation bonds authorized for that fiscal year for the purposes of the state educational facilities

improvement special fund shall be deposited in the state treasury in each fiscal year to the credit of the state educational facilities improvement special fund;

- (2) A sum, not to exceed \$5,000,000, from all general excise tax revenues realized by the State shall be deposited in the state treasury in each fiscal year to the credit of the compound interest bond reserve fund; ~~and~~
- (3) ~~The sum from all general excise tax revenues realized by the State that represents twenty-five per cent of all taxes paid under this chapter for the rental of residential rental dwellings other than transient accommodations shall be deposited into the rental housing trust fund under section 201G-432; and~~

(4) A sum, not to exceed the amount necessary to meet the obligations of the integrated tax information management systems performance-based contract may be retained and deposited in the state treasury to the credit of the integrated tax information management systems special fund. The sum retained by the director of taxation for deposit to the integrated tax information management systems special fund for each fiscal year shall be limited to amounts appropriated by the legislature. This paragraph shall be repealed on July 1, 2005."

SECTION 15. Section 247-7, Hawaii Revised Statutes, is amended to read as follows:

**"§247-7 Disposition of taxes.** All taxes collected under this chapter shall be paid into the state treasury to the credit of the general fund of the State, to be used and expended for the purposes for which the general fund was created and exists by law; provided that of the taxes collected each fiscal year, ~~[twenty-five]~~ fifty per cent shall be paid into the rental housing trust fund established by section 201G-432 and twenty-five per cent shall be paid into the natural area reserve fund established by section 195-9; and provided further that the funds paid into the natural area reserve fund shall be annually disbursed by the department of land and natural resources after joint consultation with the forest stewardship committee and the natural area reserves system commission in the following priority:

- (1) To natural area partnership and forest stewardship programs;
- (2) Projects undertaken in accordance with watershed management plans pursuant to section 171-58 or watershed management plans negotiated with private landowners; and
- (3) The youth conservation corps established under chapter 193."

SECTION 16. Section 201G-433, Hawaii Revised Statutes, is repealed.

~~["§201G-433 — Rental housing trust fund advisory commission. (a) There is established within the corporation the rental housing trust fund advisory commission consisting of seven members, five of whom shall be public members and appointed pursuant to section 26-34. The public members of the advisory commission shall serve four-year staggered terms; provided that the initial appointments shall be as follows: two members to be appointed for four years; two members to be appointed for three years; and one member to be appointed for two years. As part of this appointment process, an appropriate organization from each of the categories of organizations enumerated below shall submit a list of three public member nominees to the governor. The governor shall select and appoint one public member from each list.~~

~~The public members shall be representative of the following categories of organizations:~~

- (1) Real estate brokers and rental property managers;
- (2) Tenants and renters advocacy organizations;
- (3) Nonprofit housing developers and low-income service providers;
- (4) Mortgage lenders; and

~~(5) Architects and planners.~~

~~A county government official who shall be appointed for a two-year term on a rotating basis among counties and the governor's designated representative shall be ex-officio voting members of the advisory commission.~~

~~(b) The chairperson shall be a public member elected by the members of the advisory commission and shall serve not more than two one-year terms as chair.~~

~~(c) The vice chair shall be a public member elected by the members of the advisory commission.~~

~~(d) Four members shall constitute a quorum. Four affirmative votes shall be necessary for all actions by the advisory commission.~~

~~(e) The members shall receive no compensation for services, but shall be entitled to necessary expenses, including traveling expenses, incurred in the performance of their duties.~~

~~(f) The advisory commission shall advise and serve as the liaison between the board of the corporation and the general public."~~

SECTION 17. Section 201G-431, Hawaii Revised Statutes, is amended by repealing the definition of "advisory commission".

~~[""Advisory commission" means the rental housing trust fund advisory commission established by this subpart."]~~

PART II.

SECTION 18. The legislature finds that the demand for low income housing in Hawaii outweighs the supply. Currently, there is a waiting period from two to five years for low-income housing for both state and federal low-income housing projects. Despite the scarcity of low-income housing, there are a number of vacant state and federal low-income housing units that are currently uninhabitable. If repaired and renovated, these units would be available for applicants on the low-income housing waiting lists, reducing the State's affordable housing shortage.

The legislature further finds that funds for the modernization of federal housing projects are available to low-income housing agencies through capital fund program grants administered by the United States Department of Housing and Urban Development. Grant moneys are designated for improvements to federal low-income housing units, including redesigning, reconstructing, and reconfiguring public housing projects, reducing vacancy, and demolishing and replacing existing low-income housing units.

The purpose of this part is to authorize the issuance of general obligation bonds for the renovation, repair, and construction of low-income housing units, and to require the housing and community development corporation of Hawaii to repair and renovate vacant low-income housing units by December 31, 2008, and to apply for federal capital fund program grants.

SECTION 19. The director of finance is authorized to issue general obligation bonds in the sum of \$ , or so much thereof as may be necessary, and the same sum, or so much thereof as may be necessary, is appropriated for fiscal year 2005-2006 for the purpose of repairing and renovating vacant low-income housing units and constructing new low income housing units.

SECTION 20. The appropriation made for the capital improvement project authorized by this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all moneys from the appropriation unencumbered as of June 30, 2008, shall lapse as of that date.

SECTION 21. The sums appropriated shall be expended by the housing and community development corporation for the purposes of this Act.

PART III.

SECTION 22. The affordable housing task force established pursuant to Senate Concurrent Resolution (S.C.R.) No. 135, Senate Draft (S.D.) 1 (2004), developed numerous proposals to provide near-term solutions to Hawaii's affordable housing shortage problem. One of the task force's recommendations

submitted was to reorganize the housing and community development corporation of Hawaii into two separate entities, one agency to administer public housing functions, and the other to administer housing finance and development functions. The purpose of this part is to establish a process to effectuate that recommendation.

SECTION 23. The housing and community development corporation of Hawaii shall establish a committee of stakeholders to effectuate the recommendation of the affordable housing task force, as contained in its 2004 report to the legislature pursuant to S.C.R. No. 135, S.D. 1, to split the corporation into two separate entities: one agency to administer public housing functions, and the other to administer housing finance and development functions.

The stakeholders appointed to the committee shall represent:

- (1) The housing and development corporation of Hawaii;
- (2) Federal housing agencies;
- (3) State agencies;
- (4) County agencies;
- (5) Housing developers;
- (6) Financial institutions;
- (7) The real estate industry;
- (8) Affordable housing advocates; and
- (9) Any other entities or stakeholders the housing and development corporation of Hawaii deems appropriate.

SECTION 24. The committee established under section 23 shall:

- (1) Make recommendations on the organizational structure and functions of the two resulting agencies;
- (2) Develop proposed staffing, infrastructure, and budgetary needs for each resulting agency;
- (3) Develop an implementation timeline for its recommendations so that the two resultant agencies will be operational by January 1, 2007, if the committee's recommendations and any amendments made thereto are enacted into law by the twenty-third legislature in 2005;
- (4) Make recommendations on any other issue that the legislature may need to consider in adopting the committee's proposal; and
- (5) Submit proposed legislation and a report that includes its findings and recommendations to the legislature not later than twenty days prior to the convening of the 2006 regular session.

SECTION 25. The committee established under section 23 shall cease to exist upon the adjournment sine die of the 2006 regular session.

SECTION 26. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ \_\_\_\_\_, or so much thereof as may be necessary for fiscal year 2005-2006, for the purposes of this Act.

SECTION 27. The sum appropriated shall be expended by the housing and community development corporation of Hawaii for the purposes of this Act.

#### PART IV.

SECTION 28. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 29. This Act shall take effect on July 1, 2050.

Senator Hogue moved that Floor Amendment No. 5 be adopted, seconded by Senator Trimble.

Senator Hogue rose in support of the floor amendment as follows:

"Mr. President, colleagues, I think it has been the desire of this Legislative Body and the Governor's Administration to move forward on an affordable housing policy that makes sense and, frankly, has some dollars to back it up. I think that has been the vision of this Body since we had the Affordable Housing Task Force. My colleagues, Senators Menor and

Hooser, in fact chaired that, and it was Senator Menor's Committee of which I am a member, the Commerce, Consumer Protection and Housing Committee, that passed an earlier draft of this measure back on March 23<sup>rd</sup>.

"It noted that more than \$200 million has been raided from these housing funds in the past 10 years. The intent of the Committee was to protect the following eight revolving funds from future raids so that the remaining \$122 million could be used for the purposes for which they were originally intended – which is to provide low income housing to Hawaii's obviously deserved population and, right now, underserved population.

"So, I here by offer a floor amendment to this measure to move this bill to amend the bill back to the original Senate version that we passed in the Committee on Consumer Protection and Housing. This would protect the housing, protect the state low-income housing revolving fund, the teacher housing revolving fund, the housing for elders revolving fund, the housing finance revolving fund, the Keokea revolving fund, the rental assistance revolving fund, the dwelling unit revolving fund, and the rental housing trust fund.

"Members, we have already passed this version. We passed it out of CPH. I ask you to consider moving it back to that particular reading of the bill.

"Thank you very much for your support. Thank you."

Senator Menor rose to speak against the floor amendment and said:

"Mr. President, I rise to offer some brief remarks in opposition to floor amendment no. 5.

"As Senate Housing Chair, I believe that the floor amendment is not only premature, but it ignores the process by which this matter can be considered. In the very near future, H.B. No. 1303, S.D. 2, along with other measures, will be considered in Conference Committee at deliberations. I believe that the kinds of issues and concerns that are raised in the floor amendment can be taken up at that time when we consider this measure in Conference.

"I think that the amendment contains provisions that may merit further attention, however, I don't think that the rate provision, to which the previous Senator had referred, is one of those provisions. I don't think the rate provision should be included in the Hawaii Revised Statutes. Your CPH Committee moved that proposal along to the Ways and Means Committee for further discussion. However, I am convinced that the Chair of Ways and Means, along with the other members of the Ways and Means Committee, are fully committed to assuring adequate funding for housing programs in the State of Hawaii.

So, accordingly, for all of these reasons, I would ask my colleagues to vote against this amendment. Thank you."

Senator Hogue rose and said:

"Mr. President, Roll Call please."

The motion to adopt Floor Amendment No. 5 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 5. Noes, 20 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui).

Senator Ihara rose and said:

"Mr. President, could you note my reservations on this bill."

The Chair so ordered.

The motion to adopt Stand. Com. Rep. No. 1582 and pass H.B. No. 1303, H.D. 2, S.D. 2, on Third Reading was then put by the Chair and carried, Stand. Com. Rep. No. 1582 was adopted and H.B. No. 1303, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Sлом).

Stand. Com. Rep. No. 1614 (H.B. No. 863, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1614 be adopted and H.B. No. 863, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hemmings then offered the following amendment (Floor Amendment No. 6) to H.B. No. 863, H.D. 2, S.D. 2:

SECTION 1. HB 863 H.D.2 S.D.2, section 1 is amended replacing the current language with the following:

"SECTION 1. The high prices paid for gasoline by the residents of this State have been an issue of concern by the legislature and the public for years. The attorney general brought suit against Hawaii's refineries and major gasoline wholesalers, seeking hundreds of millions of dollars in damages for allegedly overcharging local consumers over the years. After the commencement of the litigation, gas prices declined for a while, and then climbed again.

In 2002, the legislature first enacted a gas cap law. Initially intended to take effect on July 1, 2004, the law was amended that year to take effect on September 1, 2005. As that date approaches, gasoline prices may again decline, as they did at the time of the litigation. While the legislature still supports a gas cap if prices continue as they have been, the legislature also recognizes that the situation may continue to change.

In order to be more responsive to the state's economic climate, especially in the months when the legislature is not in session, the legislature finds it appropriate to allow the governor to initiate the start of the law if the economic condition of the state so warrants it. The intent of this Act is not to delegate the legislature's authority as the state's policy-making body to the governor, but to allow the governor to make that economic decision at the appropriate time, when the legislature will not have been in session for three months, based on the State's economic condition at that time.

Additionally, [F]the legislature finds that the establishment and allocation of adequate resources for a vigorous state watchdog system to monitor and oversee the petroleum industry and gasoline market is a prerequisite to fully implementing the regulation of gasoline pricing. The monitoring of fuel prices, volumes, and industry data on costs and profits, and the subsequent analysis and reporting of this information to enforcement agencies, such as the public utilities commission and the departments of the attorney general and taxation, are critical components in the ability of each agency to carry out the regulation of gasoline prices.

Most importantly, the legislature finds that current global energy supplies cannot keep pace with the increased global demands for energy. The growing economies of China and India place Hawaii in a very vulnerable position as we all compete for the same fossil fuel resources. Further, with many oil-producing countries facing political instability and sensitive diplomatic relations, Hawaii's deep dependency on imported

fossil fuels leaves it reliant on factors it cannot control that affect its energy security and economy.

The legislature also finds that a holistic approach is needed to ensure that improvements in one area of Hawaii's energy system do not cause deterioration in another. For instance, replacing residual oil with liquefied natural gas to produce electricity and incorporating ethanol blending are examples of policies that may cause financial difficulties for existing industry participants but may be beneficial to the State's economy overall.

An integrated energy strategy will give the legislature and other policymakers a broad range of policy options, including improved planning and enhanced data collection and monitoring to support the development of a long-term plan with realistic goals. An integrated energy strategy with long-range objectives may also lead to an improved investment climate. Such a plan will also greatly improve strategic partnerships. Additionally, developing an integrated energy strategy will allow the State to pursue meaningful investment strategies and technology options.

Under section 196-4, Hawaii Revised Statutes, the responsibility for long-range planning and coordination of the state's energy systems falls under the director of business, economic development, and tourism, in the director's role as the energy resources coordinator. One of the coordinator's responsibilities is to complete periodic strategic assessments of Hawaii's energy needs and recommend policies and programs to achieve the State's long-term energy objectives found in section 226-18, Hawaii Revised Statutes. The development of a single integrated state energy strategy is consistent with this responsibility.

Therefore, Part II [~~The purposes~~] of this Act: [~~are to:~~]

- (1) Establishes the petroleum industry monitoring, analysis, and reporting special fund, to be funded from the environmental response revolving fund;
- (2) Requires the department of business, economic development, and tourism to develop and maintain the petroleum industry monitoring, analysis, and reporting system, including an automated petroleum industry information reporting system;
- (3) Redelineates the types of information that the petroleum industry must submit to the department of business, economic development, and tourism; and
- (4) Makes appropriations out of the petroleum industry monitoring, analysis, and reporting special fund to be expended by the:
  - (A) Department of business, economic development, and tourism to establish the petroleum industry monitoring, analysis, and reporting program and to continue support for the Hawaii energy policy forum; and
  - (B) Public utilities commission to implement and operate the petroleum price control program established by chapter 486H, Hawaii Revised Statutes."

SECTION 2. HB 863 H.D.2 S.D. 2, section 2 is amended by inserting the following language:

"PART I.

SECTION 2. Section 486 H-13, Hawaii Revised Statutes, is amended by amending subsection (k) to read as follows:

"(k) The maximum pre-tax wholesale gasoline price imposed by this section shall take effect on September 1, 2005, notwithstanding the lack of adoption of rules pursuant to this section [-]; provided that notwithstanding any law to the contrary, this section shall not become effective until and unless the governor publishes a notice statewide in accordance with section 1-28.5 that the implementation of this section is beneficial to the economic well-being, health and safety of the people of the State. This section shall become effective five

days after the publication of the notice by the governor unless otherwise specified by the governor.”

SECTION 3. HB H.D.2 S.D.2, section 3 is amended by inserting the following language:

“SECTION 3. If section 486H-13, Hawaii Revised Statutes, does not take effect within one hundred eighty days of September 1, 2005, the governor shall submit a report to the legislature no later than twenty days prior to the convening of the next regular session explaining:

- (1) The reasons, along with all relevant facts and statistics, why the governor did not believe that the operation of section 486H-13 during the previous fiscal year would have been beneficial to the economic well-being, health and safety of the people of the State; and
- (2) All efforts the administration has undertaken during the prior fiscal year to:
  - (A) Increase competition in the gasoline wholesale market in the state;
  - (B) Reduce the pre-tax wholesale price of gasoline in the State; and
  - (C) Otherwise improve the market for gasoline in the State.”

SECTION 4. HB 863 H.D.2 S.D.2 is amended by appropriately renumbering the remaining sections, and labelling these sections as “Part II.”

Senator Hemmings moved that Floor Amendment No. 6 be adopted, seconded by Senator Hogue.

Senator Hemmings rose to support the floor amendment as follows:

“Mr. President and colleagues, this has been a volatile issue for well over four years now. We’re rapidly approaching a day when the State of Hawaii, unlike any other state in the nation, is going to step in with government and regulate the price of a consumer commodity – in this case, gasoline.

“I think the proponents of this bill think that it, of course, is something that’s going to serve the consumers well. Well, there seems to be a recognition across the board, with the volatility of the marketplace of oil across the world right now and the actual empirical evidence that this may not work if prices continue to rise on the mainland faster than they’re rising here in Hawaii – the indexed markets are currently more expensive than Hawaii – that this legislation and this attempt to regulate gas wholesale prices would be ineffective and therefore contrary to public interest.

“This amendment is very simple. It allows the Governor to withhold the gas cap from being implemented within 180 days of its scheduled implementation date of September 1<sup>st</sup>. The Governor must submit to the Legislature the reasons why it was done.

“The political side of this is quite interesting, Mr. President, but I think that there is recognition in the Majority Party that this amendment makes a lot of sense. For those of you in the Majority Party who did not have an opportunity to vote on it in Ways and Means, now is your chance to have your voice heard. It makes a lot of sense for the consumers. It makes a lot of sense for the honor and integrity of this Body to vote on this amendment and vote affirmative.

“There is another issue here too – the leading proponent of this gas cap legislation, the good Senator from Mililani, basically trumped this issue from coming to vote when it was offered as an amendment in Senate Ways and Means because of

a rule called ‘prior consent.’ From what I read in the newspaper, which most of the time is fairly reliable, prior consent did not allow us to take a vote because the author of the bill would not give prior consent to having the bill amended. The author of the bill stated in the same article that he believes in democracy. Well, democracy doesn’t work unless people have a right to vote, and if the vote is blocked by a Senate Rule, we’re not exercising democracy, we’re exercising the will of one Committee Chair.

“So, I think the logical way out of this bind that we’ve put ourselves in, with the prior consent rule, is when this bill, which it is, comes to the Floor, that we amend it here on the Floor. I don’t think this Body, as a whole, needs prior consent to amend a bill even though the rules state that a committee does.

“So, I think the Majority Party can have the best of both worlds with this particular amendment. They can get their will, which seems to be percolating, that we would put the skids on the gas cap being implemented and that we would not contravene your existing rule regarding prior consent since this bill would be voted as an amendment on the Floor of the Legislature by all 25 Legislators. This would be democracy and it would be the fair thing to do.

“I’m urging my colleagues to put aside their partisanship on this particular issue and vote in the affirmative and hope the vote turns out a little better than the prior two, as far as the partisanship goes.

“Thank you, Mr. President.”

Senator Menor rose to speak against the amendment as follows:

“Mr. President, I rise to speak against the proposed floor amendment.

“I urge my Senate colleagues to vote against the proposed amendment because the agenda of its sponsors is obvious, given the stated opposition of the Governor to our previous efforts to reduce the profits of the oil companies.

“By granting the Governor the authority to determine whether or not to implement the gas price cap law, the amendment would effectively kill the price cap. I believe that this would be a major blow to consumers who have been price-gouged by the oil companies for too long now.

“In voting on this amendment, I believe that we are faced with a clear choice. We can stand with those who support this amendment, and therefore the oil companies, who have tried everything that they could to derail the gas price cap from the start, knowing the law itself will cut into the windfall profits that they have enjoyed at the expense of Hawaii residents and businesses, or we can continue our efforts on behalf of Hawaii’s consumers and businesses and try to finalize a workable and effective price cap in the remaining weeks of this Session. I say that we defeat this amendment and stay the course that we set two years ago when we first passed this law.

“Now, some of the proponents of this floor amendment alleged that Legislators are starting to back peddle and have second thoughts because they say the price cap will not work in the current environment of rising oil and gasoline prices. Even if an aberration occurs that momentarily pushed gasoline prices in some part of the mainland higher than those in Hawaii, it is clear that this would be an anomaly.

“When looking at gasoline pricing data over many years, Hawaii consumers would have saved millions of dollars each

year had this law been in effect earlier. For example, a February 21<sup>st</sup> article in the Honolulu Advertiser reported that Honolulu drivers would have saved nearly \$11 million in 2004 alone if the price cap had been in effect. When you factor in the potential savings on the sale of mid-grade and premium gasoline – and you need to consider the fact that the Advertiser report was based on the sale of regular unleaded gasoline – and when you consider the even greater savings that will be realized on the neighbor islands, it is clear that the amount that would have been saved by Hawaii consumers on a statewide bases in 2004 would have been significantly higher than what the Advertiser reported.

“Mr. President, that’s just one year out of many that Hawaii’s consumers have suffered from the price gouging of the oil companies in this State. But, proponents of this amendment don’t want you to look at the evidence of price gouging over the years. They don’t want you to consider the studies that repeatedly show how an unregulated monopolistic gasoline distribution system makes successive profits off of Hawaii consumers. They don’t want you to think about the reports showing that 20 percent of Chevron’s US gasoline profits in a given year came from Hawaii, notwithstanding the fact that our market makes up only a small fraction of national gasoline consumption. No, they don’t want you to think about these things. They want you to consider an anomaly, even if it’s hypothetical, in which for a week or two the price cap would allow oil companies to charge higher prices than they are currently charging.

“So, I ask you, Mr. President, and my fellow Senate colleagues to please weigh the years of consumer abuse against a momentary period in which prices may be higher on our price cap. And I say may, Mr. President, because this is a cap, not a price targeting mechanism. So if the oil companies, out of the kindness of their heart, want to charge prices below the cap, they are free to do so.

“I would also like to point out that this amendment is not only bad policy, it is inappropriate and would be premature even if we were to assume that the amendment had some merit. Act 242, which the Legislature just passed last Session to refine our gas price cap law, charges the PUC with the responsibility to evaluate and to come up with recommendations to make any necessary adjustments to the cap before it is implemented.

“The PUC will be submitting its report containing its recommendation to the Legislature by the end of this week. Your CPH Committee will be conducting an informational briefing on the report and its recommendations next Tuesday, April 19. I believe that it would be irresponsible for us to consider, at this point in time, another course of action before hearing the evaluations and recommendations that we requested and paid for to guide us in our deliberations on this issue.

“This amendment, Mr. President, is just another attempt to let the oil companies off the hook. I can assure my colleagues that if the PUC recommends changes to the law, I would be open to considering these in Conference Committee.

“Finally, I’d like to emphasize that the proposed floor amendment contains no meaningful alternatives to addressing the problem of excessive gasoline prices that are plaguing Hawaii’s consumers in this State. Its proponents are once again saying we should return to doing nothing, maintain the status quo, give the oil monopoly free reign again. I sincerely hope the majority of my colleagues believe that this would not be acceptable.

“For all the reasons I discussed, I would sincerely appreciate the support of my colleagues in voting this floor amendment down. Thank you.”

Senator Trimble rose in support of the amendment and said:

“Mr. President, I rise in support of this measure.

“Three comments – the first comment is, if the issue is windfall profits, if the issue is price gouging, then why don’t we have a windfall profit tax as was proposed by this Senator two years ago. It appears that is not really the issue.

“The next point I want to make is that markets are not the same over time and that the price of gasoline or the price of crude on the East Coast of the United States is a separate market than we exist in.

“The third point that I’d like to make is that Hawaii is one of the few places in the United States that has excess refining capacity. The likelihood, if we defeat this measure and we do have a gas cap, is that part of our excess refining capacity will be used to supply markets on the West Coast of the United States. I don’t think that’s a desirable result if it winds up with gasoline shortages in Hawaii.

“So, I suggest, colleagues, if the issue is price gouging and windfall profits, that we do it with an excess profit tax. But until we do that, let us pass this amendment and let us end this foolishness of gas caps.

“Thank you.”

Senator Hemmings rose in rebuttal and said:

“Mr. President, I rise on a point of rebuttal.

“Thank you, I appreciate the good Senator from Mililani’s remarks on this issue and I’m quite pleased that we’re having an open and honest discussion on it. And I’m also pleased that he got to dust off his speeches from the last four years and once again utilize it.

“There’s a couple of points that I think are worthy of the Majority Party’s consideration. If there has been any change of course on this issue, it’s been on the good Senator from Mililani’s point of view. Good Senator, you’re the one that originally introduced a bill to cap prices at the retail level. After two years of protest on that, now we’re capping them at the wholesale level. There has been a tremendous change in course in the very foundation of this proposed legislation, unlike any other in the nation, as I said.

“The second point that I think needs rebuttal is that there was quoted some reports regarding gas, and of course the report commissioned by the State of Hawaii and implemented by the Cayetano Administration called the Stillwater Report’s conclusions were very, very explicit about it and they of course generally said that the gas cap is a foolhardy proposal for the people of Hawaii.

“If there are apparitions in the marketplace, the real apparition is here at the Legislature. We talked about helping the consumers. This doesn’t necessarily help the consumers because it is a wholesale gas cap that doesn’t necessarily dictate that it is going to be passed on by the retailers, so it has no direct effect on what the retailer will ultimately charge the consumer.

“The last point I wish to make is the one that is, I think, really important to this discussion. If there is any monopoly

that's exploiting the consumers of Hawaii, we're standing in the midst of it – it's called state government. We have the highest gas taxes in the nation. The state tax alone comes out to approximately 24 cents. The gas tax in its entirety is 58 cents at current prices, approaching 60 cents. If you sincerely want to help consumers, I would suggest you knock a nickel off tomorrow or by the end of this Legislative Session by cutting the gas tax, which is the highest in the nation. By cutting it just one cent, you'd knock off \$5 million in a year. By cutting it five cents per gallon, you would take \$25 million and put it back into the marketplace rather than having it go to state government.

"I might add, for the purposes of this discussion, that the state highway fund, which is funded by the gas taxes is raided every year – \$243 million have been taken out of that fund in the last 10 years. So obviously, this tax is excessive and it's not even being used for what it's intended for – to fix our highways. It's being used for whatever else it's being put to use for in the general fund.

"So, the very reasons illuminated by the good Senator from Mililani who's a proponent of the gas cap are the very reasons why you should vote for this amendment. This gas cap is foolhardy. It will not necessarily drive down the prices of gas. It doesn't address the foundation problems with the prices of everything in Hawaii. If there is a gouging going on, it's going on by state government through the tax and spend policies of this Legislature and the government.

"For all those reasons, I would like to suggest that it would be in the Majority Party's best interest to go along with the amendment offered in the Senate Ways and Means Committee and vote in favor of it.

"Thank you, Mr. President."

The motion to adopt Floor Amendment No. 6 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 5. Noes, 20 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui, Whalen).

At 11:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:23 o'clock a.m.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.

"There was an attempt, through the amendment, to have some reasonableness about this bill, but that is not the objective, nor is lowering gas prices the objective. As the good Minority Leader had mentioned, we went from a bill that applied to retail dealers to the wholesale level, which means that we'll have no impact whatsoever on retailing other than an adverse and a negative impact.

"I think what we've done is just enhanced this Legislature's reputation for demonizing individual companies. This Legislature, like no other, has gone after and mentioned and had legislation specifically against an oil company, Chevron; against a healthcare organization, HMSA; against a cruise line, Norwegian Cruise Lines, and we should be ashamed of

ourselves because we're not talking about legislation for the people, we're talking about intimidation and vendetta.

"I'll be voting 'no.' Thank you."

The motion to adopt Stand. Com. Rep. No. 1614 and pass H.B. No. 863, H.D. 2, S.D. 2, on Third Reading was then put by the Chair and carried, Stand. Com. Rep. No. 1614 was adopted and H.B. No. 863, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," 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 (Espero).

### THIRD READING

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 1617 (H.B. No. 1378, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1617 be adopted and H.B. No. 1378, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hanabusa rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of H.B. No. 1378, H.D. 1, S.D. 2.

"Mr. President, this measure has been taken off the consent calendar and moved to the ordinary calendar based upon concerns raised by an article written by Lee Cataluna in this morning's Advertiser. I believe that this is an opportune moment to explain to yourself, Mr. President, and other members who may have questions about what this particular measure does.

"By way of brief history, Mr. President, this measure is a result of the S.R. No. 40 task force, which was the hard work of the good Senators from Makiki and Kalihi and they met with all the various stakeholders on this action.

"What this bill addresses is the issues regarding temporary restraining orders, protective orders, its res judicata and collateral estoppel effect, and really it was an attempt to address concerns raised primarily by, I believe, the fathers who felt that they were not getting a fair shake in the judiciary.

"Unfortunately, what has happened over the years is the judiciary and the TRO process has been used as a mechanism by which advantages are gained in custody hearings and in divorce proceedings. We have heard testimony in various related measures that what is happening is people rush to the court and claim abuse, and the way it stands now, it's just domestic abuse, and by doing that, they gain the advantage because the courts have been affording res judicata and collateral estoppel effect to those TRO hearings.

"Mr. President, TRO, members, ex parte means exactly that – it is temporary in nature, usually, but it's ex parte, meaning the person does not have the opportunity to say their side. Usually it's his side.

"What this bill does is attempts to strike that balance that is necessary. The main thing it does is it distinguishes between protective orders, which are resultant of a hearing from that which is a TRO proceeding ex parte. To get an ex parte TRO,

you must have evidence of physical abuse, and that is because no one – no one, Mr. President – wants to take away the fact that people who are physically abused, physically being threatened by the abuse, and the court is satisfied that that finding can be made, that that person should be protected.

“However, the criticism of that action was, what about other forms of abuse that occur? And that’s the issue of domestic abuse, Mr. President. And we’re saying domestic abuse protective orders are warranted, but that’s after everyone has the opportunity to be heard.

“Also in this measure, Mr. President, we address the res judicata, collateral estoppel effect of those kinds of protective orders. In the past, once you went in and you won your preliminary hearing, it sort of carried you for the rest of the hearing. What this says is it will not have the res judicata, collateral estoppel effect, but in fact what it will do is it will give you the opportunity to present a case to the court and everyone will have a de novo hearing.

“Mr. President, these are the main aspects of these bills. It also requires the court not to make extensive findings of facts and conclusions of law in the event that a protective order is given, but they must give a rationale so the person against whom the order is filed has the opportunity to understand the reasons why.

“Mr. President, I believe this bill is a good balance, and that is why your Judiciary Committee and the subsequent Committee of Ways and Means has amended it to say as it does, and it does level the playing field.

“Thank you, Mr. President, I ask yourself and other members to support us in the passage of this measure. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1617 was adopted and H.B. No. 1378, 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, 24. Noes, none. Excused, 1 (Espero).

### THIRD READING

H.B. No. 1222, H.D. 1:

Senator Kanno moved that H.B. No. 1222, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to H.B. No. 1222.

“A simple phrase was added that I feel is excessively broad, and that has to do with changes that would affect promotional opportunity. Because of the broadness of this statement, I will be casting a ‘no’ vote.”

The motion was put by the Chair and carried, H.B. No. 1222, H.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, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Espero).

Stand. Com. Rep. No. 1413 (H.B. No. 938, H.D. 1, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1413 be adopted and H.B. No. 938, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hogue rose with reservations and said:

“Mr. President, there is opposition here from the Department of Human Services, and I want to note my reservations based on their testimony. Thank you.”

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1413 was adopted and H.B. No. 938, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Trimble). Excused, 1 (Espero).

Stand. Com. Rep. No. 1414 (H.B. No. 1442, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1414 be adopted and H.B. No. 1442, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Whalen rose to speak against the measure as follows:

“Mr. President, I rise in opposition.

“I won’t repeat everything I’ve said before. I don’t want to be redundant. But I just want to remind everyone that we already have lateral public access along the shoreline and it’s called the beach. The state owns it. It’s public land. It’s already there. And for those places where you can’t cross the beach because of cliffs or whatnot, the bill exempts it, so there’s really no purpose for this.

“I spoke with a proponent of the bill – the lobbyist who submitted or gave this for submission – and this doesn’t even address the point that they are trying to tackle on Kauai, which is mauka, makai access, not lateral access.

“And really, this bill, since there’s already public access along the beach, it’s either, one, we’re doing this to try to get votes from very strong believing environmentalists, or a ‘no’ vote is going to be that we believe in the rights of property owners.

“We already have the access across their land. The beaches are already ours – the public owns it. This is just taking more property from an owner, and if the county wants to deal with this issue, they can without us authorizing them to.

“Thank you.”

Senator Hooser rose to speak in support of the measure and stated:

“Mr. President, I rise in support. I’ll keep my comments brief also.

“Regarding Kauai, the lateral beach access is a very important issue on Kauai and actually our Mayor has a proposal right now trying to do a similar thing that this bill would require.

“I do support the bill. I do wish it was stronger and replaced the ‘may’ with a ‘shall’ in terms of requiring the counties to



require developers, sub-dividers, and condominium property regime owners to connect lateral public access.

“In areas that are at cliff-sides, and the previous speaker is correct, we do have or the public has a right to the beach and to access along the coastline. In those areas where that is not possible, the law says now that in areas of cliffs or areas where the nature of the property is such where there is no reasonable safe transit for the public along the shoreline below the private property lines, the counties, by condemnation, shall establish along the makai boundaries of the property, public transit corridors of not less than six feet wide. So, existing law says that public lateral access must be established through condemnation.

“What this bill does is it provides the counties with a valuable tool requiring developers to provide that when they subdivide the property, and therefore avoiding the expensive condemnation process that the counties, if this law was enforced, would have to go through.

“So, for those reasons, I ask my colleagues to support the bill.”

Senator Kim requested her vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Whalen rose and said:

“Mr. President, I just want to counter. I think there was some confusion as I thought about what the last speaker said. May I just respond very briefly?”

“There is a big difference between condemnation, where an owner is getting compensated for the land that the state is taking or the county. Furthermore, the law that he read out pointed out that the access is already along the shore. It’s just places where the shoreline prevents you from walking along it. Two totally different issues than a small family that has some property that – I believe we moved it down to just five lots – you’d have to take away land on your property where there might be beautiful beach frontage that we can walk along already. So, don’t be confused by the previous speaker’s mixing of these two issues.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1414 was adopted and H.B. No. 1442, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LATERAL PUBLIC ACCESS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Inouye, Slom, Trimble, Whalen). Excused, 1 (Espero).

Stand. Com. Rep. No. 1418 (H.B. No. 1214, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1418 be adopted and H.B. No. 1214, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition and said:

“Mr. President, I rise in opposition to this bill.

“Among other things, what this bill does is create a potential conflict with this legislation and the federal Davis-Bacon Act in terms of wages. It also allows for the Legislature, basically, and the state to set wages in terms of private contracts. What it has done is extended the reach of the state law in labor matters to any entity, private or public, that receives any kind of tax credit,

subsidy, grant-in-aid or so forth. I don’t think that was the intent in the original indication.

“In addition to that, it does create a situation where it will be encouraging more lawsuits in the state for this particular purpose.

“Thank you.”

Senators Hanabusa, Kim, Sakamoto, Tsutsui, Ige, Fukunaga and Nishihara 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. 1418 was adopted and H.B. No. 1214, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PREVAILING WAGES,” 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 (Espero).

Stand. Com. Rep. No. 1419 (H.B. No. 1060, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1419 be adopted and H.B. No. 1060, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition as follows:

“Mr. President, I rise in opposition to this bill also.

“There were concerns raised by the attorney general, which have not been addressed even in the amendment to this bill, and opposition from the Department of Human Services. What it really does is restrict decision-making from the Department of Human Services.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1419 was adopted and H.B. No. 1060, H.D. 2, 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, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Espero, Hee).

Stand. Com. Rep. No. 1420 (H.B. No. 1305, H.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1420 was adopted and H.B. No. 1305, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EQUAL PAY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Espero, Hee).

Stand. Com. Rep. No. 1440 (H.B. No. 106, H.D. 3, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 1440 be adopted and H.B. No. 106, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

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. 1440 was adopted and H.B. No. 106, H.D. 3, S.D. 2, 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, 23. Noes, none. Excused, 2 (Espero, Hee).

Stand. Com. Rep. No. 1443 (H.B. No. 416, H.D. 2, S.D. 2):

Senator Kokubun moved that Stand. Com. Rep. No. 1443 be adopted and H.B. No. 416, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Hemmings rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, we often rise, especially being in your loyal opposition, to speak against legislation. I want to speak in favor of this legislation, but mostly for the purposes of underscoring a much larger problem.

"This legislation is needed on the Waianae Coast, but it puts a band-aid on a much larger problem that this Legislature should be addressing – and that is, what is the carrying capacity of tourism in the State of Hawaii?"

"It seems that the 7 million tourists a year, or thereabouts, are starting to hit the point of diminishing returns. We're actually making a little more money, but we're losing the Hawaii we love and treasure so much with tourists infiltrating those places of Hawaii which normally are meant for the enjoyment of the local people. In this particular instance, in Waianae it's actually having commercial activity interfere with akule fishermen and other people who literally make a living from the resources of this great state.

"So, I'm hoping when we're passing this legislation, we'll also get into place looking to the future and having some preemptive action to discover what is the carrying capacity of tourism. Should we be spending 60-million-plus dollars a year through the HTA to bring more tourist here when already we're asking specific legislation to keep them out of certain areas? It just doesn't add up.

"I'm hoping that in voting in favor of this bill, it will also develop a consciousness for the larger issue and address it appropriately in future legislation.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1443 was adopted and H.B. No. 416, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1444 (H.B. No. 31, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1444 be adopted and H.B. No. 31, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Hogue rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this particular measure.

"Mr. President, earlier we talked a little bit about how certain industries have been demonized – specifically, big oil, Norwegian Cruise Lines, etc., etc., HMSA, and obviously the prescription drug industry. The pharmaceutical industry is one of those that has been demonized and this is another attempt to basically go after the pharmaceutical industry.

"In this particular bill, ultimately it would interfere with competition, with interstate commerce, and is arguably unconstitutional. I think it would invite a lawsuit against the state on these and perhaps some other grounds as well.

"So, I'll be voting 'no.' Thank you."

Senator Baker rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, one of the major drivers in the increasing cost of healthcare in our country is the cost of prescription drugs that continue to go up and up with no controls, no relief in sight. Despite our best efforts, we have many in our state that cannot afford these life-saving prescriptions.

"This measure, while not perfect, perhaps, and certainly not in its final form, attempts to address some transparency issues. It does ask the drug companies to disclose the cost of advertising and gifts which add to the cost of drugs. It also asks for pharmacy benefit management entities to be transparent in what rebates they're giving back so that we can get a handle on what exactly the state is paying for these drugs.

"I think that these measures, coupled with some of the other things that we have done in the past, will go a long way to providing openness to our consumers, to let them have real choice, and to give doctors and other healthcare professionals the information that they need when they're doing their prescribing, perhaps, to go more towards generic drugs.

"I believe that this measure has merit and would encourage my colleagues to help us move it into Conference so that we may perfect it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1444 was adopted and H.B. No. 31, H.D. 2, 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, 19. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 1 (Espero).

Stand. Com. Rep. No. 1448 (H.B. No. 862, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1448 was adopted and H.B. No. 862, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Whalen). Excused, 1 (Espero).

Stand. Com. Rep. No. 1449 (H.B. No. 919, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Stand. Com. Rep. No. 1449 was adopted and H.B.

No. 919, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1747, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 1747, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition and said:

"Mr. President, I rise in opposition to this bill.

"This is one of several bills that ostensibly is about campaign reform, but what it really is, is about limitations. The real true campaign reform is transparency. We just heard about that for drugs. If it's good enough for drugs, it should be good for campaigns, but further restrictions on people's choices of who they support and what issues they support are not going to bring this reform.

"Thank you."

Senator Ihara rose in support of the measure with reservations and said:

"Mr. President, I rise in support of this bill . . . but with reservations.

"Mr. President, I have reservations about singling out the election of prosecuting attorneys – and no other races – for substantial increases in funding for only these races in the campaign election partial funding program. The Campaign Spending Commission has estimated that this provision would cost approximately \$1 million to increase the funding for the prosecuting attorney races. This is matching funds for the election campaigns.

"At this time, I am not satisfied that there is sufficient rationale for selecting this race for enhanced funding at a \$1 million price tag.

"Thank you."

Senators Ige and Trimble 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. 1747, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGNS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Hemmings, Hogue, Slom, Whalen). Excused, 3 (Espero, Menor, Taniguchi).

H.B. No. 588, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 588, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this bill.

"We are talking about, again, transparency and yet we're making it harder for people to find out about convictions and past judicial experiences. This idea of expunging more and more records – we're going to see it when we come up on a bill for the judiciary as well – I think is a bad precedent and denies the public the right to know. Particularly in light of the things that we've had nationally in the last couple of weeks and even locally here, we need to know what the background is of the individuals living among us, particularly if they have been convicted and served time.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 588, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPUNGEMENTS," 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 (Espero, Nishihara).

Stand. Com. Rep. No. 1462 (H.B. No. 150, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1462 be adopted and H.B. No. 150, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Slom rose in opposition and said:

"Mr. President, I rise in opposition to this bill.

"This bill has had a troubled past. I think it has a troubled present. I don't think it will stand the muster of legal scrutiny. We're picking on all young people, particularly, rather than what we should be doing – and that is enforcing exciting laws and making tougher penalties, if we need them, against those that actually break the law, rather than taking all individual teenagers as a class.

"Thank you."

Senators English, Ige, Ihara, Taniguchi 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. 1462 was adopted and H.B. No. 150, H.D. 2, S.D. 2, 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, 21. Noes, 2 (Slom, Whalen). Excused, 2 (Espero, Nishihara).

H.B. No. 957, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 957, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition and said:

"Mr. President, I rise in opposition to H.B. No. 957.

"Colleagues, this is another tax credit. If we would be a little bit more sparing in our use of tax credits, then we could address the more fundamental problem of raising the standard deduction and personal exemption that would benefit all the people that are currently paying State of Hawaii income tax.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 957, H.D. 1, 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, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Espero, Nishihara).

H.B. No. 1224, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, H.B. No. 1224, 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, 21. Noes, 2 (Hemmings, Slom). Excused, 2 (Espero, Nishihara).

H.B. No. 1235, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 1235, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"This bill and the following bill basically increase the perks to Legislators. I think that this is the wrong time and the wrong message that we should be sending to the public.

"Also, originally this bill was to use as a standard, federal mileage allowances and travel amounts and so forth. The bill has been amended, so basically the amounts are going to be determined by you, Mr. President, and the Speaker of the House. And while the money at present may not be a large factor, I think again it sends the wrong message.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1235, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Espero).

H.B. No. 1236, S.D. 1:

Senator Taniguchi moved that H.B. No. 1236, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"What this bill does is to raise or increase the office allowance that every Legislator has, from the current \$5,000 per year to \$7,500 per year. The rationale that's given is for better communication with one's constituents. But there really are no restrictions in terms of how the money is used and what kind of communication there is, and as we've seen in the past, individual Legislators have used this office allowance as a supplement to our annual salaries in ways that may be viewed as financially inappropriate.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1236, S.D. 1, 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, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Espero).

H.B. No. 1461, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, H.B. No. 1461, 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 (Espero).

H.B. No. 1465, S.D. 1:

Senator Taniguchi moved that H.B. No. 1465, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and said:

"Mr. President, I rise in opposition to this bill.

"My father was a heavy smoker until the time of his death. My mother was a heavy smoker until the time of her death. Cigarettes contributed to the death of both of them. However, the last time I checked, cigarette smoking is a legal activity in the State of Hawaii and the United States of America. And what we have done, through different forms of legislation nationally and locally, is to really extract money from those people that are engaged in a lawful activity, then we increase the money even more to say that we're going to curb bad behavior.

"If the purpose of this Legislature is to curb bad behavior, we'll have to go year-round because there are so many things that we could tax and regulate and prohibit that one person views as okay and the other person views as bad behavior.

"I have a real difficult time in saying that we're going to continue to raise the tax. It has nothing to do with health; it's all about money. I vote 'no.'

"Thank you."

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure.

"With all due respect to my colleague from East Honolulu, the research shows quite the contrary. The research evidenced by the Centers for Disease Control and Protection, among other organizations – the American Heart Association, American Lung Association, American Cancer Association – shows that increasing the cost of tobacco products is the most effective deterrent to smoking that we have at hand. While it's true that in the short term we may actually reap additional tax revenues by raising the tax on cigarettes, that's not the goal of this legislation. The goal is to be a deterrent so that more and more young people do not take up this nasty, addictive, and lethal habit.

"It's been shown in other places that increasing the price of cigarettes by 10 percent could reduce the instances of smoking by our youth by as much as 7 percent. Every year that we deter somebody else from picking up a cancer stick, beginning to smoke, and taking up the habit, we have significantly deterred them from ever engaging in that very bad habit that costs us 1,100 lives a year and \$525 million in additional unnecessary healthcare costs.

"I urge my colleagues to vote in support of this measure."

The motion was put by the Chair and carried, H.B. No. 1465, 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, 18. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen). Excused, 1 (Espero).

H.B. No. 1672, S.D. 1:

Senator Taniguchi moved that H.B. No. 1672, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to H.B. No. 1672.

"Colleagues, the power to control the purse strings has always been an executive prerogative, and I think it should remain that way. I will therefore be voting against this measure.

"Thank you."

Senator Taniguchi rose to speak in favor of the measure as follows:

"Mr. President, I just want to rise in favor of this bill.

"Mr. President, I just want to note that this bill requires the Director of Finance to conduct a public hearing on any proposed restriction or withholding of funds appropriated by the Legislature.

"Secondly, and probably more importantly, it also requires notice by the Governor to recipients of grants under Chapter 42F on the status of unreleased grants.

"Mr. President, as we went through from last year, what we found was that a lot of these grant recipients just wanted some certainty as to whether money was going to be provided to them or not. The record of the Governor has shown that she has withheld some of that money, certainly because of some of the fiscal issues that were faced by the State. But I think to a larger extent, what the thrust of this bill is trying to do is to provide some of that certainty to these recipients of these grants so they can plan ahead, and that's really what the thrust of this bill is about.

"Thank you."

Senator Slom rose in opposition and said:

"Mr. President, I rise in opposition to this bill as well.

"In the committee report, the committee report says 'it's not the intent of this bill to compromise or reduce the Governor's budgetary powers.' But as a matter of fact, that's exactly what this bill does. That's what it seeks to do. That's what it will do.

"We have had 40, 50-plus years of governors exercising their executive powers. The Legislature has been able to find out what's going on. The Legislature, of course, initiates and passes the budget and so it really is the Governor and her prerogative and her cabinet to look at these individual items and to be able to present her particular budget for our consideration. But we have the final word now. What this bill seeks to do is strip additional powers from the executive.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," 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 (Espero).

H.B. No. 100, H.D. 1, S.D. 1:

Senator Taniguchi moved that H.B. No. 100, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Taniguchi rose to speak in favor of the measure and said:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, H.B. No. 100 is the 2005 biennium budget for the executive branch of government. Before I give some short remarks about the bill itself, I would like to acknowledge a few people who were integral in putting this measure together.

"First, it would be my hardworking staff, some of whom have joined us in the gallery today. With your indulgence, Mr. President, I would like them to rise to be recognized. (Members of the Ways and Means staff who were seated in the gallery rose to be recognized.) I would like to thank you, Mr. President, the Senate Leadership, and members of the Ways and Means Committee for all your input, guidance, and leadership for this measure. And finally, I would like to acknowledge the support and encouragement of my wife, Jan, who always challenges me to do what is best for the people of this State.

"Mr. President, as usual, I would like to address this measure with very little fanfare. However, there are two very important areas that I would like to make a few points about – the first is on the Department of Education. In her 2004 State of the Public Education Address, our Superintendent of Education called for a reinvention of the educational system. Last year this Legislature answered the call of the Superintendent and passed Act 51, the Reinventing Education Act of 2004. Although the concepts of this Act are being embraced by the stakeholders of public education, which includes principles, teachers, parents and students, the DOE has faced some stumbling blocks along the way. Some are simply growing pains, but others are unnecessary impediments, one of those being the lack of financial support. In this regard, your Committee provided for estimated shortfalls in key education programs, including autism services, special education, student transportation, and school foodservice.

"In addition, pursuant to Act 51, your Committee also provided for additional funds for the repair and maintenance of school facilities and the converting of school principles from a 10-month salary schedule to a 12-month salary schedule.

“Finally, your Committee provided \$295 million in capital improvement program funds for additional school repairs and maintenance and other needed improvements to our schools. This budget also continues to recognize the need to further the work of the Joint House/Senate Task Force on Ice and Drug Abatement, which provided a comprehensive plan last Legislative Session established under Act 40 to address the ice epidemic.

“Accordingly, we have provided a total of \$13.7 million in general funds for substance abuse treatment services and prevention programs over the biennium for both adolescents and adults. This level of funding provided for substance abuse exceeds the administration’s biennium request, which only provided \$6.18 million in general funds.

“To sum up the big budget picture, however, I’ll use one of my most often used phrases – and that is that this measure is still a work in progress. On that note, Mr. President, I ask my colleagues to remain patient as we enter into the final weeks of this Session, and I ask all members to support this bill.

“Thank you.”

Senator Slom rose in support of the measure and said:

“Mr. President, I rise in support of the budget.

“I, too, would like to offer our accolades to the Ways and Means Chairman and to his staff. The budget process is always a long and arduous process, and they’ve done a good job. It’s a little higher than I’m comfortable with right now, but as the Chairman said, it is a work in progress. It’s going to be going to the Conference Committee and hopefully we will have a strong position there.

“I think it’s also incumbent upon us, however, to point out some of the improvements and some of the enhancements that were made by various individuals within the state executive branch. I would pick out, particularly, the head of the Department of Human Services who has been very diligent in the last couple of years in finding additional federal funds to help ease our budgetary woes and to use creative means in which to fund different programs, expanding programs, and so forth that benefit adults, children and the infirmed.

“So, we have a program here, a budget that we can support. We thank those people that have put in so much input, and we’re ready to go with a strong position into Conference.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, H.B. No. 100, 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, 23. Noes, none. Excused, 2 (Espero, Whalen).

Stand. Com. Rep. No. 1489 (H.B. No. 85, H.D. 2, S.D. 2):

On motion by Senator Kokubun, seconded by Senator Hooser and carried, Stand. Com. Rep. No. 1489 was adopted and H.B. No. 85, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HARBORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1500 (H.B. No. 841, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1500 was adopted and H.B. No. 841, 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 (Espero).

At 12:01 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o’clock p.m.

Stand. Com. Rep. No. 1503 (H.B. No. 844, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1503 be adopted and H.B. No. 844, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition to the measure as follows:

“Mr. President, I rise in opposition to H.B. No. 844.

“Colleagues, I stopped counting when I got to the third tax credit. I did work for the executive branch for many years and there are very few government employees that I have met in those 20 to 30 years that, sometime in their career, didn’t spend their own money for something that they felt made the workplace function better. And the reason why I’m calling your attention to this is that in this particular bill, we’re singling out teachers as meritorious of receiving a \$250 tax credit. I don’t think it’s appropriate because I believe that most public employees, including members on this Floor, do spend their own personal funds to make their workplace a better place.

“The other two tax credits that I noticed before I stopped reading the bill had to do with tax credits for renters or landlords who rented and tax credits for builders who built. I do recognize that there may be shortages, but the best approach is the simple approach, and that approach is to offer a wage differential for those areas in our State where it’s hard to get teachers to serve.

“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 with just brief comments in regards to some of the points made by the previous speaker.

“Mr. President, I think in people’s workplaces, many people take a pencil and put it in their pocket and take it home. But I believe for teachers, they then have to equip sometimes 30 students or maybe up to 150 students, sometimes with little things like pencils so their work can be done. I believe teachers certainly need our help. The federal government already has a \$250 tax credit. I believe that’s one little thing that perhaps we could do to help our teachers do the job they do, and this bill contains many provisions.

“I hope, Mr. President and colleagues, at the end of the day we can do more to help teachers that have chosen that profession to stay in the profession, as well as to encourage our young people to want to become teachers, because it’s a profession that we know we can’t do without.”

Senator Slom rose to speak against the measure and said:

“Mr. President, I rise in opposition to the bill.

“First of all, let’s all agree we all support teachers. We have been supporting teachers in terms of increases in compensation and benefits and other things for a number of years and we’ll continue to do so. But this bill really has several flaws in it as the good Senator, the Chair of Education, mentioned. It’s a voluminous bill with a lot of different parts and several of those parts include the inclusion of creating yet more special funds, which for me is a poison pill for any bill no matter how well defined it is.

“In my reading of the bill, I have problems with it justifying it with Act 51. I find that there are problems with this bill that interfere with the weighted student formula. I also find that there are problems in this bill that adversely affect the principal’s right of autonomy and decision-making. There also is a question about the degree status, an associate degree versus a bachelor degree.

“So, there is a number of problems in this bill. I would hope that before we go into Conference for any bill, we would correct the problems, particularly when they have been discussed previously.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1503 was adopted and H.B. No. 844, 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, 2 (Slom, Trimble). Excused, 1 (Espero).

Stand. Com. Rep. No. 1505 (H.B. No. 1132, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1505 be adopted and H.B. No. 1132, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition as follows:

“Mr. President, I rise in opposition to this bill.

“This bill, again, has a number of defects within it – defects from my point of view at least – not the least of which is centralizing and giving the control for repairs and maintenance to the Department of Education, who have demonstrated over and over again that they are dysfunctional and not qualified or equipped to do this, but we’re going to turn that over to them. And then to make sure that they really create a lot of problems, we are going to establish the Department of Education’s authority to impose and collect impact fees from developers of residential developments. Well, we already have impact fees. So now we’re going to have the DOE collecting impact fees, and presumably we have the City and County of Honolulu and other state agencies as well, and then we wonder why the price of housing and developments continues to go up when we call upon the developers to pay for more and more of these infrastructure activities.

“Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“Mr. President, some comments in response.

“On the part that dealt with impact fees, part of the developer community wants some certainty in what amount of fees to pay. They currently have a land component for schools. They have a varying degree of how much they may be assessed or they pay for the vertical or the buildings, and certainly the developer community wants certainty as well as they want schools to be built. This measure hopefully can achieve closer working together in accomplishing what the developers and the schools both need – quicker and better timing in accomplishing what we need to do.”

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. 1505 was adopted and H.B. No. 1132, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Espero).

Stand. Com. Rep. No. 1506 (H.B. No. 1136, H.D. 3, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1506 was adopted and H.B. No. 1136, H.D. 3, 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 (Espero).

Stand. Com. Rep. No. 1508 (H.B. No. 1300, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1508 be adopted and H.B. No. 1300, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Hogue rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to this particular measure, which would put together a task force for early childhood education.

“I think we all agree that we should move towards early childhood education, but after talking with some folks at the Department of Human Services and the administration, this bill is unnecessary. In fact, the administration has recently finalized portions of the early childhood education initiative, including increased funding for the preschool open doors program, financial incentives for parents who choose care with settings with educational components, financial incentives for sitters and care providers, the identifications of available state facilities appropriate for preschool centers, and workforce development support.

“The Governor’s initiative is supportive of formal centers as well as informal group and home care programs. It is these informal and home care programs that makes the Department of Human Service’s programs truly unique because benefits will extend beyond the traditional preschool setting.

“This bill, on the other hand, focuses on just the preschool formal center alone. Therefore, the administration’s measures go far beyond the scope of this particular bill, and I urge my colleagues to vote ‘no’ because the bill as written is unnecessary.

“Thank you.”

Senator Sakamoto rose in support of the measure as follows:

“Mr. President, I’d like to make some comments in response to some of the previous speaker’s comments.”

The President interjected:

“In favor?”

Senator Sakamoto replied:

“In support of the measure. Thank you, Mr. President.

“Mr. President, perhaps the administration feels that they have everything together and perhaps the Department of Human Services thinks they ought to be the czar of preschools. A week ago, there was a comment from a head-start person, now retired, who was very frustrated that some of the facilities in the pre-plus program sat on school campuses – in perhaps your community or some of our communities – unused in part because different rules apply to preschools that apply to kindergarten, first grade, etc.

“Not to downplay the role of the Department of Human Services for doing what they feel is best, but in the preschool community and in the early childcare community, there isn’t a Board of Regents like the university system. There’s no Board of Education like in the K-12 system. There are many voices with many different ideas. This bill didn’t just start up by myself or our colleagues. This measure was developed in conversations with many people in the early childhood community, and certainly it’s time to have a more comprehensive plan to deal with this very important age – 0 to the K-12 system.

“So Mr. President, we need all voices at the table, not just some voice from above.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1508 was adopted and H.B. No. 1300, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hogue, Slom, Trimble). Excused, 1 (Espero).

Stand. Com. Rep. No. 1511 (H.B. No. 1728, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1511 be adopted and H.B. No. 1728, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and said:

“Mr. President, I rise in opposition to this bill.

“We’ve talked about class size reduction for a long period of time, many years, and many educators and many other people really will tell you that in certain instances, it’s not the size of the classroom – it is the curriculum, it is the teacher, it is the facilities – it’s a number of different things that are important.

“What this bill says is that we’re going to put all of our eggs in one basket and we’re going to reduce the class size no matter what, which again I think is an infringement on the Act 51 powers. It certainly is an infringement on principals and teachers within an individual school.

“My understanding, also further, is that we have several thousand classroom teachers that in fact are not in the classroom right now, which would be a way of alleviating the problem that’s complained of. Also, in terms of infrastructure in certain instances, I’ve heard teachers and others say that if they are given this additional authority or mandated, which is what this bill does – it doesn’t allow for choice, it’s requiring – then, as a matter of fact, what they might do is add another teacher within an existing classroom. So, if you had 35 students with one teacher, you now put another teacher in there. But I don’t think that is the intent and the idea of better and improving education.

“So again, Mr. President, I would really like to see us talking about improvement in curriculum and the way things are actually done in the classroom. But secondarily, if we’re going to live with Act 51 and we’re going to talk about independence and autonomy, then we should allow the schools, the individual schools, the principals, and the teachers to make decisions about what’s right for their school.

“Thank you.”

Senator Hemmings rose to speak against the measure as follows:

“Mr. President, I rise to speak against H.B. No. 1728, H.D. 1, S.D. 2, relating to education.

“Mr. President and colleagues, this is an attempt to do something that always sounds good, and I think a lot of constituents would buy into it because they don’t know all the facts.

“Reducing class size – the question, and it’s rhetorical but it needs to be repeated, is how do we spend close to \$2 billion, over \$10,000 per child, in our public education system on the average and continue year in and year out to produce a product that is not something we can be proud of and continue to be struggling in many schools? And the answer, quite simply, is not lack of money, but, quite interestingly, just outright mismanagement.

“According to the statistics we’ve received from our research, there are approximately 13,000 members of the Hawaii State Teachers Association. The DOE says there are approximately or a little over 9,000 teachers actually in the classrooms. That leaves approximately 4,000 teachers unaccounted for. Where are they? They’re in the bureaucracy doing things other than teaching. We could easily repatriate those teachers to the marketplace of education and have all the teachers we need to reduce class size and not increase spending by one single cent.

“To show you how egregious this process of mismanagement is, our information is that there’s a qualified teacher conducting criminal background checks for the DOE. Is that really what we want to fund – paying for more teachers, giving them pay to further get educated in education then have them doing background checks? I don’t think so. I think the number of teachers in the public education system is adequate. They’re just being involved in the bureaucracy rather than in the classroom.

“The statistics for the number of public workers working in the Department of Education at the taxpayer’s expense, against those in the classroom, clearly illustrate my point. It is a management problem. It is a structure problem. And until we address those, I will not continue to just throw good money after bad in the process.



"I urge my colleagues to look at the reality and not vote on anything else but what is best for the system. Throwing more money at class size, as we do every year, is not going to solve the problem when a lot of the teachers are moving into the bureaucracy. I urge a 'no' vote on this legislation."

Senator Hooser rose in support of the measure and said:

"Mr. President, I rise in support on this bill.

"How anyone cannot support lowering the class sizes in our public schools is quite beyond me, Mr. President. Anyone who has looked at educational research knows that, clearly, small learning communities, small schools, small class sizes make a huge difference in the learning of children and in the progress through the school system. Small class size . . . we can do lots of things and we have done lots of things and supported lots of programs, but lowering class size is the single most tangible, and in my opinion, the most important thing that we can do.

"Many of our students come from families, Mr. President and colleagues, who don't have positive adult role models at home. They don't get the attention they need. Mom and Dad are working or maybe mom and dad are just not around. By lowering class sizes, we put these students into contact with positive role models on a basis that they can relate to. It's not one student with 30-35; it's one student with much lower than that.

"Mr. President, the research is clear – this is money well spent. After the last initiative we passed last Session, Act 51, going around my community, Mr. President, it was clear – parent after parent, teacher after teacher stopped me in supermarkets, in shopping centers, and on the road and thanked me for making a tangible difference in the life and the education of their child by reducing the class size. This initiative takes a very strong effort to continue that to the next step, and I urge my colleagues to support it.

"Thank you."

Senator Hemmings rose in rebuttal and said:

"Mr. President, in short rebuttal, please.

"With all due respect to the good Senator from Kauai, I agree wholeheartedly with him. The intent is to reduce class size. We're not debating on what we want to do. We're debating on how we should best do it. With having close to 4,000 good teachers in the process of serving the bureaucracy rather than serving the needs of the classroom, Mr. President, I believe it's appropriate that we not spend one cent on hiring more teachers. Put the teachers that are working right now in the DOE offices, other than classrooms, put them back into the field. We can accomplish reducing class size without increasing spending with an already expensive process.

"Thank you, Mr. President."

Senator Sakamoto rose in support of the measure and said:

"Mr. President, I rise in support of the measure.

"Mr. President, I guess the speaker from Hawaii Kai talks about Act 51 and how perhaps this is going contrary. I think Act 51 is sort of a big picture that we passed and is in the process of being implemented. At this moment in time, funds do not go to the schools yet, via the weighted student formula, via Act 51. But if we look at class sizes or support for the classroom, one would say, is that adequate? Are the teachers happy? Do we have enough support for the students?

"Perhaps the Senator from Waimanalo might feel the teachers are happy and there's adequate support for the students if somebody came off doing standards, somebody came off doing curriculum, somebody came off looking at the federal laws that confuse and baffle many of us, some people came off 'No Child Left Behind' gobbledygook, some people came off IDEA, some people came off the many, many things that assist the teachers in the classroom. Or do we say that each teacher in the classroom should develop their own standards, develop their own curriculum, develop their own assessment, grade their own assessment? They'll figure it all out sometime between when they go home from school at 5:00 p.m. to when they come back to school at 6:00 a.m.

"Certainly not every teacher is not in the classroom, and perhaps there are some that should be in the classroom that are doing other things. I think Act 51 is a process that the department needs to determine how to set those priorities. In regard to, do we have the adequate amount of teachers in the classroom? I believe, as the Senator from Kauai pointed out and as the teachers say, they need more help.

"This is a mechanism that perhaps we can give more help to. We need more quality teachers. We don't need to hear broken records singing the sad songs of yesterday. We want to sing happier songs for tomorrow, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1511 was adopted and H.B. No. 1728, 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, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Espero).

Stand. Com. Rep. No. 1512 (H.B. No. 408, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1512 was adopted and H.B. No. 408, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1520 (H.B. No. 1304, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1520 be adopted and H.B. No. 1304, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak against the measure as follows:

"Mr. President, I rise in opposition to this bill.

"Oh, no, Mr. President, it's the \$5 increase on marriage licenses. Is it still with us? We can't do that. We want to encourage marriages.

"In addition to that, this healthcare task force it has established, by the way that it's described and who is going to be on it and everything else, it's not a task force. It is an advocacy force for universal healthcare or socialized medicine and now we're going to use taxpayer funds to support it.

"I oppose it. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1520 was adopted and H.B. No. 1304, 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, 18. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Espero, Kokubun).

Stand. Com. Rep. No. 1523 (H.B. No. 505, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1523 be adopted and H.B. No. 505, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and said:

"Mr. President, I rise in opposition to the bill mainly because again I see this is legislative interference with an industry and a business. There certainly should be changes in terms of rates and all, but I'm tired of seeing the Legislature trying to set rates for every business private and public.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1523 was adopted and H.B. No. 505, H.D. 1, S.D. 2, 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, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Espero, Kokubun).

Stand. Com. Rep. No. 1524 (H.B. No. 1317, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1524 was adopted and H.B. No. 1317, H.D. 1, S.D. 1, 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, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Espero, Kokubun).

Stand. Com. Rep. No. 1525 (H.B. No. 1320, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1525 be adopted and H.B. No. 1320, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to H.B. No. 1320.

"This bill would require the counties to keep recording 911 calls for a period of one year. My position on this is, number one, it should be a county decision; and number two, there were no cost figures given in terms of the financial impact of the counties other than that of the City and County of Honolulu, which already maintains it for 12 months.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1525 was adopted and H.B. No. 1320, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

EMERGENCY 911," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Trimble). Excused, 3 (Espero, Kokubun, Menor).

Stand. Com. Rep. No. 1526 (H.B. No. 278, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1526 be adopted and H.B. No. 278, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I'm a strong supporter of victims having restitution, but I'm opposed to this bill because we talk about the perpetrators paying the fee and yet in testimony we've had from the judiciary, they actually get very little payment. So again, it's a situation where the public is lulled into the belief that we have this program; it's working well; it's providing a lot of money for the victims when in fact the judiciary keeps coming to the Legislature for more money for victims and for other purposes.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1526 was adopted and H.B. No. 278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 3 (Hemmings, Slom, Trimble). Excused, 3 (Espero, Kokubun, Menor).

Stand. Com. Rep. No. 1532 (H.B. No. 1393, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1532 was adopted and H.B. No. 1393, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Espero, Kokubun, Menor).

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:26 o'clock p.m.

Stand. Com. Rep. No. 1533 (H.B. No. 1713, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1533 be adopted and H.B. No. 1713, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak in opposition to this bill.

"This is another one of the public funding bills. Again, in terms of priorities that we have with our tax money, I don't think that the taxpayers want to support politicians whether it's a limited number of politicians or all politicians. Again, it's a limitation of freedom of choice, freedom of will, and it's not something that should be done by the taxpayers.

"Thank you."

Senators Taniguchi, Trimble, Ige, Nishihara and Tsutsui requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Hooser rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support to speak briefly with reservations.

"I just want to clarify that my reservations, Mr. President, are because of the narrow focus that the legislation now is proposing that was amended in the most recent Committee. I was an ardent supporter in prior discussions and I still support the concept.

"I am hopeful that down the road we can work this into a condition that I'm able to support, but if it stays in this position, I will not be able to support it further, but I am voting with reservations today.

"Thank you."

Senator Espero rose and said:

"Mr. President, support with reservations."

The Chair so ordered.

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. Actually, I'm speaking in favor of this bill with reservations on this S.D. 2.

"On first crossover, the Senate voted to include legislative races in a program for voluntary comprehensive public funding of election campaigns. I support this concept, Mr. President – the concept of what's often called or referred to as the clean elections program – because I believe it is important to restore public trust by removing conflicts of interest for public policymaking, at least those involving campaign donors.

"Legislators, for example, pass judgement on legislation that affect the people of this State. In contrast, judges are required to recuse themselves from deciding on cases when they have a financial relationship with a party to a case before them. However, Legislators are currently required to take action, make decisions, and vote on legislation even when we have a financial relationship with one of the parties before us that may be involved in legislation before us.

"I believe the current system of privately funded election campaigns reduces public trust, because when a major campaign donor sits across the table at a legislative meeting, the public doesn't really know with certainty if the decisions are made without influence from campaign donors.

"This bill, Mr. President, changes the Senate's previous public policy position by removing legislative races from this program and adding prosecuting attorney races instead. Proponents have given three reasons for this position: (1) the concern for the cost of the clean elections program; (2) focus on executive branch contractors; and (3) interest by the House of Representatives in including only the governor and lieutenant governor's race as well as the prosecuting attorney's races.

"Legislative races were removed from the original bill to reduce the cost of the program based on the concern of funding. But why then include the most costly race – the governor and

lieutenant governor race which costs three times that of legislative races? This is more than the House and Senate races combined. The governor and lieutenant governor races were included because of interest in addressing executive branch contractors. But why do this through a program that will cost about \$15 million when there's a way to do this at a much reduced cost?

"The Senate has, in previous Sessions, passed a ban on campaign donations from government contractors. Such a ban would accomplish the objective, but at no cost rather than the \$15 million that it would cost to include the governor and lieutenant governor races in the clean elections program.

"Finally, I understand that House Leaders have disavowed any responsibility for the alleged desire to involve or include only the governor, lieutenant governor and prosecuting attorney's races in the clean elections program.

"Mr. President, I ask that the Conference Committees on this bill remove from the program the governor and lieutenant governor and prosecuting races and reinstate the legislative races. If the House Leadership wants only House races in the program to further reduce the cost of this program, this would be acceptable to me as a way to begin the program of removing conflicts of interest situations amongst policymakers.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1533 was adopted and H.B. No. 1713, H.D. 1, S.D. 2, 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, 20. Noes, 5 (Hemmings, Hogue, Inouye, Kim, Slom).

Stand. Com. Rep. No. 1536 (H.B. No. 1745, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1536 be adopted and H.B. No. 1745, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"This bill would have eight specific requirements that the judiciary has at present, in terms of reporting, eliminated or excused so that in fact we would get even less information from the judiciary.

"The rationale for this is that many of the reporting requirements are outdated and provide little or no new information. If that's the case, then Mr. President, what we should do is make sure that we have current requirements and that the reports are in such a manner that they give us information.

"I had talked in an earlier bill about the judiciary coming before the Legislature and not giving us information – for example, on victims compensation funds, payments that were made, and also on collectibles and now we don't want to require them to do that. That would be fine if they were truly independent and they didn't need us for money or need the taxpayers, but in fact they do come here. So, if they're going to request for money, then we should continue to request that we get information that helps us in our decisions and deliberations as to whether or not they're entitled to the money.

“So, what this does is make the judiciary less accountable, and I think it’s less responsible. Thank you.”

Senators Kim, Espero 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. 1536 was adopted and H.B. No. 1745, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE,” 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. 1552 (H.B. No. 325, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1552 be adopted and H.B. No. 325, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senators Kim 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. 1552 was adopted and H.B. No. 325, S.D. 2, 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, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1553 (H.B. No. 1318, H.D. 1, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 1553 be adopted and H.B. No. 1318, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to H.B. No. 1318.

“Colleagues, if you compare the State of Hawaii with other states in terms of the number of sick leave days one can accumulate, we lead the list with 21. When the testifiers came before us and asked that we grant five days of leave for bone marrow donation and 30 days leave for organ donation, this fact was not mentioned. They mentioned the fact that there are 20 states that currently provide such leave. The federal government does, but I wanted to call your attention to the fact that our sick leave accumulation policy is 60 percent more generous than that of the federal government in the average of the 50 states in the United States.

“So, if we want to add this as one more, at least we ought to be able to cite one case where one donation was not made because our sick leave policy was inadequate. Until this is done, I don’t think it is appropriate to pass this measure.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1553 was adopted and H.B. No. 1318, H.D. 1, 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, Ige, Slom, Trimble).

Stand. Com. Rep. No. 1554 (H.B. No. 1528, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1554 was adopted and H.B. No. 1528, H.D. 2, 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, 23. Noes, 2 (Hogue, Trimble).

Stand. Com. Rep. No. 1555 (H.B. No. 1548, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1555 was adopted and H.B. No. 1548, H.D. 1, 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, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1562 (H.B. No. 1614, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1562 was adopted and H.B. No. 1614, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL,” 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. 1563 (H.B. No. 1758, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1563 was adopted and H.B. No. 1758, 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, 22. Noes, 3 (Hemmings, Slom, Trimble).

Stand. Com. Rep. No. 1566 (H.B. No. 1476, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1566 was adopted and H.B. No. 1476, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 1569 (H.B. No. 1309, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1569 be adopted and H.B. No. 1309, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator English.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“Well, how many times do I have to talk about this? It started off people were talking about this as being home rule – just simply giving the counties the right to institute a tax if they

wanted to. This bill has nothing to do with home rule because first of all it's not autonomy for the counties. Secondly, the bill is very specific that the City and County of Honolulu must – must – use its increase for rail transit or mass transit and to meet requirements of the ADA, whereas the neighbor counties if they pass resolutions they do have the right to use their money for other transportation options, including bikeways, roadways, streets, highways, transportation, transit, and other things. So it has nothing to do with home rule.

“Secondly, it really has nothing to do with transportation because the title of the bill is ‘related to taxation,’ not transportation, and it forces an increase. Certainly the Senate has changed its position. Originally it was supporting a full 1 percent increase. Now it's down to one-half percent, which is still a 12½ percent increase of the general excise gross income tax. But what it does is it forces the taxpayers to, if adopted, support a program of a train that's going nowhere. There's no plan. There are no roots. There's no schedule. There's no technology. There's nothing at all, but we're in a rush to pass a tax increase.

“There have been people on the outside that have said that a half percent is not enough anyway. They want the full percent. So when we go into Conference Committee, I doubt that we have very much leverage or bargaining power.

“In addition, there is a sunset clause in the bill which normally would be a good thing, but the proponents of rail transit have said that basically the federal government doesn't want any kind of sunset and/or any kind of limitation. What they want is pure and simple – a dedicated, permanent, lifelong tax increase. And that, Mr. President, is where we are right now. A tax increase for something that has been non-defined that we don't know anything about.

“This is not about solving transportation problems because yes we have massive transportation problems. We want to solve problems not only on the Leeward Coast on Oahu, but also the problems that the neighbor islands have because they have fewer options. But this is not the way to do it.

“And in addition to this, this is really a squirrely way at a tax increase then everybody can say, well, we didn't do it, they did it. We just provided the ability for them to raise the taxes. And there's not even a guarantee that the city council, when the rubber meets the road, will actually vote to increase taxes, but what we're doing is, instead of looking for real solutions or talking about options and alternatives, which have been discussed in this Body and in the community for years, we are only simply again talking about increasing taxes. And it would be bad enough if this were the only tax increase the Legislature is considering this year, but there are other taxes, other tax increases that we're considering as well.

“So, for these and other reasons, I urge my colleagues to vote ‘no.’ Thank you.”

Senator Taniguchi rose and said:

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, since the previous speaker's comments were rather squirrely, I will have my comments inserted into the Journal.”

The Chair having so ordered, Senator Taniguchi's remarks read as follows:

“Mr. President, I rise to speak in favor of this measure.

“In an effort to support the building of a light rail system for the residents of Oahu and to help alleviate the traffic problems that are growing on the neighbor islands, I urge my colleagues to support H.B. No. 1309. H.B. No. 1309 provides the counties with an optional funding mechanism to help solve their traffic problems. For the City and County of Honolulu, the GET surcharge authorized in this measure will be one of the financial options it could use to build a rail system that will help move people around the island and provide a better quality of life for Oahu's residents.

“While many may support the idea of a light rail system, the Senate has concerns about the unknowns in the City's plan. Without knowing what the cost of the project will be, how the money will be managed, and the amount of a federal match, it is difficult for this Legislature to ask taxpayers to shoulder the burden of a full 1 percent increase in the general excise tax. Therefore, H.B. No. 1309 has been amended to address some of these issues by reducing the maximum surcharge allowed on the GET to ½ percent, clarifying the use of the revenue from this surcharge and linking it to the commitment of federal dollars. In addition, we have provided a tax credit to address the regressivity of the GET to help offset the cost of the surcharge for residents. A 10-year sunset clause is included in the bill to ensure that there is the opportunity to evaluate the progress and management of the surcharge revenue.

“As with many bills today, this bill is a work-in-progress that addresses one in a handful of funding options for a mass transit system.

“The measure should go on to Conference Committee to work out the details. Both the House and the Senate should continue to work together to provide the City and County of Honolulu with the tools it needs to alleviate the traffic problems on Oahu.

“Those on the other islands will benefit from this bill by having the opportunity to look at their own unique issues with traffic and have a funding provision in place to finance any solutions they seek to implement. What works on Oahu is certainly not what is needed on Maui or Kauai, while the Big Island has needs of its own. All the counties should be given the resources to deal with their traffic issues and ease the congestion that frustrates us all.

“I urge all Senators to support H.B. No. 1309.”

Senators Hanabusa and Ige requested their votes be cast “aye, with reservations,” and the Chair so ordered.

Senator Menor rose and said:

“Mr. President, I'll be voting with reservations.”

Senator Ihara rose in support of the measure with reservations and said:

“Mr. President, I rise in support of this measure with reservations.

“Mr. President, my concern on this bill has to do with what I believe is a lack of an adequate process for Honolulu County to reach the best consensus possible in favor of building and funding a fixed rail rapid transit system. I concede that my concerns may be addressed voluntarily by leaders of the City and County of Honolulu, but I am not optimistic and would prefer a more extensive public deliberation process required in this bill.

"Mr. President, there is the issue of getting consent of the governed for the tax increase and also on whether expectations are realistic that a rail system will significantly reduce traffic congestion. But I want to point out another issue that may underlie the project – and that is the reality that the rail system will be elevated virtually throughout its entire route. I believe that unless our community can accept this elevated, what I would call a 'physical symbol' that will transform our collective identity into a modern urban city, perhaps identifying closer than we would want to the mainland cities like LA and so forth, the project may not resonate as to what's truly needed on Oahu.

"For most of us, when we return home each night, we don't feel like we live in a city like LA or San Francisco or Chicago, but probably more like cities that are comparable in size like Dayton, Ohio; Fresno, California; Birmingham, Alabama; or Tucson, Arizona. Somehow, on Oahu we still feel like we're not urban dwellers, for most of us. Whether we live in Palolo, Manoa, Aiea, Pearl City, or Waipahu, for the most part, it still feels like we're living away from the big city and far enough to be comfortable in the suburbs. But by constructing a permanent, long, elevated rapid transit line aboveground from perhaps Waipahu to Waikiki, we will have to confront the idea that our beautiful island of Oahu will be changed forever.

"The natural environment of our islands is so much a part of our collective identity that we're in for a rude awakening. Mr. President, unless this change in our community self-identity is addressed, I believe there will be a nagging resistance to an elevated rail system of Oahu.

"In the end, I'd like Oahu residents to make a choice about whether we want a rail system to reduce congestion and whether it is worth paying more in taxes. But unless the underlying social identity issue is addressed, the tax increase and an inefficient transit system may be only superficial reasons that a significant part of our community may hold on to longer than we would want.

"Thank you, Mr. President."

Senator Espero rose in support of the measure as follows:

"Mr. President, I'd like to rise in support of this measure.

"It's been mentioned that this has nothing to do with transportation, it just has to do with taxation. This has everything to do with transportation, Mr. President. In 50 years or 100 years we're going to try to determine what type of transportation we're going to be using. A hundred years ago they were walking, using mules, horses, whatever the case may be. We're going to try to come up with a plan that our grandchildren, their grandchildren will be able to use. Will we build more roads? Will we have more vehicles? At OMPO they mentioned that in 25 years we might have an extra 250,000 people living on this island, and with those 250,000 they're going to be bringing more cars. We really can't afford to have more cars on the road and more roadways.

"The opponents of rail suggest that maybe we should just double-deck H-1, build some tolls, and that will take care of the problem, but it will not, Mr. President. This has been an issue that we've been trying to solve for the last 25 years plus. And to date, there is not a solution in sight. For those of us that live in West Oahu and Central Oahu, we see it getting worse year after year. And for those people that are lucky enough to live in urban Honolulu, it's good for them, but this island is always changing.

"There were comments on what do we want this place to look like? This island changed when the first airplane landed.

This island changed when the first hotel was erected. This island changed when H-1 was built. This island changed when there was determination that we are going to become part of the United States of America. And it's going to continually change, but we need to take this issue, move it forward, and continue discussing it.

"Yes, we don't have the plan from A to B, everything in place. That would be too perfect. But there are studies, people with experience that have been looking at this issue, and we need to come up with a plan that at the very least will stop the traffic from getting worse and provide a quick, efficient system for our residents that will not be susceptible to flat tires, to accidents, to bad weather, to debris on the roadway. We need an efficient system and then we need to educate our keiki that this is a system that may one day take you to East Honolulu, Mililani, or North Shore, if we're so brave and have the will to do it.

"Right now, by doing nothing and just saying, well, let's build a toll road . . . I remember, I think Mr. Slater, one of the major opponents of this rail suggested at a Committee meeting that we look at toll roads. All that's going to do is allow maybe the people who are working, people who are rich to use that. What about the low-income people? I did some equations, some calculations myself. If I were to use a toll road every day, it would cost me \$960 if it were \$4 roundtrip, and that's a conservative figure. They say this 1 percent tax will increase a family of four by \$900.

"So there's a lot of numbers and ways we can look at this but we need to move this forward, Mr. President, because it's not a 5-year, 10-year, 15-year plan. It is a 100-year plan. The New York City subway has been there for over 100 years, and if we want to be a great city like many of the other great cities in this world, we definitely have to look at our transportation infrastructure.

"Thank you, Mr. President."

Senator Hemmings rose to speak against the measure and said:

"Mr. President, I rise to speak against this legislation.

"Mr. President, I was born in Honolulu, Hawaii. The last thing in the world I want to be is a city like New York City.

"In regards to the fixed toll-way, yes, the people using it may pay \$900 per family per year, but that's better than everybody on this island paying the same price for something that most of us will never use.

"Number two is, the previous speaker invoked the class-envy issue that the wealthy people will be able to pay for it. Well, there's nothing that says the toll road cannot be used for mass transit busses to take larger numbers of people on the elevated toll-way. If we really want to help solve the problem and get people out of their cars in a system that's much more flexible, an elevated toll-way would allow busses to get on it to bring a large number of people to town. But the genius in it is that the people can stay on the bus and go to their specific locations without having to get off a train and then get on another government funded monopoly system like a bus, which we already have.

"I want to remind the previous speaker and the others that our wonderful bus system on Oahu that gets lauded so much here in Honolulu does cost the taxpayers another additional \$120 million-plus per year in subsidies, because the fare only accounts for about 27 percent of the cost. What we also learned

from this monopoly bus system is that the minute there's a strike, we're stuck without transportation.

"So, the flexibility of an elevated toll-way makes eminent sense for many reasons and it also most especially could be used for mass transit such as busses, moving people from the Leeward plane of Oahu into the city and then getting off of it and having the flexibility to take them right to their doorstep.

"So, for these reasons, I'm voting against this authorization for a fixed guideway mass transit system. Thank you, Mr. President."

Senator Hooser rose in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Mr. President, I think this is a well thought out, but not complete, measure that will take more work to make it just right. Nevertheless, I support the measure. I support its focus on mass transit. It's keyed to certain deadlines. It's keyed to the matching federal funds. It's keyed to the action of the City and County of Honolulu. The federal government is not going to approve matching funds, Mr. President, if there isn't a plan that convinces them that it's well thought out.

"I agree that design is certainly important. I believe that the character of our community is important, and I'm hopeful that the ultimate design will be what this community deserves.

"Mr. President, I think people in the Chambers here forget that highways cost money. Highways are probably the biggest government subsidized infrastructure we have in the state right now. Many of us pay for highways that we don't use. People that don't drive pay for highways. People that ride the bus pay for highways. People that are blind and can't drive pay for the highways. The federal government pays for them. People in Minnesota, I believe, pay for our highways.

"Cars are very expensive, Mr. President. The average family pays something like \$6,000 a year just to operate their cars, with insurance, depreciation, gas and what not. People in our community are slaves to their cars, and we need to break that chain. Unless we offer them an option, Mr. President and colleagues, we will continue to be building more roads, buying more cars, burning up more oil, polluting our air even more, finding more places to dump our tires, more places to dump our batteries. We will continue incurring tangential costs to dispose of batteries, and cars, and tires. We will continue to increase environmental problems with asphalt, and runoff, and pollution.

"There are many, many costs. There's a cost for doing nothing, a bigger cost, perhaps, than the \$900 a year that our highest spending residents will pay if this measure passes. For those reasons – and for many others – I support this measure.

"Thank you."

Senator Ige 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. 1569 was adopted and H.B. No. 1309, H.D. 2, 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, 19. Noes, 6 (Hemmings, Hogue, Slom, Trimble, Tsutsui, Whalen).

Stand. Com. Rep. No. 1571 (H.B. No. 1645, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1571 be adopted and H.B. No. 1645, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"This is a continuation of the bill, really, that we just heard, only it makes it even worse because now with this bill, we're going to shift everything from the highway fund, which the previous speaker was correct – highways cost money. We pay fuel taxes for the highways and then we find that the highway funds are being used for other purposes. And now here's a new purpose – to use the highway funds for a mass transit special fund.

"In addition to that, we are going to add yet another new tax – an ad valorem tax on motor vehicles based on the weight of the vehicle. That, in itself, is not unique because several states already use an ad valorem tax. What is unique is this will be on top of the weight taxes, state and county, that we already pay. So it's not a separate tax; it's not an alternative tax; it is yet another tax on top of this.

"It also allows the counties to raise their fuel taxes. We heard testimony earlier this morning that we already have the highest fuel taxes in the nation. If we really want to help people, if we want to lower the cost of gasoline, lower the cost of maintaining that car every year, we could lower our fuel tax. But no, what are we doing? We're now proposing that we raise the fuel taxes.

"So, all of this in a blind drive for, as I said before, a train that goes nowhere. And it's interesting that even the proponents of this admit and acknowledge that a large segment of this population has said consistently for 10, 15, 20, 30 years that they don't want this project even if it could be defined, but they certainly don't want a project that is not defined at all.

"As the Chairman of Ways and Means had said before, we should go by a blind leap of faith. I, myself, cannot make that leap and I don't want to make that leap for other people. Let them leap if they want or stay on the narrow of land. In any event, that's all we're doing is raising taxes here, so all the platitudes about transportation solutions, we're not looking at them. And by the way, there have been many more solutions offered by Mr. Slater, Mr. Prevedouros at the University of Hawaii, and others, other than just toll roads. We're seeing some of the things that are being done right now by the Department of Transportation and other ideas are coming out.

"We're not listening to the people. We're trying to force a rail transit down the throats of individuals when every study across the country shows that the ridership in rail transit, mass transit is steadily declining and the cost of operation, of maintenance are steadily increasing. And I have yet to have one of my colleagues in this Body or in this big square building say, 'yeah, I want the rail transit because I'm going to give up my car.' What I hear them say is, 'no' – they want other people to give up their cars so that there's more room on the freeway for them, because 'we're Legislators and we're important, and we have things to do, places to go, people to see.'

"So, until I'm really convinced and I see, number one, a plan, any plan; and number two, a majority of people that say yes we are willing to be taxed on our vehicles, more tax on our fuel, more tax on every purchase and every service we make – until I

see that, Mr. President, I will continue to strenuously oppose this misuse of tax money.

“Thank you.”

Senator Taniguchi rose in support of the measure and said:

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, the intent of H.B. No. 1645, as received by the Ways and Means Committee, was to provide optional interim planning money to the City and County of Honolulu for a mass transit system. After discussion, however, your Committee on Ways and Means amended the bill to make these monies, roughly \$3.6 million, available to the city only if city and federal funds have been exhausted. I believe we had some news that the city had received roughly \$10 million in planning money, but we weren’t clear about that at the time we did this bill.

“Your Committee also amended the measure to provide two other funding options for the city and county to construct and operate a mass transit system. In particular, it makes provisions to allow the city to implement an ad valorem vehicle tax – a non-regressive tax that will have the least impact on those in the lower income brackets. It also clarifies that the county may raise its portion of the fuel tax for the purposes of funding, operating, and construction costs of a mass transit system.

“These provisions do not – I repeat, do not – force the county to raise the aforementioned taxes. It merely gives the City and County of Honolulu options in structuring their funding for the planning of the mass transit system.

“In tandem with the provisions found in H.B. No. 1309, which we just voted on, I believe the new provisions found in H.B. No. 1645 will provide your Conference Committee with several avenues to continue discussions on mass transit funding with the city.

“I urge my colleagues to support this measure. Thank you.”

Senator Espero rose to speak in support of the measure as follows:

“Mr. President, I’d like to rise in support of this measure.

“I’d like to say that if a rail system is ever built in our time, I will give up my car – not five days a week, Mr. President, but I definitely will not use it five days a week to come into work. There will be times when I will need a vehicle like most of us in here. I have ridden rail systems in other cities. They are very efficient, clean, fast, and I will be one to say that I will give up my vehicle.

“The irony of all this is that if we had built a transit system in 1992, we’d have a system in place today. Our political leaders were not able to make those important decisions and I believe that the residents of Oahu have suffered since then. If that decision had been made back then, we’d be able to take it from Kapolei to downtown today, possibly UH, and this discussion may be on putting a spur to East Honolulu or Mililani. But I don’t want to look back on my career and say, ‘gosh, I wish we really did it and we really tried hard.’

“This measure, this issue of transportation, Mr. President, is so important for our State and for Oahu. It only makes common sense that we move this measure out and continue the dialog and discussion.

“Thank you, Mr. President.”

Senator Trimble rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to this measure.

“I just want to note for the record that I, too, have rode mass transit systems on the mainland and in Europe, and I’ve already given up my automobile more than three days a week. So, you don’t have to have a rail transit system to give up your car.

“Thank you, Mr. President.”

Senator Hooser rose to support the measure and said:

“Mr. President, I rise in support of this measure.

“Mr. President, I spoke in support of the prior measure and I like this one even better. This measure is terrific, and I want to complement the Chair and all the people who put this one forward. This is so great. You know why? Because it ties directly to the people using their cars, the cost of public transportation, the cost of mass transit.

“If you’re not part of the problem – if you’re not driving your car or creating that traffic – you don’t have to pay. That’s the direct nexus to mass transit, public transportation.

“I think it’s forward thinking. It allows us to use highway funds for transit. I think that’s a great move. It just allows us to do it. It doesn’t make us do it in the counties. It gives the counties the right to this ad valorem tax. It provides tools for mass transit.

“And Mr. President, oftentimes in this room there are facts quoted and I think some of my colleagues tend to be stuck in research that is 20 years or older. The fact is, Mr. President, since 1995, national transit ridership has increased six out of seven years and overall national transit ridership has increased 21 percent. It’s not declining; it’s not flat; it’s growing nationally. In 1999 and 2000, the growth in trips in transit actually increased more than the growth in trips by automobile travel. Ridership increases have been even greater in cities that add light rail. It’s not stagnant; it’s not falling; it’s growing. Almost every city that developed light rail systems over the past 30 years are now expanding those systems. This year, new urban rails will open in Minneapolis, Las Vegas, Houston, San Juan and many other places. The truth is that people are increasing their use of mass transit and it’s not decreasing.

“This is a good bill and I urge my colleagues to support it. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1571 was adopted and H.B. No. 1645, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MASS TRANSIT,” 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. 1572 (H.B. No. 128, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1572 be adopted and H.B. No. 128, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to oppose the measure and said:

“Mr. President, I rise in opposition to this bill.



"This is very troubling for me because I certainly support local Hawaiian beach boy services. I think the services are unique. I'm a little troubled, though, with the history of this particular measure and what is behind it. The idea that, for example, the primary beneficiaries of this bill still owe money to the City and County of Honolulu for beach services there. I'm troubled because of recent investigations that have shown large amounts of cash money that have allegedly been transferred for various kinds of beach services and have not been reported and not been collected. I'm troubled also because this bill would remove the requirement for open bidding and discussion of leases for this activity.

"While it is true that all of us can enjoy as a unique cultural heritage what beach boys have done, I think that for those of us that reminisce in the past, the past traditions may not square with what the realities are of today. The financial aspects of this bill, the one-sided nature of this bill, the lack of transparency of this bill should be troubling to more of my colleagues than just myself, and just because we put good words that say that this will perpetuate a tradition does not in fact make it so.

"There has not been very much discussion about the bill. It has not undergone scrutiny. But as I say, the far most troubling aspect of it is that we are again going to shut off an activity that should be open to public investigation and public acknowledgement in terms of contracts and agreements that are made.

"So, reluctantly, I'm forced to vote against this bill. Thank you."

Senator Kokubun rose in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Mr. President, with respect to this particular bill, actually this was the subject of a very heated and very long public hearing before the Committee on Water, Land, and Agriculture. So, there was much input, and I think what the Committee has tried to do in this situation is to provide a level playing field for a number of different organizations to participate in providing these services to the public and to the residents of Hawaii.

"True, I think there is some background that needs to be looked at in more detail, but the idea was again to provide the opportunity for more than one concessionaire to be provided an opportunity to operate along this area that we have geographically defined from Kaimana Beach to the Ala Wai Boat Harbor.

"So, rather than say that this is specifically for one group and rather than say this is not going to be subject to public scrutiny, I think the exact opposite is true. This is going to be a situation where the public record will be open for the Department of Land and Natural Resources to share with anyone who wants to come in and examine their process for approving concessions.

"Thank you, Mr. President."

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.

"Mr. President, my reservations on this bill is because it specifically allows beach boy concessions on beaches from Kapahulu going in the Koko Head direction toward Kaimana Beach. I believe inclusion of these areas in this bill is

inappropriate and ill advised for three reasons: (1) these beaches front the ecologically sensitive Waikiki Marine Life Conservation District; (2) Kaimana Beach is under a beach reclamation restriction on commercial activity; and (3) most of these areas are included in the Kapiolani Park Trust that prohibits commercial activity within trust lands.

"Thank you."

Senators Hanabusa, Kim, Trimble 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. 1572 was adopted and H.B. No. 128, H.D. 2, S.D. 2, 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, 23. Noes, 1 (Slom). Excused, 1 (Hee).

Stand. Com. Rep. No. 1581 (H.B. No. 1641, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1581 was adopted and H.B. No. 1641, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Hee).

Stand. Com. Rep. No. 1584 (H.B. No. 422, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1584 be adopted and H.B. No. 422, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to H.B. No. 422.

"If the issue were a question of public health and safety, then the title of the bill would relate to discharge of waste and it would relate to those set of circumstances in which the most threat to public health and safety existed – and that is discharge on land, not saltwater – and it would apply to the public sector as well as the private sector. But this bill singles out a single segment, which is the cruise industry, and applies a unique set of standards only to them.

"For that reason, I'll be voting against this measure. Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1584 was adopted and H.B. No. 422, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hemmings, Trimble). Excused, 2 (Hanabusa, Slom).

Stand. Com. Rep. No. 1585 (H.B. No. 244, H.D. 1, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1585 was adopted and H.B. No. 244, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hogue, Slom). Excused, 2 (English, Hanabusa).

Stand. Com. Rep. No. 1587 (H.B. No. 875, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1587 be adopted and H.B. No. 875, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to support the measure and stated:

“Mr. President, I rise in support of this bill, but I’m very troubled by this bill.

“I, like many of my colleagues, have continued to support the substitute teachers throughout this Legislative Session knowing full well that they got a bad deal. They were lied to by the Department of Education. The Department of Education broke a number of promises with them. And now they come to the Legislature to ask us to extend the statute of limitations from two years to six years and to provide them with salary increases. And because they brought their actions in a legal manner against the Department of Education, this bill also provides funds to the DOE to defend itself from the very lawsuits that it created by lying to the substitute teachers.

“I’m voting for this bill to give the substitute teachers what they deserve, but what I would like to see amended in this bill is that we take money away from the Department of Education, make them stand to jerk from the lawsuits that they created, and make sure that in the future if they break more promises and lie to their own employees as well as to the taxpayers and the public, they pay and not the taxpayers.

“Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1587 was adopted and H.B. No. 875, H.D. 2, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1588 (H.B. No. 1590, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1588 was adopted and H.B. No. 1590, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII FILM AND DIGITAL MEDIA INDUSTRY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1591 (H.B. No. 1308, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1591 be adopted and H.B. No. 1308, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to this bill.

“Remember a little while ago I was telling you about all the tax increases that we’re voting on today, the increased burden that we’re placing on the taxpayers of our State, the lowered

standard of living that we are subjecting them to, well, this is another one of those bills.

“It has a feel good section. We’re going to buy lands. The state is going to go more into the real estate business and buy and protect various lands, some of which are unidentified. And how are we going to do it? We’re going to do it by increasing the conveyance tax, which is supposed to be a tax that meets the cost of recording your mortgage, your deed, your rental property or something else. We already have other forums and agencies that are using the conveyance tax – housing, low income, other people.

“It was supposed to be simply a fee that matched the cost of providing this recordation service, then it was to increase their computer use, now it’s for housing, then it’s for land purchases. My God, somehow I’m sure the proponents will get this for the rail tax increase as well. They can add conveyance tax to the fuel tax, to the ad valorem tax, and to the body tax.

So, I’m voting ‘no,’ Mr. President. Thank you.”

Senator Kokubun rose in support of the measure and said:

“Mr. President, I rise in support of the measure.

“Mr. President, I don’t think there’s another bill that’s more significant for us to consider this Session. This bill will establish a legacy lands program for the State of Hawaii. There’s no doubt in anyone’s mind that there are significant lands across the state that need to be protected and preserved for the future of Hawaii and for the enjoyment and the educational needs of the future generations for Hawaii.

“It’s very true, as the previous speaker, the Senator from Hawaii Kai, has pointed out that the vehicle, the means to finance this program, will come from an increase to the conveyance tax. However, I want to also keep in mind that this is a sliding scale applied to the conveyance tax and in fact it will be those homes that are costing as much as \$500,000 and over that will be paying the increase. The way the conveyance tax proposed is developed at this point in time, anything below the \$500,000 level will continue to just pay the existing rate.

“Mr. President, I think it’s very, very important to keep in mind that there’s a direct nexus between the payment of conveyance taxes to what we’re trying to do here in terms of preserving lands for future generations. There’s no doubt in my mind this is a very, very important bill and I would ask my colleagues to support it.

“Thank you.”

Senator Sakamoto rose to support the measure as follows:

“Mr. President, I rise in support of the measure.

“Mr. President, although we’ve been making new land on the Big Island bubbling into the ocean, there is no question that of the resources we have, land is a precious resource. As we transact business on this island, Mr. President, one can say we shouldn’t tax. There’s 20 percent of the people in this state, including perhaps the Senator from Hawaii Kai, who would say any tax is a bad tax no matter what the use. So, you need to set aside those people who speak against, vote against any tax for whatever reason, because in their mind, there is no good tax.

“But I agree with the Senator from the Big Island that this is a very important bill. How do we preserve precious parts of our aina unless we’re willing to balance the cost of doing so with measures such as this to raise the tax, to have a bar at a certain

point to say we need to do what some others don't want to do. But we need to do it if we expect our Hawaii to be a place that we, our children, our children's children, should we have children and they have children, we want them to say thank you for preserving our Hawaii, our aina."

Senator Trimble rose on a point of information and said:

"Mr. President, I have a point of information.

"I was just curious about what percent of the land . . ."

The President interjected:

"Are you directing your question to the Chair?"

Senator Trimble answered:

"The question is, how much land of that which exists in Hawaii is owned by the government?"

The President posed the question and Senator Kokubun answered:

"Mr. President, I'm not able to provide that figure at this point in time, but I'd be happy to do that if the good Senator from Waikiki requests that information."

Senator Trimble rose and said:

"Thank you."

Senator Slom rose in rebuttal and said:

"Mr. President, Mr. President, brief rebuttal.

"I'm cut to the quick that the good Senator from Moanalua/Salt Lake would say that I would never support a tax. Mr. President, there are some taxes that are necessary to operate the government for the lawful purposes of the government. However, we've gone so far beyond that, Mr. President. We now want a tax for everything and we want to tax everybody and everything – if it moves, we tax it; if it doesn't, we regulate it. You know, that's what we do.

"So yeah, there are some taxes that are legitimate. But whenever it comes to increasing a tax or adding a new tax, I want to know what it's for, and I want to know if we can afford it, and I want to know where it comes in the line of priority. Sure it would be nice to buy additional lands. One of the properties that is being talked about in legacy lands is the farmland in Hawaii Kai and we would love to see that preserved and kept an open space.

"But it is a legitimate question – how much land the government already owns and how much can we afford to buy, and to save, and to preserve. There are in fact private foundations, there are in fact private groups that operate within our own state. They use their own money. They buy and preserve land. They buy it and use it for specific purposes. That's fine.

"And to the extent that we had unlimited resources and we could do everything we want – take care of all the little keiki, and take care of all us older people, and take care of all the people in between, and provide every service there is without any priorities – then that's fine, then we could use this. But what I'm saying is, the idea of continuing to raise taxes on everybody and everything and then going out with a shopping list to buy this, preserve that, save that, we've got to have a priority because that's what the families that you're taxing have

to do. There are many things that they would like to do for themselves, for their family, for their keiki and they can't do it because we take the money away from them first and we say we know better.

"And by the way, for my good friend from the Big Island, let me just update you a little bit – the median price of a single family home in Hawaii is now over \$550,000; on Maui it's \$600,000. So, anything below that, I guess we're talking about slum housing. They wouldn't be affected by the tax increase.

"But let's get real – one of the drivers, the cost drivers of housing and land and everything else are the taxes and the impact fees and all of the things that we do in here in the comfort of this nice cushioned, air-conditioned room. We've got to look to the future, Mr. President, and we've got to look at where the money comes from.

"And just as I was talking about mass transit, I don't see too many of my colleagues that line up in the front of the room and reach in their own pockets. They're reaching in the pockets of other families and other people and it's got to stop.

"So, any of those tax increases, you bet I will fight every one of them. If it's a question of providing for services that government is supposed to provide for – federal, state or local – then that's one of the things that we have to bear. But we're adding far too much to that list and this is just one item. And that's why I voted 'no.'

"Thank you."

Senator Hooser rose to support the measure as follows:

"Mr. President, I rise in support of this bill.

"I'd like to start, Mr. President, by saying I would gladly reach into the pocket of these million dollar homeowners if I thought it would help a child or help preserve our environment, preserve open space, help older people, those in poverty. I would gladly, gladly do that because I think they owe more than everybody else. I think we each pay what we can, but I think those in the very higher income levels deserve to pay more, and I don't have a problem asking them to do so.

"A similar concept was approved overwhelmingly by the voters of Maui County and Kauai County in terms of dedicating public funds to purchase open space, park lands, public access and those types of things – overwhelmingly by charter amendment on Kauai County and Maui also.

"Even with the increase that we talked about in prior Sessions, Hawaii would still pay one of the lowest conveyance taxes in the nation. So, it's a relatively small amount of money for a very good purpose and I would be remiss if I did not add that this will also increase funds for the rental housing trust fund and other good purposes.

"So, for those reasons and others, I urge my colleagues to stand in support."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1591 was adopted and H.B. No. 1308, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," 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. 1593 (H.B. No. 109, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1593 was adopted and H.B. No. 109, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1596 (H.B. No. 140, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1596 was adopted and H.B. No. 140, H.D. 1, 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, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1597 (H.B. No. 1146, H.D. 1, S.D. 2):

Senator Tsutsui moved that Stand. Com. Rep. No. 1597 be adopted and H.B. No. 1146, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator English.

Senator Trimble rose in opposition to the measure and said:

"Mr. President, I rise in opposition to H.B. No. 1146.

"Colleagues, this is employee classification by fiat. If we do it here, essentially we're saying we really don't need the Department of Human Resources; we can do it ourselves. I think this is micro management of the worst sort and I will be voting against this measure.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1597 was adopted and H.B. No. 1146, H.D. 1, 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, 19. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1599 (H.B. No. 429, H.D. 1, S.D. 1):

On motion by Senator Tsutsui, seconded by Senator English and carried, Stand. Com. Rep. No. 1599 was adopted and H.B. No. 429, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE AND EXPOSITION IN HONOLULU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Hemmings, Slom, Trimble). Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1604 (H.B. No. 332, H.D. 1, S.D. 2):

Senator Menor moved that Stand. Com. Rep. No. 1604 be adopted and H.B. No. 332, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Hogue rose in opposition to the measure as follows:

"Mr. President, I rise in opposition.

"Mr. President, what this has to do with is labeling or signage of bread that has been previously frozen and I should note that there were I believe just two supportive testimonies. There were hundreds of oppositional testimony and yet for some reason the Committee decided to go forward and come up with what I call a 'kumbaya' bill, which is a compromise measure with a defective date for a problem that really doesn't exist.

"I think most of us agree that we take our bread and we go home. Some of us put it in a bread box, some of us put it in the freezer and then we use it. What this compromise measure is doing is it is saying that any previously frozen bread, once it hits the stores there will have to be signage out there in that particular store indicating that that bread has been previously frozen.

"It appears to add another layer of regulation, this time on the food industry, and in my mind it can lead to . . . we'll just have signs all over the place indicating how food products have been handled prior to their sale to the public.

"So, this bill is unnecessary because it was never shown – it was never shown – in the testimony that there's a problem. There's no problem with previously frozen bread. We all go home and we freeze our bread and then we eat it once it thaws out. There is not a problem. This is not like previously frozen meat that is thawed out and then it's re-thawed and then it's thawed out and there might be somebody with salmonella or something. There is no problem here.

"This bill is an obvious effort to protect the largest maker of baked goods here locally. That's exactly what's going on here. So this is unnecessary and I would hope that we would vote it down.

"Thank you."

Senator Slom rose in opposition as follows:

"Mr. President, I rise on opposition to this bill, too.

"Mr. President, give us our daily bread. (Laughter.) It's amazing, as the good Senator from Kaneohe said, here is another one of those bills to address a problem that does not exist unless it exists in some monopolist mind. But it's interesting that of the two organizations that testified against it, one was the teachers union. I wonder if that's because they're afraid of using frozen bread in the schools or if somehow that affects the pupil/teacher ratio or the learning curve or something else.

"How ridiculous this measure is and how ridiculous this makes us look! I mean, frozen bread. As the good Senator said, if we're talking about meat products or we're talking about seafood products or we're talking about something that really has a safety and consumer concern, we certainly can understand that. But this is bread, and it's not labeling. If it were just labeling, that would be one thing, but the reason that all of the other businesses testified against it is because it is an unwarranted cost and another added burden to doing business in this state.

"Thank you."

Senators Sakamoto and Tsutsui requested their votes be cast "aye, with reservations," and the Chair so ordered.

At 2:29 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.

Senator Baker rose in support of the measure and said:

"Mr. President, I rise in support of this measure and to provide some clarification for some of the members.

"When this measure was heard in the Health Committee, there was absolutely no opposition. By the time it moved to Consumer Protection, some of the distributors and wholesalers had grave concerns about labeling, saying that it was going to add to the cost. The measure went to a notice requirement, because most people simply don't know that most of the bread on the store shelves has been flash frozen and thawed, and it's really a matter of just informing the consumer that particular situation exists. The sign, as called for in this measure, is very small and would not be burdensome and had in fact been suggested as a way to handle this particular item from representatives of the food industry.

"So, we don't believe that the kind of opposition that our friends across the way noted, which was there before the bill was amended, still exists.

"Thank you, Mr. President."

Senator Trimble rose to oppose the measure and said:

"Mr. President, I rise in opposition to this measure.

"It's not a health issue. We have two federal agencies – the Food and Drug Administration and the US Department of Agriculture – that have a federal mandate to protect the quality and safety of our food products. Neither one of them see fit to regulate bread in this manner, and if the agency in charge of protecting our health and safety sees no problem with it, why should we.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1604 was adopted and H.B. No. 332, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS," 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. 1605 (H.B. No. 1017, H.D. 3, S.D. 2):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1605 was adopted and H.B. No. 1017, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1606 (H.B. No. 1051, H.D. 2, S.D. 2):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 1606 was adopted and H.B. No. 1051, H.D. 2, 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, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1608 (H.B. No. 769, H.D. 3, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1608 was adopted and H.B. No. 769, H.D. 3, 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, 25. Noes, none.

Stand. Com. Rep. No. 1609 (H.B. No. 390, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1609 be adopted and H.B. No. 390, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose on a point of information and said:

"Mr. President, just a point of information, because I'm so confused by this bill since I'm not on the Committee.

"We had a \$2 surcharge, then we had a \$3 surcharge, then we were going to get rid of the \$2 surcharge, but I think we still have the \$3 surcharge. Can I find out what the surcharge is going to be and whether it has gone up or whether it stayed the same? Can I ask the Committee Chair?"

The President then said:

"Do you have a question to Senator Menor or Taniguchi?"

Senator Hee rose on a point of inquiry and said:

"Mr. President, point of inquiry – the Senator from Hawaii Kai cannot read English?"

Senator Slom rose to answer:

"Mr. President, I believe I can read English. I'm just confused by what the bill says, because when it was amended, it was going to appeal to those people that have their cars in for repair and were going to be exempt from the surcharge. But I read that the amendment that was made still keeps the \$3 surcharge when we had a \$2 surcharge.

"So, for the good Senator from Kahaluu and points west, I'm still trying to find out just exactly what the status of the bill is. I can read English, though. Thank you."

Senator Hee rose and said:

"Mr. President, might I offer to the previous speaker a plethora of teachers that he can see up in the gallery that would be more than happy to extend to him the courtesy of understanding English that he evidently can't read.

"Thank you."

Senator Slom responded:

"Mr. President, I just simply asked a question and I would appreciate an answer from either the Chair of Ways and Means or Commerce."

Senator Taniguchi replied:

"Mr. President, the Senator from Hawaii Kai is very confused. He is on the Ways and Means Committee, which voted on this bill, so when he said he's not on the Committee, I don't understand what he's saying.

"But with regard to the bill, all it does is it makes permanent the exemption for the repair of cars from the rental car charge. There is currently a \$3 charge that expires in 2007. That will remain the same."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1609 was adopted and H.B. No. 390, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Whalen).

Stand. Com. Rep. No. 1610 (H.B. No. 704, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1610 was adopted and H.B. No. 704, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1612 (H.B. No. 998, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1612 be adopted and H.B. No. 998, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Trimble rose in opposition and said:

"Mr. President, I rise in opposition to this measure.

"I also would like to take exception to the Committee Report from Ways and Means which noted that the hotel tax credit that passed in 2001 was tremendously effective. I think that belies the question. If that were true, there would not have been Dr. James Mak who came down here two years ago and was paraded around to extol their benefits. Well, actually, there's probably no one in this room who remembers exactly what Dr. Mak said, but his testimony was used to suggest that if we did not pass a hotel tax credit to increase it, no construction would occur in hotels and resort areas in Hawaii. I remember that because I was the only one in this room that stood up and voted against the silly measure, which was later vetoed by the Governor.

"And in fact, in the two years that came after that, there are five projects currently under construction in Waikiki. So, number one, the measure was not needed. Number two, the tax credit in and of itself did not and does not generate, necessarily, more construction activity.

"The reason that increased construction activity occurred in Hawaii is that in 2002 we elected a Governor who showed that she was going to be fiscally conservative and the private sector responded on their own by investing in our future.

"This measure was not needed in 2003. It certainly is not needed in 2005, and if we were to pass this measure, all that would happen is it would be like adding gasoline to the fire in terms of the inflationary pressure that it would put on wages and increasing the cost of construction going forward.

"Colleagues, I urge you to use common sense and oppose and vote against this measure. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1612 was adopted and H.B. No. 998, H.D. 2, 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, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

Stand. Com. Rep. No. 1613 (H.B. No. 97, H.D. 2, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1613 was adopted and H.B. No. 97, H.D. 2, 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, 24. Noes, 1 (Trimble).

Stand. Com. Rep. No. 1615 (H.B. No. 931, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1615 be adopted and H.B. No. 931, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senators Trimble 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. 1615 was adopted and H.B. No. 931, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1616 (H.B. No. 997, H.D. 1, S.D. 2):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1616 was adopted and H.B. No. 997, H.D. 1, S.D. 2, 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 (Hemmings, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1619 (H.B. No. 1608, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1619 be adopted and H.B. No. 1608, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"This is the perennial, it will never die, VEBA trust bill, which carves out a special section for one public employee union. It is also an attack on the EUTF, which of course has just been in operation for less than two years and which seems to be operating just fine. It is an example of cherry picking – trying to take only the best and healthiest individuals – and trying to get breaks in terms of premiums.

"Until and unless the legislative auditor reverses her position, which started the EUTF in the first place in saying that all public employee unions should be under one package, I will continue to oppose this measure.

"Thank you."

Senator Hanabusa rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Mr. President, it comes as no surprise to you and my colleagues that I would be in opposition to this measure. I would like to say that I thought about it long and hard whether to voice my opposition publicly or to insert it into the record. I decided that this measure probably has the votes to proceed, and if it does proceed, then I would like the proponents to know what my opposition is because I think it goes to the integrity of this measure.

"First of all, Mr. President, as you know, in 1999 when Marion Higa wrote her report, that began the whole EUTF effort. At that time, there was major opposition to it and what has subsequently come about is various attempts to do versions of the VEBA Trust. There's no question that the teachers have had a form of the VEBA Trust from the very beginning, but there are various issues which still remain unresolved that were raised then.

"Let me first begin by making it very clear that the reason I was such a proponent of the EUTF was that the preservation of retiree benefits was my foremost concern. As a labor attorney and one who's negotiated many contracts, one of the saddest moments is when we have to go to the retirees, who sacrificed and built unions, and tell them that there is just no way that we can continue to cover their medical expenses. The State of Hawaii is no different, and that is why EUTF was created.

"One of the other issues that is silent in this bill is that in 2003 the Attorney General's Office, upon the request, actually, of the previous state health fund, began to look at the various individual union health funds. The VEBA Trust of the teachers at that time reported \$16 million in surplus. There is no mention in this measure as to what we're going to do about that. As you know, there still remains ongoing litigation as to the other health funds and where the monies have gone and what happened to them.

"As you may or may not know, Mr. President, the state law requires a return and that is why whenever there was a rebate, refund, premium holiday, or however you want to refer to it, by HMSA in the past, it resulted with the employers receiving 60 percent of that refund and the employees receiving 40 percent. The union trust funds, with the exception of SHOPO, did not do that. SHOPO was nice enough to refund its members but did not refund the City and County of Honolulu.

"So, there is out there this issue of \$16 million, and Mr. President, it may be more. That was my last report in 2003. How this plays into whether or not this pilot program will succeed, I think, is very critical, because \$16 million will help any program succeed if that is in there and it acts as the backdrop for it.

"Now, let's go to the basis of this bill itself and the concerns. First of all, Mr. President, the committee report states that this creates a 3-year pilot program for bargaining unit 5, which is of course the teachers. However, when you look at the bill itself, it refers to county contributions. There are no county contributions for the teachers. There are only state contributions. That's one issue, and that can be easily resolved.

But what is very troubling is the treatment of retirees. And as I stated earlier, retirees have always been a concern. They've gone back and forth in the generations of VEBA as to how you handle the retirees.

"This version of the bill on page 8 says that anyone who retires on or after July 1, 2005, shall be a member of the VEBA. Anyone who is retired prior to that time has the one-time option of remaining in the state health fund or transferring to VEBA. Now, where that becomes problematic is what all other collective bargaining agreements that deal in this area have had to deal with – and that is, who negotiates and what are their rights.

"It is well established in federal law, Mr. President, that retirees do not have representational benefits. If you look at this bill, what is lacking is the identification of a member to include retiree under Chapter 89. What that then of course means is that an existing union or employee organization has no obligation to negotiate for that retiree. What then does that mean? If you look at this bill, also on page 8, you will find that the reference to the amount of contribution to that retiree says it shall be no more than what is presently allowed in Chapter 87 and bargained for in the collective bargaining. Now, the question there becomes, Are you referring to what the retiree gets or are you referring to what a, quote, 'active' member gets? I read that to say it's referring to what an active member gets.

"If that is the case, because in the subsequent section on page 9 it says anyone who has retired already, will get no less than what they are presently entitled to receive under the EUTF. We come back again to the question, What are the rights of the retirees? And that is really not answered here because a collective bargaining representative, I contend, Mr. President, cannot bargain effectively for a retiree in a collective bargaining situation when they are not defined as an employee or member under Chapter 89. Chapter 89 has not been amended in this bill, and for that reason, there is no obligation to them. And that's what happens all the time.

"As you know, retirees are divided on this issue. All of a sudden, some of you may have received e-mails from them saying do not let the VEBA go; keep us in the EUTF. And there is another bunch that says exactly the opposite. And that is because it is a question – Who do they represent? Or alternatively, who will represent these retirees at the bargaining table? Or more importantly, who has that fiduciary obligation to represent them, and if they fail, what is the recourse? If you're not an employee and if you're not a member or covered under Chapter 89, you have no rights. You can't go to the Hawaii Labor Relations Board and allege a prohibitive practice. And I think that is what is a major omission in this bill.

"In addition to that, you have on page 10 of this bill the issue of if there's a termination. Mr. President, it's a wonderful situation that if at any time the VEBA fails, that anyone who opted to go into VEBA or has VEBA can come in with full benefits. It's not that we would be opposed to that, it's just that there is no downside. And whenever decisions such as this are made, there are downsides and someone has to suffer that consequence. In this situation, it's going to be the State of Hawaii.

"The other very troubling issue that we should all be asking ourselves is that retirees in our state system have been made promises. Yes, they may not be legally binding promises, but they have been made promises. Their promises have been that, one, they will be not paying premiums when they retire, and that's to make up for the 60/40 that they were told they were going to pay. The other thing is that we will try to maintain the level of their benefits. We may not be able to maintain all their,

quote, 'medical benefits' in terms of drug plans at exactly what it was when they joined the plan, but notwithstanding, we have made those kinds of promises.

"There's no mention of those promises in this bill because they can't be made. No labor organization is going to tie itself to that kind of promise without the ability to get refunded for that cost somewhere else. And the reason why VEBA is being touted is because they are saying that it will reduce the cost. The cost that they will reduce is the cost to the actives. Remember, when EUTF was created, it was created because of the inequities of porting. It was created to address all the rising costs and to share the risk among all people who are either employees or former employees of the state.

"So, when you look at a bill like this, Mr. President, we have to look at what is the true intent and who's going to suffer from the bill. And like I said earlier, when EUTF was done, it was to ensure that we could keep our promises to those employees who worked at minimal types of wages in the old days for the promise that the one benefit of being a state employee is that you would have healthcare like no one else does, which I believe we've managed to keep.

"So as we move on to this situation, and yes, they say, 'well, you know, you don't have to choose to move,' but come 2005, you will move. And the other question is, What about this \$15-\$16 million that's still outstanding? Whose money is that? And if that money, or if it's determined that that money returns to the state, how viable is this entity going to be at that point and what happens to those retirees?"

"Mr. President, based upon how I read this bill and my concern, and the issues that we were faced with when we created VEBA, I stand in opposition to this measure and I ask that you and my colleagues give serious consideration to opposing the bill.

"Thank you very much."

Senator Hee rose with reservations and said:

"Mr. President, having sat through the entire day and finally hearing an argument in opposition that is cogent and articulate, I will be voting 'with reservations.' Thank you."

The Chair so ordered.

Senator Nishihara 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. 1619 was adopted and H.B. No. 1608, H.D. 1, S.D. 2, 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, 20. Noes, 5 (Hanabusa, Kokubun, Slom, Trimble, Whalen).

Stand. Com. Rep. No. 1621 (H.B. No. 1784, H.D. 2, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1621 be adopted and H.B. No. 1784, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator English.

Senator Trimble rose in opposition and said:

"Mr. President, I rise in opposition to H.B. No. 1784.

"We're no longer in the 1960s. In the 1960s we used to have something called the Department of Planning and Economic Development. That agency or that department had what was known as the Hawaii International Services Agency. That was done away with. Then we had the Department of Economic Development. When we had the Department of Economic Development, first there was an International Affairs Office in the Office of the Governor and then there was an office created in the Department of Economic Development. We later did away with that agency.

"Now we're in the 21<sup>st</sup> century. We're living in a global society. We're no longer isolated. We're connected to the rest of the world by the internet and yet we want to go back and create something for whose purpose no longer exists.

"I suggest, colleagues, that this office was done away with not once, but twice previously for good reason. There is no reason to resurrect this dead horse.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1621 was adopted and H.B. No. 1784, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL 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 (Tsutsui).

Stand. Com. Rep. No. 1623 (H.B. No. 160, H.D. 2, S.D. 1):

On motion by Senator Taniguchi, seconded by Senator English and carried, Stand. Com. Rep. No. 1623 was adopted and H.B. No. 160, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Tsutsui).

Stand. Com. Rep. No. 1624 (H.B. No. 1331, H.D. 1, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 1624 be adopted and H.B. No. 1331, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator English.

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. 1624 was adopted and H.B. No. 1331, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR JACOBY DEVELOPMENT INC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

#### RECONSIDERATION OF ACTION TAKEN

S.B. No. 608 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on March 31, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 608, seconded by Senator Menor and carried.



Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 608, seconded by Senator Menor.

Senator Inouye noted:

“Mr. President, the purpose of this measure is to require any physician, surgeon, hospital, or clinic that treats any person involved in a motor vehicle collision and sustaining serious injury or death to report pertinent information to the police. The House removed redundancy found in the Senate version, but there are no substantive differences between the two.

“Mr. President, the Chairs of CPH and Judiciary and Hawaiian Affairs, as Co-Chairs of the Conference Committee to such measure, also concur with my decision to agree.”

“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. 608, and S.B. No. 608, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS,” was placed on the calendar for Final Reading on Thursday, April 14, 2005.

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. 37;  
S.C.R. No. 39;  
S.C.R. No. 40;  
S.C.R. No. 42;  
S.C.R. No. 106; and  
S.C.R. No. 147.

Senator Taniguchi noted:

“Mr. President, S.C.R. No. 37 makes a new public high school in Kihei.

“S.C.R. No. 39 requests the Auditor to assess required health insurance to offer coverage for marriage and family therapy.

“S.C.R. No. 106 is relating to the public procurement code.

“S.C.R. No. 40 relates to the carrying capacity study by HTA.

“S.C.R. No. 42 requests taxation to collect TAT or unregistered vacation rentals.

“S.C.R. No. 147 is the audit to DLNR’s Division of Conservation and resources enforcement.

“Mr. President, the reason for the waiver is because these are requests from members.”

The Chair then granted the waiver.

Senator Menor, Chair of the Committee on Commerce, Consumer Protection and Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. Nos. 4 and 113.

Senator Menor noted:

“Mr. President, H.C.R. No. 4, H.D. 1, requests the Insurance Commissioner to investigate the advisability of entering into interstate compacts with other states concerning the certain perils affecting the cost of property and casualty insurance.

“H.C.R. No. 113 is requesting reports on the effectiveness of the Hawaii Insurance Bureau’s Fire Rating Program.

“Mr. President, the reason for the waiver request is because these resolutions raised issues and concerns which I believe merit further consideration in a public hearing. However, these resolutions were inadvertently not included in a hearing notice that had been filed previously within the applicable notice timeframe. As such, the waiver became necessary.”

The Chair then granted the waiver.

At this time, Senator Hanabusa, on behalf of the Senate, extended happy birthday wishes to Senator Slom.

Senator Hemmings rose on a point of personal privilege as follows:

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

“A dark cloud has been cast upon the Senate and this Legislature. We’re oftentimes criticized for answering the call of special interest, but never in recent history that I know of have we ever had a smoking gun of evidence that would point to legislative power being leveraged to extort a favor from or an action from a private sector company.

“I’m referring to the attempts made by a Senator and some colleagues in the Majority Party to have Norwegian Cruise Lines compensate or reinstate an employee that was fired for cause, otherwise there would be investigations of levying a tax specifically against this cruise line. This has been in the media. Obviously, because it’s in the media, we don’t have access to all the information.

“In order to protect the integrity of the Senate and of the legislative process, Senate Minority has asked the Ethics Commission to investigate this entire issue and come back to us with an opinion as to its ethics and also whether or not it did constitute unwarranted use of political power.

“In order to protect the process, after all the good work that’s being done and all the healthy debate that’s gone on in the legislative process, we’re heading into a very important two weeks of the Session, and that’s where we’ll be going into Conference Committee. I think the prudent thing to do would be to ask the Chairman of the Labor Committee to step aside until we get some sort of decision from the Ethics Commission and that would include the current Chair not attending or participating in decision making by the Labor Committee.

“I can just imagine the signal we’re sending out to businesses, like the Norwegian Cruise Lines, that is, if you don’t do as the Legislature, the Majority Party, or an individual Legislator wishes, then you will have a price to pay legislatively. It is a terrible, terrible cloud that would be cast upon this process and all of us, and I think the prudent thing to do is to have it investigated and not allow the Chair of this particular Committee to continue under such circumstances.

“So, I’d ask the Majority Party to respond accordingly.”

## APPOINTMENT OF CONFEREES

S.B. No. 561, 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. 561, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Fukunaga, Whalen as managers on the part of the Senate at such conference.

S.B. No. 956, 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. 956, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1253, 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. 1253, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Hooser, co-chair; Nishihara, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1451, 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. 1451, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1461, 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. 1461, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1473, 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. 1473, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Kokubun, co-chair; Chun Oakland, Fukunaga, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1636, 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. 1636, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kanno, Taniguchi, co-chairs; Hogue as managers on the part of the Senate at such conference.

S.B. No. 1650, 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. 1650, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi,

co-chair; Nishihara, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1732, 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. 1732, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Taniguchi, co-chair; Espero, Kanno, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1883, 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. 1883, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1893 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1893, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, Hanabusa, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 98, 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. 98, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 125, 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. 125, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hooser, co-chair; Fukunaga, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 169, 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. 169, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 553, 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. 553, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Hee, Slom as managers on the part of the Senate at such conference.

H.B. No. 833, 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. 833, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Hee,

Whalen as managers on the part of the Senate at such conference.

H.B. No. 1413, 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. 1413, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 3:03 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 14, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-EIGHTH DAY

Thursday, April 14, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Canon Timothy Sexton, St. Andrew's Episcopal Cathedral, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Ige who were excused.

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 678 and 679) were read by the Clerk and were placed on file:

Gov. Msg. No. 678, informing the Senate that on April 14, 2005, she signed into law House Bill No. 291 as Act 4, entitled: "RELATING TO ADVISORY COMMITTEE ON PESTICIDES."

Gov. Msg. No. 679, informing the Senate that on April 14, 2005, she signed into law House Bill No. 78 as Act 5, entitled: "RELATING TO NUMBER PLATES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 500 to 605) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 500, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 584, H.D. 1 (S.D. 1);  
H.B. No. 868, H.D. 2 (S.D. 1); and  
H.B. No. 1154, H.D. 1 (S.D. 2),

was placed on file.

Hse. Com. No. 501, returning S.B. No. 27, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 27, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 502, returning S.B. No. 55, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 55, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 503, returning S.B. No. 77, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by

the House to S.B. No. 77, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 504, returning S.B. No. 97, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 97, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 505, returning S.B. No. 101, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 101, and requested a conference on the subject matter thereof.

Hse. Com. No. 506, returning S.B. No. 116, S.D. 2, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 116, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 507, returning S.B. No. 117, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 117, and requested a conference on the subject matter thereof.

Hse. Com. No. 508, returning S.B. No. 118, S.D. 2, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 118, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 509, returning S.B. No. 120, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 120, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 510, returning S.B. No. 121, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 121, and requested a conference on the subject matter thereof.













Hse. Com. No. 589, returning S.B. No. 1814, S.D. 2, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1814, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 590, returning S.B. No. 1816, S.D. 2, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1816, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 591, returning S.B. No. 1843, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1843, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 592, returning S.B. No. 1876, S.D. 2, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1876, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 593, returning S.B. No. 1877, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1877, and requested a conference on the subject matter thereof.

Hse. Com. No. 594, returning S.B. No. 1729, S.D. 2, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1729, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 595, returning S.B. No. 1889, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1889, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 596, returning S.B. No. 1713, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, was placed on file.

Hse. Com. No. 597, returning S.B. No. 1864, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, was placed on file.

Hse. Com. No. 598, returning S.B. No. 1140, S.D. 1, which passed Third Reading in the House of Representatives on April 12, 2005, was placed on file.

Hse. Com. No. 599, transmitting H.C.R. No. 18, H.D. 1, which was adopted by the House of Representatives on April 12, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION, BOARD OF EDUCATION, AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO EVALUATE THE LIABILITY OF AND CONSIDER POLICIES THAT WOULD ALLOW THE SCHOOL COMMUNITY COUNCILS THE CHOICE OF ESTABLISHING AN EDIBLE GARDEN PROGRAM AT THEIR SCHOOLS IN THE SPIRIT OF ACT 51," was deferred until Friday, April 15, 2005.

Hse. Com. No. 600, transmitting H.C.R. No. 41, which was adopted by the House of Representatives on April 12, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS AS AN UNDERREPRESENTED MINORITY GROUP AND URGING ALL SCHOLARSHIPS, FELLOWSHIPS, AND OTHER ACADEMIC PROGRAMS THAT GIVE PREFERENCE OR LIMIT ACCESS TO UNDERREPRESENTED MINORITIES TO RECOGNIZE NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS AS A DISTINCT AND UNDERREPRESENTED MINORITY," was deferred until Friday, April 15, 2005.

Hse. Com. No. 601, transmitting H.C.R. No. 101, which was adopted by the House of Representatives on April 12, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE A COST ANALYSIS ON PROVIDING TRANSPORTATION FOR PUBLIC SCHOOL STUDENTS FOR SUMMER SCHOOL AND EXTRA CURRICULAR ACTIVITIES," was deferred until Friday, April 15, 2005.

Hse. Com. No. 602, transmitting H.C.R. No. 175, H.D. 1, which was adopted by the House of Representatives on April 12, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 175, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A PILOT PUBLIC-PRIVATE PARTNERSHIP PROGRAM WITH THE HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS AND HAWAII CATHOLIC SCHOOLS DEPARTMENT WITH THE GOAL OF ALLOWING THE HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS AND HAWAII CATHOLIC SCHOOLS DEPARTMENT TO SELF-REGULATE AND MANAGE THEIR PRIVATE PRESCHOOLS," was deferred until Friday, April 15, 2005.

Hse. Com. No. 603, transmitting H.C.R. No. 183, H.D. 1, which was adopted by the House of Representatives on April 12, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 183, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO CONVENE

A TASK FORCE TO DEVELOP AN ACTION PLAN TO INCORPORATE SUSTAINABLE NATURAL RESOURCE DEVELOPMENT OBJECTIVES AND GOALS IN THE HAWAII STATE PLANNING ACT," was deferred until Friday, April 15, 2005.

Hse. Com. No. 604, transmitting H.C.R. No. 273, H.D. 1, which was adopted by the House of Representatives on April 12, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 273, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM FOR VOLUNTEERS IN EACH SCHOOL DISTRICT AND ACROSS THE STATE," was deferred until Friday, April 15, 2005.

Hse. Com. No. 605, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 624, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 624, S.D. 1, passed Final Reading in the House of Representatives on April 12, 2005, was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1626) recommending that S.C.R. No. 221, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1626 and S.C.R. No. 221, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN AND ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE; AND REQUESTING THE OFFICE OF PLANNING TO CONDUCT A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS," was deferred until Friday, April 15, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1627) recommending that S.R. No. 127, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1627 and S.R. No. 127, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN AND ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE; AND REQUESTING THE OFFICE OF PLANNING TO CONDUCT A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS," was deferred until Friday, April 15, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1628) recommending that S.C.R. No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1628 and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES," was deferred until Friday, April 15, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1629) recommending that S.R. No. 30 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1629 and S.R. No. 30, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES," was deferred until Friday, April 15, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1630) recommending that S.C.R. No. 109, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1630 and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE EDUCATIONAL MATERIALS AVAILABLE, IN WRITTEN AND ELECTRONIC FORM, ON THE PREVENTION, DIAGNOSIS, AND TREATMENT OF HEPATITIS C TO PHYSICIANS, OTHER HEALTH CARE PROVIDERS, VETERANS, AND OTHER PERSONS AT HIGH RISK FOR HEPATITIS C," was deferred until Friday, April 15, 2005.

Senators Baker and Inouye, for the Committee on Health and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1631) recommending that S.C.R. No. 110, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1631 and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE DIRECTOR OF HEALTH, AND THE DIRECTOR OF CIVIL DEFENSE TO PREPARE FOR A POSSIBLE INFLUENZA PANDEMIC," was deferred until Friday, April 15, 2005.

Senators Baker and Inouye, for the Committee on Health and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1632) recommending that S.R. No. 60, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1632 and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR, THE DIRECTOR OF HEALTH, AND THE DIRECTOR OF CIVIL DEFENSE TO PREPARE FOR A POSSIBLE INFLUENZA PANDEMIC," was deferred until Friday, April 15, 2005.

Senators Baker and Inouye, for the Committee on Health and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1633) recommending that S.C.R. No. 44 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1633 and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS, AND CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PRESERVE THE AMOUNT OF MEDICAID COVERAGES AND AMOUNT OF BENEFITS," was deferred until Friday, April 15, 2005.

Senators Baker and Inouye, for the Committee on Health and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 1634) recommending that S.R. No. 22 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1634 and S.R. No. 22, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS, AND CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PRESERVE THE AMOUNT OF MEDICAID COVERAGES AND AMOUNT OF BENEFITS," was deferred until Friday, April 15, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1635) recommending that S.C.R. No. 49, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1635 and S.C.R. No. 49, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A TASK FORCE ON ENFORCEMENT OF THE ELECTRICAL AND PLUMBING LICENSING LAWS," was deferred until Friday, April 15, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1636) recommending that S.R. No. 24, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1636 and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A TASK FORCE ON ENFORCEMENT OF THE ELECTRICAL AND PLUMBING LICENSING LAWS," was deferred until Friday, April 15, 2005.

Senators Espero and Fukunaga, for the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1637) recommending that S.C.R. No. 84, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1637 and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Friday, April 15, 2005.

Senators Espero and Fukunaga, for the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1638) recommending that S.R. No. 46, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1638 and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET

WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Friday, April 15, 2005.

Senators Espero, Kanno and Hee, for the Committee on Business and Economic Development, the Committee on Labor and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1639) recommending that S.C.R. No. 183, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1639 and S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ECONOMIC DEVELOPMENT, WORKFORCE DEVELOPMENT, AND THE ROLE OF THE UNIVERSITY OF HAWAII IN THE ECONOMIC FUTURE OF THE STATE," was deferred until Friday, April 15, 2005.

Senators English and Ige, for the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1640) recommending that S.C.R. No. 205 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1640 and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SPONSOR, ACTIVELY SUPPORT, AND VOTE FOR THE DARFUR ACCOUNTABILITY ACT OF 2005," was deferred until Friday, April 15, 2005.

Senators English and Ige, for the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1641) recommending that S.R. No. 112 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1641 and S.R. No. 112, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SPONSOR, ACTIVELY SUPPORT, AND VOTE FOR THE DARFUR ACCOUNTABILITY ACT OF 2005," was deferred until Friday, April 15, 2005.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1642) recommending that S.C.R. No. 208, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1642 and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was deferred until Friday, April 15, 2005.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1643) recommending that S.R. No. 115, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1643 and S.R. No. 115, S.D. 1, entitled: "SENATE RESOLUTION

URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was deferred until Friday, April 15, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1644) recommending that S.C.R. No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1644 and S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND ANALYSIS OF THE ISSUES SURROUNDING THE SHORELINE CERTIFICATION PROCESS FOR THE PURPOSE OF ESTABLISHING SHORELINE SETBACKS," was deferred until Friday, April 15, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1645) recommending that S.R. No. 27, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1645 and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND ANALYSIS OF THE ISSUES SURROUNDING THE SHORELINE CERTIFICATION PROCESS FOR THE PURPOSE OF ESTABLISHING SHORELINE SETBACKS," was deferred until Friday, April 15, 2005.

Senators Kokubun and Fukunaga, for the Committee on Water, Land, and Agriculture and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1646) recommending that S.C.R. No. 224, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1646 and S.C.R. No. 224, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII BIOTECH POLICY FORUM TO CONVENE KEY STAKEHOLDERS ON THE USE OF GENETICALLY ENGINEERED CROPS IN HAWAII," was deferred until Friday, April 15, 2005.

Senators Kokubun and Fukunaga, for the Committee on Water, Land, and Agriculture and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1647) recommending that S.R. No. 129, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1647 and S.R. No. 129, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII BIOTECH POLICY FORUM TO CONVENE KEY STAKEHOLDERS ON THE USE OF GENETICALLY ENGINEERED CROPS IN HAWAII," was deferred until Friday, April 15, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1648) recommending that S.C.R. No. 174 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1648 and S.C.R. No. 174, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO WORK WITH THE LYON ARBORETUM COMMUNITY STEERING COMMITTEE AND TO SUBMIT

A REPORT REGARDING ITS EFFORTS TO IMPROVE CONDITIONS AT THE LYON ARBORETUM," was deferred until Friday, April 15, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1649) recommending that S.C.R. No. 45 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1649 and S.C.R. No. 45, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF PACIFIC RESOURCES FOR EDUCATION AND LEARNING IN HAWAII AND SUPPORTING ITS DESIGNATION AS AN 'EDUCATIONAL SERVICE AGENCY,'" was deferred until Friday, April 15, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1650) recommending that S.C.R. No. 54 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1650 and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE," was deferred until Friday, April 15, 2005.

Senators Baker and Fukunaga, for the Committee on Health and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1651) recommending that S.C.R. No. 78, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1651 and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLABORATIVE DEVELOPMENT OF STANDARDS FOR ELECTRONIC HEALTH AND MEDICAL RECORDS MANAGEMENT," was deferred until Friday, April 15, 2005.

Senators Baker and Fukunaga, for the Committee on Health and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1652) recommending that S.R. No. 41, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1652 and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COLLABORATIVE DEVELOPMENT OF STANDARDS FOR ELECTRONIC HEALTH AND MEDICAL RECORDS MANAGEMENT," was deferred until Friday, April 15, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1653) recommending that S.C.R. No. 115 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO UPDATE THE 1991 STATE LAND USE DISTRICT BOUNDARY REVIEW, URBAN LAND REQUIREMENTS STUDY TO DETERMINE THE AMOUNT OF VACANT AND DEVELOPABLE URBAN CLASSIFIED LAND AVAILABLE," was referred to the Committee on Ways and Means.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental

Affairs, presented a joint report (Stand. Com. Rep. No. 1654) recommending that S.C.R. No. 100 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1654 and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM," was deferred until Friday, April 15, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1655) recommending that S.C.R. No. 207 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1655 and S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE LEGISLATURE TO CREATE A PROPOSAL TO IMPROVE THE MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM," was deferred until Friday, April 15, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1656) recommending that S.R. No. 114 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1656 and S.R. No. 114, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE LEGISLATURE TO CREATE A PROPOSAL TO IMPROVE THE MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM," was deferred until Friday, April 15, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1657) recommending that S.C.R. No. 98, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1657 and S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A WORKING GROUP TO EVALUATE AND RECOMMEND METHODS TO STREAMLINE COURT-ORDERED FORENSIC EVALUATIONS AND TO DELIVER APPROPRIATE MENTAL HEALTH TREATMENT TO PRETRIAL DETAINEES," was deferred until Friday, April 15, 2005.

Senators Inouye and Kanno, for the Committee on Transportation and Government Operations and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 1658) recommending that S.C.R. No. 225, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1658 and S.C.R. No. 225, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE 'MANAGEMENT AUDIT OF THE HIGHWAYS DIVISION OF THE DEPARTMENT OF TRANSPORTATION', CONDUCT A SIMILAR MANAGEMENT AUDIT OF THE AIRPORTS AND HARBORS DIVISIONS, AND CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT'S GENERAL PRACTICE OF PLACING STAFF ON PROLONGED ADMINISTRATIVE ASSIGNMENTS WITHOUT REVISING THEIR JOB RESPONSIBILITIES, IN ORDER TO INFORMALLY INSTITUTE A MAJOR REORGANIZATION NOT REFLECTED IN THE WRITTEN POSITION DESCRIPTIONS, ORGANIZATION CHARTS, AND FUNCTIONAL STATEMENTS," was deferred until Friday, April 15, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1659) recommending that S.C.R. No. 21 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1659 and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING FEDERAL HOUSING ASSISTANCE FOR GRANDPARENT-HEADED AND RELATIVE-HEADED HOUSEHOLDS," was deferred until Friday, April 15, 2005.

Senators Hee and English, for the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1660) recommending that S.C.R. No. 173 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1660 and S.C.R. No. 173, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR SMART BUILDING AND COMMUNITY DESIGN DEVELOP ENERGY EFFICIENT DESIGN STANDARDS FOR NEW AND RETROFITTED BUILDINGS THROUGHOUT THE UNIVERSITY OF HAWAII SYSTEM," was deferred until Friday, April 15, 2005.

Senators Menor, Chun Oakland and Ige, for the Committee on Commerce, Consumer Protection and Housing, the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1661) recommending that H.C.R. No. 3, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1661 and H.C.R. No. 3, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS TO SUPPORT FEDERAL POLICIES DESIGNED TO ELIMINATE HOMELESSNESS IN THE UNITED STATES," was deferred until Friday, April 15, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1662) recommending that H.C.R. No. 83 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1662 and H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS (NCOIL) PROPERTY-CASUALTY INSURANCE MODERNIZATION ACT AS AMENDED ON NOVEMBER 21, 2003," was deferred until Friday, April 15, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1663) recommending that S.C.R. No. 26 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1663 and S.C.R. No. 26, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES ENSURE TIMELY UPDATES OF THE CHILD PROTECTIVE SERVICES' DATABASE AND PROPERLY INFORM PARENTS AND OTHER CAREGIVERS OF THEIR RIGHTS AND RESPONSIBILITIES," was deferred until Friday, April 15, 2005.

Senators Chun Oakland and Kanno, for the Committee on Human Services and the Committee on Labor, presented a joint

report (Stand. Com. Rep. No. 1664) recommending that S.C.R. No. 60, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1664 and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A WORK-FAMILY TASK FORCE TO REVIEW HAWAII'S WORK-FAMILY LAWS AND POLICIES, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' LAWS AND PRACTICES THAT PROMOTE GOOD WORK-FAMILY POLICY," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1665) recommending that S.C.R. No. 76, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1665 and S.C.R. No. 76, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII'S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1666) recommending that S.C.R. No. 93, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1666 and S.C.R. No. 93, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH URGENT CHILD AND ADOLESCENT PSYCHIATRIC SERVICES AT MAUI MEMORIAL MEDICAL CENTER IN THE FORM OF CRISIS STABILIZATION SERVICES," was deferred until Friday, April 15, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1667) recommending that S.C.R. No. 19, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1667 and S.C.R. No. 19, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF ATHLETE AGENTS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was deferred until Friday, April 15, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1668) recommending that S.C.R. No. 29, S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1668 and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR THE EARLY DETECTION OF PROSTATE CANCER," was deferred until Friday, April 15, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1669)

recommending that S.C.R. No. 128, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1669 and S.C.R. No. 128, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY, DEPARTMENT OF HUMAN SERVICES, AND COMMUNITY PARTNERS TO ESTABLISH A TASK FORCE AND TO PARTICIPATE IN DEVELOPING PROGRAMS AND SUPPORT SERVICES FOR CHILDREN OF INCARCERATED PARENTS, AS WELL AS PROGRAMS TO STRENGTHEN THE FAMILY BOND," was deferred until Friday, April 15, 2005.

Senators English and Espero, for the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1670) recommending that S.C.R. No. 118 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING DEPOSIT BEVERAGE CONTAINER RECYCLING IN STATE PARKS," was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1671) recommending that S.C.R. No. 203, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 203, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO RENEWABLE ENERGY TECHNOLOGIES," was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1672) recommending that S.R. No. 78 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1673) recommending that S.C.R. No. 140 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 140, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1674) recommending that S.C.R. No. 17, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1674 and S.C.R. No. 17, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF A UNIFORM STATEWIDE BUILDING CODE," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1675) recommending that S.C.R. No. 24, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1675 and S.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1676) recommending that S.C.R. No. 27, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1676 and S.C.R. No. 27, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE EXISTING TRAFFIC CONDITIONS IN THE SOUTH KONA AREA OF HAWAII AND PREPARE A TRAFFIC SOLUTION PLAN TO MINIMIZE EXISTING AND FUTURE TRAFFIC PROBLEMS," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1677) recommending that S.C.R. No. 39, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1677 and S.C.R. No. 39, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR MARRIAGE AND FAMILY THERAPY," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1678) recommending that S.C.R. No. 40, S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1678 and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO CONDUCT A CARRYING CAPACITY STUDY WITH THE SUPPORT OF THE HAWAII TOURISM AUTHORITY," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1679) recommending that S.C.R. No. 42, S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1679 and S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ENFORCE THE COLLECTION OF THE TRANSIENT ACCOMMODATIONS

TAX ON UNREGISTERED VACATION RENTALS, AND REQUESTING THE COUNTIES TO ENFORCE THE ZONING LAWS AGAINST ILLEGAL OPERATIONS OF VACATION RENTALS," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1680) recommending that S.C.R. No. 106, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1680 and S.C.R. No. 106, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE HAWAII PUBLIC PROCUREMENT CODE," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1681) recommending that S.C.R. No. 147, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1681 and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1682) recommending that S.C.R. No. 199, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1682 and S.C.R. No. 199, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COORDINATE STUDIES, WITH THE ASSISTANCE OF THE DEPARTMENT OF HEALTH, TO EVALUATE THE IMPACT OF THE PHYSICIAN ON-CALL CRISIS ON THE QUEEN'S MEDICAL CENTER TRAUMA CENTER TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII AND TO RECOMMEND ANY APPROPRIATE GOVERNMENT AND PRIVATE SECTOR RESPONSES TO THE 'ON-CALL' CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE," was deferred until Friday, April 15, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1683) recommending that S.C.R. No. 141, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1683 and S.C.R. No. 141, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DETERMINE WHETHER CLASSIFICATION OF THE OFFENSES OF ASSAULT AND TERRORISTIC THREATENING BASED ON THE OCCUPATION OF THE VICTIM IS STILL NECESSARY," was deferred until Friday, April 15, 2005.

Senators Sakamoto and Hee, for the Committee on Education and Military Affairs and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 1684) recommending that S.C.R. No. 121 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1684 and S.C.R. No. 121, entitled: "SENATE CONCURRENT



RESOLUTION REQUESTING THE FORMATION OF A WORKING GROUP ON ADULT EDUCATION," was deferred until Friday, April 15, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1685) recommending that S.C.R. No. 64 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1685 and S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGAL SERVICES CORPORATION TO REMOVE THE RESTRICTIONS ON ACCESS TO PUBLIC LEGAL SERVICES FOR CITIZENS OF THE FREELY ASSOCIATED STATES RESIDING IN THE STATE OF HAWAII AND OTHER AFFECTED JURISDICTIONS AND REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR THE INCLUSION OF THE PROVISION OF LEGAL SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES RESIDING IN THE STATE OF HAWAII AND OTHER AFFECTED JURISDICTIONS UNDER THE COMPACT OF FREE ASSOCIATION, AND ANY SUBSEQUENTLY RENEGOTIATED COMPACT," was deferred until Friday, April 15, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1686) recommending that S.C.R. No. 176 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1686 and S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was deferred until Friday, April 15, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1687) recommending that S.R. No. 100 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1687 and S.R. No. 100, entitled: "SENATE RESOLUTION URGING THE LEGISLATURE TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was deferred until Friday, April 15, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1688) recommending that H.C.R. No. 62 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1688 and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE GOVERNMENT AND THE PEOPLE OF THE REPUBLIC OF KIRIBATI IN THEIR EFFORTS TO ADDRESS WAR REPARATIONS," was deferred until Friday, April 15, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1689) recommending that S.C.R. No. 37, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1689 and S.C.R. No. 37, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INVESTIGATE ALTERNATE MEANS OF FINANCING A NEW PUBLIC HIGH SCHOOL IN KIHEI, MAUI," was deferred until Friday, April 15, 2005.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1690) recommending that S.C.R. No. 186, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1690 and S.C.R. No. 186, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL, STATE, AND COUNTY GOVERNMENTS TO PLACE A MORATORIUM ON THE REMOVAL OF HOMELESS PEOPLE FROM PUBLIC AREAS," was deferred until Friday, April 15, 2005.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1691) recommending that S.C.R. No. 154, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 154, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN PARTNERSHIP WITH THE CITY AND COUNTY OF HONOLULU AND COMMUNITY PARTNERS, TO PILOT TRANSITIONAL HOUSING OPTIONS FOR HOMELESS FAMILIES, COUPLES, AND INDIVIDUALS," was referred to the Committee on Ways and Means.

Senators Sakamoto, Chun Oakland and Ige, for the Committee on Education and Military Affairs, the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1692) recommending that S.C.R. No. 62 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1692 and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT AND DEVELOP PARTNERSHIPS WITH COMMUNITY-ORIENTED AGENCIES, ORGANIZATIONS, AND STUDENTS OF THE ISLAND OF HAWAII TO PROMOTE ACTIVITIES THAT ENCOURAGE POSITIVE YOUTH OUTCOMES," was deferred until Friday, April 15, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1693) recommending that S.C.R. No. 70, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1693 and S.C.R. No. 70, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REEVALUATE THE DEPARTMENT OF DEFENSE ENLISTMENT POLICY FOR HOMESCHOOLERS," was deferred until Friday, April 15, 2005.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1694) recommending that S.C.R. No. 137 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1694 and S.C.R. No. 137, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND

IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN," was deferred until Friday, April 15, 2005.

Senators Kokubun and Espero, for the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 1695) recommending that S.R. No. 75 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1695 and S.R. No. 75, entitled: "SENATE RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN," was deferred until Friday, April 15, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1696) recommending that S.C.R. No. 92, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1696 and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX," was deferred until Friday, April 15, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1697) recommending that S.R. No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1697 and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX," was deferred until Friday, April 15, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1698) recommending that S.C.R. No. 143 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1698 and S.C.R. No. 143, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII," was deferred until Friday, April 15, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1699) recommending that S.R. No. 81 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1699 and S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII," was deferred until Friday, April 15, 2005.

Senators Kokubun and Ige, for the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental

Affairs, presented a joint report (Stand. Com. Rep. No. 1700) recommending that S.C.R. No. 177, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1700 and S.C.R. No. 177, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT, THE STATE OF HAWAII, AND THE CITY AND COUNTY OF HONOLULU TO WORK COOPERATIVELY TO PROTECT KAWAI NUI MARSH," was deferred until Friday, April 15, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1701) recommending that the Senate advise and consent to the nominations to the Board of Trustees of the Deferred Compensation Plan of the following:

WAYNE L. CHU, in accordance with Gov. Msg. No. 392; and

CAROL T. RABER, in accordance with Gov. Msg. No. 393.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1701 and Gov. Msg. Nos. 392 and 393 was deferred until Friday, April 15, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1702) recommending that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

CORIANNE W. LAU, in accordance with Gov. Msg. No. 403; and

GARY L. WISEMAN, in accordance with Gov. Msg. No. 404.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1702 and Gov. Msg. Nos. 403 and 404 was deferred until Friday, April 15, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1703) recommending that the Senate advise and consent to the nominations to the Western Interstate Commission for Higher Education (WICHE) of the following:

ROY T. OGAWA, in accordance with Gov. Msg. No. 434; and

ROBERTA M. RICHARDS, in accordance with Gov. Msg. No. 529.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1703 and Gov. Msg. Nos. 434 and 529 was deferred until Friday, April 15, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1704) recommending that the Senate advise and consent to the nomination of ANITA DIMAURO to the State Highway Safety Council, in accordance with Gov. Msg. No. 475.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1704 and Gov. Msg. No. 475 was deferred until Friday, April 15, 2005.

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 MICHAEL TRAUB ND, DHANP to the

Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 230.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1705 and Gov. Msg. No. 230 was deferred until Friday, April 15, 2005.

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 TIMOTHY H. MOON O.D. to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 231.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1706 and Gov. Msg. No. 231 was deferred until Friday, April 15, 2005.

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 RANDALL J. BURNETT to the Pest Control Board, in accordance with Gov. Msg. No. 232.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1707 and Gov. Msg. No. 232 was deferred until Friday, April 15, 2005.

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 Private Detectives and Guards of the following:

RANDALL W. MACK III, CPP, CFE, CHS, in accordance with Gov. Msg. No. 243;

LAWRENCE K. MAHUNA, in accordance with Gov. Msg. No. 244;

THOMAS PHILLIPS, in accordance with Gov. Msg. No. 245; and

PATRICK W. SOUZA, in accordance with Gov. Msg. No. 246.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1708 and Gov. Msg. Nos. 243, 244, 245 and 246 was deferred until Friday, April 15, 2005.

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:

STANLEY LUKE PH.D., in accordance with Gov. Msg. No. 249; and

G. SUE MCCANN PSY.D., in accordance with Gov. Msg. No. 250.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1709 and Gov. Msg. Nos. 249 and 250 was deferred until Friday, April 15, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1710) recommending that the Senate advise and consent to the nominations to the Civil Defense Advisory Council of the following:

CREIGHTON W. GOLDSMITH, in accordance with Gov. Msg. No. 440; and

RANDY L. PROTHERO, in accordance with Gov. Msg. No. 441.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1710 and Gov. Msg. Nos. 440 and 441 was deferred until Friday, April 15, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1711) recommending that the Senate advise and consent to the nomination of MONALISA G. GALLEGO to the Environmental Council, in accordance with Gov. Msg. No. 467.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1711 and Gov. Msg. No. 467 was deferred until Friday, April 15, 2005.

Senator Hanabusa, for the majority of the Committee on Judiciary and Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1712) recommending that the Senate not consent to the nomination of BRANDI M.L. JIM ON to the Commission on the Status of Women, in accordance with Gov. Msg. No. 402.

By unanimous consent Stand. Com. Rep. No. 1712 and Gov. Msg. No. 402 were recommitted to the Committee on Judiciary and Hawaiian Affairs.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1713) recommending that S.C.R. No. 68, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1713 and S.C.R. No. 68, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE APPROVAL AND DECISION-MAKING PROCEDURES, AND THE PROJECT APPROVAL PROCESS OF THE MAUNA KEA SCIENCE RESERVE," was deferred until Friday, April 15, 2005.

Senators Hee and Sakamoto, for the Committee on Higher Education and the Committee on Education and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1714) recommending that S.C.R. No. 172, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1714 and S.C.R. No. 172, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO HOLD HEARINGS AND REPORT ON THE UNIVERSITY AFFILIATED RESEARCH CENTER DESIGNATION BY THE NAVY, APPLIED RESEARCH LABORATORY PROPOSAL, CLASSIFIED RESEARCH POLICY AND THEIR RELATIONSHIP TO THE UNIVERSITY'S MISSION AND STRATEGIC PLAN," was deferred until Friday, April 15, 2005.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock p.m.

**ORDER OF THE DAY**

**ADOPTION OF RESOLUTION**

**MATTER DEFERRED FROM  
TUESDAY, APRIL 12, 2005**

Stand. Com. Rep. No. 1625 (S.C.R. No. 134, S.D. 1):

Senator Hee moved that Stand. Com. Rep. No. 1625 and S.C.R. No. 134, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Chun Oakland rose in support of the measure with reservations and stated:

“Mr. President, I stand in support of this resolution, but with reservations.

“My reservations are that the HCDA and DLNR had not notified the area Legislators and community groups of this proposal. And so in going forward, I hope that there will be opportunity for the community groups to have some input on this before we finally take action on this resolution.

“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, the report of the Committee was adopted and S.C.R. No. 134, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT KEEHI SMALL BOAT HARBOR FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY HONOLULU MARINE, INC., FOR A COMMERCIAL SHIP REPAIR FACILITY,” was adopted.”

**FINAL READING**

S.B. No. 608, H.D. 1:

On motion by Senator Inouye, seconded by Senator Menor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 608, and S.B. No. 608, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Ige).

**RE-REFERRAL OF  
GOVERNOR’S MESSAGES**

The Chair re-referred the following governor’s messages that were received:

Governor’s Message	Referred to:
No. 488	Committee on Higher Education
No. 489	Committee on Higher Education
No. 490	Committee on Higher Education
No. 491	Committee on Higher Education
No. 492	Committee on Higher Education
No. 493	Committee on Higher Education
No. 494	Committee on Higher Education

No. 495 Committee on Higher Education

No. 496 Committee on Higher Education

**RECONSIDERATION OF ACTION TAKEN**

S.B. No. 74, S.D. 1 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 7, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 74, S.D. 1, seconded by Senator Menor and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 74, S.D. 1, seconded by Senator Menor.

Senator Inouye noted:

“Mr. President, this measure permits drivers who are at least 18 years of age to receive a commercial driver’s license. It also prohibits the operation of tractor-trailers by persons under the age of 18.

“The House version adds a provision that allows drivers not less than 18 years of age to obtain their commercial driver’s license except in the transport of school students, hazardous materials, or in the driving of tractor trailers, which are the largest vehicles.

“The House version also takes out references to the definition of intrastate driver, which conflicted with federal laws and inadvertently excluded all other commercial drivers such as the intrastate driver.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 74, S.D. 1, and S.B. No. 74, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,” was placed on the calendar for Final Reading on Friday, April 15, 2005.

At 11:58 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.

Senator Sakamoto, Chair of the Committee on Education and Military Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 249.

Senator Sakamoto noted:

“Mr. President, H.C.R. No. 249, proposed S.D. 1, urges congress to support the Filipino Veterans Equity Act of 2005.”

The Chair then granted the waiver.

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested that the referrals of S.C.R. Nos. 140, 142, 178, 200 and S.R. No. 78 to the Committee on Judiciary and Hawaiian Affairs be waived.

Senator Hanabusa noted:

“Mr. President, S.C.R. No. 140 and S.R. No. 78 requests the Department of Health to develop, adopt and issue a guidance document on environmental justice policy applicable to all levels of the environmental review process.

“S.C.R. No. 142, S.D. 1, requests the Governor to establish a task force on sportsmanship in youth sports.

“S.C.R. No. 178, S.D. 1, opposes the transfer of the Waiahole Valley agricultural park and residential lots subdivision by the Housing and Development Corporation of Hawaii to the Department of Hawaiian Home Lands.

“S.C.R. No. 200, S.D. 1, requests a study and recommendations relating to the feasibility of stem cell research for Hawaii.”

“Mr. President, these SCR’s were all heard by their subject matter Committees and the Judiciary and Hawaiian Affairs Committee is waiving primarily due to time constraints.”

The Chair then granted the waiver.

By unanimous consent, the following resolutions were placed on the calendar for Adoption on Friday, April 15, 2005:

S.C.R. No. 140, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS”;

S.C.R. No. 142, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON SPORTSMANSHIP IN YOUTH SPORTS”;

S.C.R. No. 178, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION OPPOSING THE TRANSFER OF THE WAIHOLE VALLEY AGRICULTURAL PARK AND RESIDENTIAL LOTS SUBDIVISION BY THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO THE DEPARTMENT OF HAWAIIAN HOME LANDS”;

S.C.R. No. 200, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII”; and

S.R. No. 78, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS.”

Senator Hee, Chair of the Higher Education, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following governor’s messages:

- Gov. Msg. No. 488;
- Gov. Msg. No. 489;
- Gov. Msg. No. 490;
- Gov. Msg. No. 491;
- Gov. Msg. No. 492;
- Gov. Msg. No. 493;
- Gov. Msg. No. 494;
- Gov. Msg. No. 495; and
- Gov. Msg. No. 496,

and the Chair granted the waiver.

Senator Menor, Chair of the Committee on Commerce, Consumer Protection and Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 170.

Senator Menor noted:

“Mr. President, H.C.R. No. 170 requests the counties to apply tax increment financing to finance the development of infrastructure for affordable housing projects.

“I believe that this resolution should be heard because it raises an important affordable housing issue. It proposes the implementation of creative financing for affordable housing projects that had been recommended by the Governor’s affordable housing task force. However, your Committee only recently received this resolution and so therefore a waiver is necessary.”

The Chair then granted the waiver.

Senator Kim rose on a point of personal privilege as follows:

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

“Mr. President, I want to publicly put an end to a malicious lie that’s being spread that somehow I am the one orchestrating the news stories about the Senator from Kapolei and that I’m doing this to teach the Senator a lesson for not joining me to oust you, Mr. President. The only way I know how to do this is to publicly state on this Floor that this is patently false. I’m certain that the Senator from Kapolei will attest to the fact that I’ve never asked him to join me to do any such thing.

“I urge you to go check through the newspaper reporters, the TV stations, and even our good Republicans across the way and ask them if I am orchestrating or behind any of these stories. Better yet, why don’t you ask Richard Borreca, who’s here, and also Derrick DePledge standing behind me if I have given them any documentation or put them up to any of these stories.

“And to those of you who are saying that I am a party to this by talking about it on the radio show, I suggest that you go on the radio every morning and field the calls from the listeners who ask me what Senate Leadership is doing about this, or spar with the good Senator from Kailua regarding the Republicans’ criticisms of the Senate Majority. Our good Senator from Waianae faced these calls this morning for 30 minutes. I face it every morning.

“So finally, Mr. President, I want to say to the individual – and you know who you are – who is spreading these malicious lies, that I say karma has a way of dealing with people like you. So, please – GET A LIFE!

“Thank you.”

**APPOINTMENT OF CONFEREES**

S.B. No. 527, 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. 527, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Chun Oakland, Taniguchi, co-chairs; Fukunaga, Inouye, Whalen as managers on the part of the Senate at such conference.

S.B. No. 693, 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. 693, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 702, 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. 702, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Hanabusa, co-chair; Baker, Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 819, 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. 819, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 971, 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. 971, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Menor, co-chair; Nishihara, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1065, 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. 1065, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Kokubun, Taniguchi, co-chairs; Trimble as managers on the part of the Senate at such conference.

S.B. No. 1141, 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. 1141, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Menor, co-chair; Espero, Nishihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 1348, 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. 1348, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1349, 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. 1349, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1695, 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. 1695, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Espero, Taniguchi, co-chairs; Ige, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1698, 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. 1698, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Espero, Taniguchi, co-chairs; Ige, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1702, 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. 1702, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Espero, Taniguchi, co-chairs; English, Ige, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1792, 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. 1792, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Espero, Taniguchi, co-chairs; English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1798 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1798, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 161, 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. 161, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Hogue as managers on the part of the Senate at such conference.

H.B. No. 214, 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. 214, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 644, 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. 644, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Hogue as managers on the part of the Senate at such conference.

H.B. No. 785, 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. 785, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 12:05 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 15, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FORTY-NINTH DAY

Friday, April 15, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Aaron Yeung, Honolulu Chinese Alliance Church, after which the Roll was called showing all Senators present with the exception of Senators English, Espero, Fukunaga, Inouye, Kanno and Nishihara who were excused.

The President announced that he had read and approved the Journal of the Forty-Eighth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 680 to 683) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 680, advising the Senate of the withdrawal of the nomination of BRANDI M.L. JIM ON to the Commission on the Status of Women, under Gov. Msg. No. 402, dated March 9, 2005, was placed on file.

In compliance with Gov. Msg. No. 680, the nomination listed under Gov. Msg. No. 402 was returned.

Gov. Msg. No. 681, informing the Senate that on April 15, 2005, she signed into law Senate Bill No. 778 as Act 6, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR SERVICES TO CHILDREN WITH AUTISM SPECTRUM DISORDER, AND FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES," was placed on file.

Gov. Msg. No. 682, informing the Senate that on April 15, 2005, she signed into law Senate Bill No. 782 as Act 7, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES," was placed on file.

Gov. Msg. No. 683, informing the Senate that on April 15, 2005, she signed into law House Bill No. 79 as Act 8, entitled: "RELATING TO SPECIAL NUMBER PLATES," was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 606 to 612) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 606, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 19, H.D. 2 (S.D. 2);  
H.B. No. 20 (S.D. 1);  
H.B. No. 31, H.D. 2 (S.D. 2);  
H.B. No. 85, H.D. 2 (S.D. 2);  
H.B. No. 97, H.D. 2 (S.D. 2);  
H.B. No. 99, H.D. 1 (S.D. 2);  
H.B. No. 100, H.D. 1 (S.D. 1);  
H.B. No. 106, H.D. 3 (S.D. 2);  
H.B. No. 109, H.D. 1 (S.D. 2);  
H.B. No. 115, H.D. 1 (S.D. 2);  
H.B. No. 128, H.D. 2 (S.D. 2);  
H.B. No. 138, H.D. 1 (S.D. 1);

H.B. No. 140, H.D. 1 (S.D. 2);  
H.B. No. 150, H.D. 2 (S.D. 2);  
H.B. No. 155, H.D. 1 (S.D. 1);  
H.B. No. 160, H.D. 2 (S.D. 1);  
H.B. No. 162, H.D. 2 (S.D. 1);  
H.B. No. 164, H.D. 1 (S.D. 1);  
H.B. No. 168, H.D. 2 (S.D. 1);  
H.B. No. 222 (S.D. 2);  
H.B. No. 244, H.D. 1 (S.D. 1);  
H.B. No. 250 (S.D. 1);  
H.B. No. 251 (S.D. 1);  
H.B. No. 252 (S.D. 1);  
H.B. No. 253 (S.D. 1);  
H.B. No. 254 (S.D. 1);  
H.B. No. 255 (S.D. 1);  
H.B. No. 256 (S.D. 1);  
H.B. No. 257 (S.D. 1);  
H.B. No. 258 (S.D. 1);  
H.B. No. 259 (S.D. 1);  
H.B. No. 260 (S.D. 1);  
H.B. No. 261 (S.D. 1);  
H.B. No. 262 (S.D. 1);  
H.B. No. 263 (S.D. 1);  
H.B. No. 278, H.D. 1 (S.D. 1);  
H.B. No. 283, H.D. 1 (S.D. 1);  
H.B. No. 325 (S.D. 2);  
H.B. No. 328 (S.D. 1);  
H.B. No. 330, H.D. 1 (S.D. 2);  
H.B. No. 332, H.D. 1 (S.D. 2);  
H.B. No. 384, H.D. 2 (S.D. 2);  
H.B. No. 390, H.D. 1 (S.D. 2);  
H.B. No. 393, H.D. 1 (S.D. 1);  
H.B. No. 408, H.D. 2 (S.D. 1);  
H.B. No. 416, H.D. 2 (S.D. 2);  
H.B. No. 422, H.D. 2 (S.D. 2);  
H.B. No. 429, H.D. 1 (S.D. 1);  
H.B. No. 434 (S.D. 1);  
H.B. No. 438, H.D. 1 (S.D. 2);  
H.B. No. 447, H.D. 1 (S.D. 1);  
H.B. No. 450, H.D. 2 (S.D. 2);  
H.B. No. 460, H.D. 2 (S.D. 1);  
H.B. No. 466, H.D. 2 (S.D. 2);  
H.B. No. 471, H.D. 2 (S.D. 2);  
H.B. No. 477, H.D. 1 (S.D. 1);  
H.B. No. 488 (S.D. 2);  
H.B. No. 491 (S.D. 2);  
H.B. No. 500, H.D. 2 (S.D. 2);  
H.B. No. 502, H.D. 1 (S.D. 2);  
H.B. No. 505, H.D. 1 (S.D. 2);  
H.B. No. 516, H.D. 2 (S.D. 1);  
H.B. No. 551, H.D. 1 (S.D. 2);  
H.B. No. 556 (S.D. 1);  
H.B. No. 588, H.D. 1 (S.D. 1);  
H.B. No. 606, H.D. 1 (S.D. 2);  
H.B. No. 631, H.D. 1 (S.D. 2);  
H.B. No. 683, H.D. 1 (S.D. 2);  
H.B. No. 685 (S.D. 1);  
H.B. No. 704, H.D. 1 (S.D. 2);  
H.B. No. 758, H.D. 2 (S.D. 2);  
H.B. No. 769, H.D. 3 (S.D. 2);  
H.B. No. 792, H.D. 1 (S.D. 2);  
H.B. No. 835, H.D. 2 (S.D. 1);  
H.B. No. 841 (S.D. 2);  
H.B. No. 842 (S.D. 1);  
H.B. No. 843, H.D. 1 (S.D. 1);  
H.B. No. 844, H.D. 1 (S.D. 2);  
H.B. No. 852, H.D. 2 (S.D. 2);  
H.B. No. 862, H.D. 2 (S.D. 2);



H.B. No. 863, H.D. 2 (S.D. 2);  
 H.B. No. 864 (S.D. 1);  
 H.B. No. 875, H.D. 2 (S.D. 2);  
 H.B. No. 906, H.D. 1 (S.D. 1);  
 H.B. No. 912, H.D. 1 (S.D. 1);  
 H.B. No. 919, H.D. 1 (S.D. 2);  
 H.B. No. 931, H.D. 2 (S.D. 2);  
 H.B. No. 938, H.D. 1 (S.D. 1);  
 H.B. No. 954, H.D. 1 (S.D. 2);  
 H.B. No. 955, H.D. 1 (S.D. 2);  
 H.B. No. 957, H.D. 1 (S.D. 1);  
 H.B. No. 997, H.D. 1 (S.D. 2);  
 H.B. No. 998, H.D. 2 (S.D. 2);  
 H.B. No. 1015, H.D. 2 (S.D. 1);  
 H.B. No. 1017, H.D. 3 (S.D. 2);  
 H.B. No. 1029 (S.D. 2);  
 H.B. No. 1051, H.D. 2 (S.D. 2);  
 H.B. No. 1060, H.D. 2 (S.D. 2);  
 H.B. No. 1082, H.D. 3 (S.D. 2);  
 H.B. No. 1132, H.D. 1 (S.D. 2);  
 H.B. No. 1136, H.D. 3 (S.D. 2);  
 H.B. No. 1146, H.D. 1 (S.D. 2);  
 H.B. No. 1152, H.D. 1 (S.D. 1);  
 H.B. No. 1200, H.D. 2 (S.D. 2);  
 H.B. No. 1214, H.D. 2 (S.D. 2);  
 H.B. No. 1224 (S.D. 1);  
 H.B. No. 1235, H.D. 1 (S.D. 1);  
 H.B. No. 1236 (S.D. 1);  
 H.B. No. 1238, H.D. 1 (S.D. 2);  
 H.B. No. 1276, H.D. 3 (S.D. 1);  
 H.B. No. 1278, H.D. 2 (S.D. 1);  
 H.B. No. 1280, H.D. 1 (S.D. 2);  
 H.B. No. 1295, H.D. 2 (S.D. 2);  
 H.B. No. 1300, H.D. 2 (S.D. 2);  
 H.B. No. 1301, H.D. 1 (S.D. 2);  
 H.B. No. 1303, H.D. 2 (S.D. 2);  
 H.B. No. 1304, H.D. 1 (S.D. 2);  
 H.B. No. 1308, H.D. 1 (S.D. 2);  
 H.B. No. 1309, H.D. 2 (S.D. 2);  
 H.B. No. 1317, H.D. 1 (S.D. 1);  
 H.B. No. 1318, H.D. 1 (S.D. 1);  
 H.B. No. 1320, H.D. 1 (S.D. 1);  
 H.B. No. 1331, H.D. 1 (S.D. 2);  
 H.B. No. 1360, H.D. 2 (S.D. 2);  
 H.B. No. 1378, H.D. 1 (S.D. 2);  
 H.B. No. 1393, H.D. 2 (S.D. 1);  
 H.B. No. 1433 (S.D. 2);  
 H.B. No. 1442, H.D. 2 (S.D. 2);  
 H.B. No. 1461 (S.D. 1);  
 H.B. No. 1462 (S.D. 1);  
 H.B. No. 1465 (S.D. 1);  
 H.B. No. 1476, H.D. 1 (S.D. 1);  
 H.B. No. 1528, H.D. 2 (S.D. 2);  
 H.B. No. 1536, H.D. 1 (S.D. 1);  
 H.B. No. 1548, H.D. 1 (S.D. 1);  
 H.B. No. 1550, H.D. 1 (S.D. 1);  
 H.B. No. 1554, H.D. 2 (S.D. 2);  
 H.B. No. 1555, H.D. 1 (S.D. 1);  
 H.B. No. 1556, H.D. 1 (S.D. 1);  
 H.B. No. 1590, H.D. 2 (S.D. 2);  
 H.B. No. 1594 (S.D. 1);  
 H.B. No. 1595 (S.D. 1);  
 H.B. No. 1596 (S.D. 1);  
 H.B. No. 1597 (S.D. 1);  
 H.B. No. 1598 (S.D. 1);  
 H.B. No. 1599 (S.D. 1);  
 H.B. No. 1605, H.D. 1 (S.D. 2);  
 H.B. No. 1608, H.D. 1 (S.D. 2);  
 H.B. No. 1614, H.D. 1 (S.D. 2);  
 H.B. No. 1640, H.D. 3 (S.D. 2);  
 H.B. No. 1641, H.D. 1 (S.D. 2);

H.B. No. 1645, H.D. 1 (S.D. 2);  
 H.B. No. 1657, H.D. 1 (S.D. 1);  
 H.B. No. 1659, H.D. 1 (S.D. 1);  
 H.B. No. 1666, H.D. 1 (S.D. 1);  
 H.B. No. 1668 (S.D. 1);  
 H.B. No. 1672 (S.D. 1);  
 H.B. No. 1713, H.D. 1 (S.D. 2);  
 H.B. No. 1728, H.D. 1 (S.D. 2);  
 H.B. No. 1733, H.D. 2 (S.D. 2);  
 H.B. No. 1740, H.D. 1 (S.D. 2);  
 H.B. No. 1745, H.D. 1 (S.D. 2);  
 H.B. No. 1747, H.D. 1 (S.D. 1);  
 H.B. No. 1749, H.D. 2 (S.D. 2);  
 H.B. No. 1750 (S.D. 2);  
 H.B. No. 1758, H.D. 1 (S.D. 1);  
 H.B. No. 1763, H.D. 2 (S.D. 2); and  
 H.B. No. 1784, H.D. 2 (S.D. 2),

was placed on file.

Hse. Com. No. 607, transmitting H.C.R. No. 93, H.D. 1, which was adopted by the House of Representatives on April 14, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 93, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE DEPARTMENT OF HEALTH TO ADOPT RULES TO ACTIVELY INFORM MENTAL HEALTH PROFESSIONALS AND INDIVIDUALS WITH NEUROLOGICAL DISORDERS OF THE BRAIN AND THEIR FAMILIES, OF THE LEGAL RIGHTS AND OPTIONS AVAILABLE TO INDIVIDUALS WITH NEUROLOGICAL DISORDERS OF THE BRAIN TO ENSURE PROPER TREATMENT," was deferred until Monday, April 18, 2005.

Hse. Com. No. 608, transmitting H.C.R. No. 94, H.D. 1, which was adopted by the House of Representatives on April 14, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO SECURE THE SERVICES OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES BOATING AND OCEAN RECREATION DIVISION TO PROVIDE OVERSIGHT OF BOATING OPERATIONS AT KEWALO BASIN," was deferred until Monday, April 18, 2005.

Hse. Com. No. 609, transmitting H.C.R. No. 102, H.D. 1, which was adopted by the House of Representatives on April 14, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 102, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS NOT TO CUT FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AS PROPOSED BY THE ADMINISTRATION IN THE 2006 FISCAL YEAR FEDERAL BUDGET AND TO SUPPORT ITS RESTORATION INTO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BUDGET AT ITS CURRENT FUNDING LEVEL OF \$4,700,000,000," was deferred until Monday, April 18, 2005.

Hse. Com. No. 610, transmitting H.C.R. No. 153, which was adopted by the House of Representatives on April 14, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO IMPLEMENT A COMPREHENSIVE REVIEW OF EXISTING NOISE REGULATIONS AND TO DEVELOP A PLAN TO ADDRESS NOISE POLLUTION," was deferred until Monday, April 18, 2005.

Hse. Com. No. 611, transmitting H.C.R. No. 189, H.D. 1, which was adopted by the House of Representatives on April 14, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 189, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO PROVIDE MEDICAL CARE AND COMPENSATION TO NUCLEAR VICTIMS IN THE REPUBLIC OF THE MARSHALL ISLANDS," was deferred until Monday, April 18, 2005.

Hse. Com. No. 612, transmitting H.C.R. No. 252, H.D. 1, which was adopted by the House of Representatives on April 14, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 252, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A REVIEW OF THE LAWS OF OTHER JURISDICTIONS REGARDING TAX BENEFITS, RETIREMENT SYSTEM CONTRIBUTIONS, HEALTH FUND CONTRIBUTIONS, AND OTHER BENEFITS PROVIDED TO POLICE OFFICERS," was deferred until Monday, April 18, 2005.

#### STANDING COMMITTEE REPORTS

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1715) recommending that S.R. No. 86, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN PARTNERSHIP WITH THE CITY AND COUNTY OF HONOLULU AND COMMUNITY PARTNERS, TO PILOT TRANSITIONAL HOUSING OPTIONS FOR HOMELESS FAMILIES, COUPLES, AND INDIVIDUALS," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1716) recommending that the Senate advise and consent to the nominations to the State Post-Secondary Education Commission of the following:

GRACE BLODGETT, in accordance with Gov. Msg. No. 240;

DIANE KOMENAKA, in accordance with Gov. Msg. No. 241; and

SALLY B. PROCTOR, in accordance with Gov. Msg. No. 509.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1716 and Gov. Msg. Nos. 240, 241 and 509 was deferred until Monday, April 18, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1717) recommending that the Senate advise and consent to the nomination of MARY EVELYN WORRALL to the Hawaii Medical Education Council, in accordance with Gov. Msg. No. 483.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1717 and Gov. Msg. No. 483 was deferred until Monday, April 18, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1718) recommending that the Senate advise and consent to the nominations to the Center for Nursing Advisory Board of the following:

JANE K. KADOHIRO DRPH, APRN, in accordance with Gov. Msg. No. 498;

ANA M. SILVA RN, CNA, BC, in accordance with Gov. Msg. No. 500; and

JOAN PRINDIVILLE WHITE, in accordance with Gov. Msg. No. 501.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1718 and Gov. Msg. Nos. 498, 500 and 501 was deferred until Monday, April 18, 2005.

At 11:54 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.

#### ORDER OF THE DAY

##### ADVICE AND CONSENT

Stand. Com. Rep. No. 1701 (Gov. Msg. Nos. 392 and 393):

Senator Ihara moved that Stand. Com. Rep. No. 1701 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Ihara then moved that the Senate advise and consent to the nominations to the Board of Trustees of the Deferred Compensation Plan of the following:

WAYNE L. CHU, term to expire June 30, 2009 (Gov. Msg. No. 392); and

CAROL T. RABER, term to expire December 26, 2008 (Gov. Msg. No. 393),

seconded by Senator Taniguchi.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1702 (Gov. Msg. Nos. 403 and 404):

Senator Ihara moved that Stand. Com. Rep. No. 1702 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Ihara then moved that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

CORIANNE W. LAU, term to expire June 30, 2009 (Gov. Msg. No. 403); and

GARY L. WISEMAN, term to expire June 30, 2009 (Gov. Msg. No. 404),

seconded by Senator Taniguchi.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1703 (Gov. Msg. Nos. 434 and 529):

Senator Hee moved that Stand. Com. Rep. No. 1703 be received and placed on file, seconded by Senator Baker and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Western Interstate Commission for Higher Education (WICHE) of the following:

ROY T. OGAWA, term to expire June 30, 2008 (Gov. Msg. No. 434); and

ROBERTA M. RICHARDS, term to expire June 30, 2009 (Gov. Msg. No. 529),

seconded by Senator Baker.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1704 (Gov. Msg. No. 475):

Senator Baker moved that Stand. Com. Rep. No. 1704 be received and placed on file, seconded by Senator Hee and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ANITA DIMAURO to the State Highway Safety Council, term to expire June 30, 2009, seconded by Senator Hee.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1705 (Gov. Msg. No. 230):

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 MICHAEL TRAUB ND, DHANP to the Board of Examiners in Naturopathy, term to expire June 30, 2008, seconded by Senator Baker.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1706 (Gov. Msg. No. 231):

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 TIMOTHY H. MOON O.D. to the Board of Examiners in Optometry, term to expire June 30, 2008, seconded by Senator Baker.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1707 (Gov. Msg. No. 232):

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 RANDALL J. BURNETT to the Pest Control Board, term to expire June 30, 2008, seconded by Senator Baker.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1708 (Gov. Msg. Nos. 243, 244, 245 and 246):

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 Private Detectives and Guards of the following:

RANDALL W. MACK III, CPP, CFE, CHS, term to expire June 30, 2008 (Gov. Msg. No. 243);

LAWRENCE K. MAHUNA, term to expire June 30, 2008 (Gov. Msg. No. 244);

THOMAS PHILLIPS, term to expire June 30, 2006 (Gov. Msg. No. 245); and

PATRICK W. SOUZA, term to expire June 30, 2008 (Gov. Msg. No. 246),

seconded by Senator Baker.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1709 (Gov. Msg. Nos. 249 and 250):

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:

STANLEY LUKE PH.D., term to expire June 30, 2008 (Gov. Msg. No. 249); and

G. SUE MCCANN PSY.D., term to expire June 30, 2008 (Gov. Msg. No. 250),

seconded by Senator Baker.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1710 (Gov. Msg. Nos. 440 and 441):

Senator Baker moved that Stand. Com. Rep. No. 1710 be received and placed on file, seconded by Senator Hee and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Civil Defense Advisory Council of the following:

CREIGHTON W. GOLDSMITH, term to expire June 30, 2009 (Gov. Msg. No. 440); and

RANDY L. PROTHERO, term to expire June 30, 2009 (Gov. Msg. No. 441),

seconded by Senator Hee.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

Stand. Com. Rep. No. 1711 (Gov. Msg. No. 467):

Senator Kokubun moved that Stand. Com. Rep. No. 1711 be received and placed on file, seconded by Senator Hanabusa and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of MONALISA G. GALLEGRO to the Environmental Council, term to expire June 30, 2007, seconded by Senator Hanabusa.

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

Ayes, 19. Noes, none. Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM THURSDAY, APRIL 14, 2005

At 11:56 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.

Senator Hemmings rose and said:

"Mr. President, could I please add a number of resolutions and standing committee reports to my 'no' list by submitting it to the Clerk?"

The Chair so ordered.

Senator Slom rose and said:

"Mr. President, I would like to rise to speak . . ."

Senator Ihara interjected:

"Mr. President, point of order. Point of order. I believe that's an inappropriate request to cast a 'no' vote afterwards in absentia."

Senator Hemmings responded:

"Mr. President, I'll gladly read it off. I was trying to expedite the paperwork here and trying to be efficient and cost effective, so I will gladly read my list for the purposes of recording it officially."

Stand. Com. Rep. No. 1626 (S.C.R. No. 221, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 221, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN AND ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE; AND REQUESTING THE OFFICE OF PLANNING TO CONDUCT A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS," was adopted.

Stand. Com. Rep. No. 1627 (S.R. No. 127, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 127, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN AND ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE; AND REQUESTING THE OFFICE OF PLANNING TO CONDUCT A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS," was adopted.

Stand. Com. Rep. No. 1628 (S.C.R. No. 66):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL

CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES," was adopted.

Stand. Com. Rep. No. 1629 (S.R. No. 30):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 30, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO ADOPT POLICIES AND PROGRAMS THAT PROMOTE SCHOOL CONNECTEDNESS AND ADDRESS BEHAVIORAL CHANGES," was adopted.

Stand. Com. Rep. No. 1630 (S.C.R. No. 109, S.D. 1):

On motion by Senator Hee, 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 THE DEPARTMENT OF HEALTH TO MAKE EDUCATIONAL MATERIALS AVAILABLE, IN WRITTEN AND ELECTRONIC FORM, ON THE PREVENTION, DIAGNOSIS, AND TREATMENT OF HEPATITIS C TO PHYSICIANS, OTHER HEALTH CARE PROVIDERS, VETERANS, AND OTHER PERSONS AT HIGH RISK FOR HEPATITIS C," was adopted.

Stand. Com. Rep. No. 1631 (S.C.R. No. 110, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE DIRECTOR OF HEALTH, AND THE DIRECTOR OF CIVIL DEFENSE TO PREPARE FOR A POSSIBLE INFLUENZA PANDEMIC," was adopted.

Stand. Com. Rep. No. 1632 (S.R. No. 60, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR, THE DIRECTOR OF HEALTH, AND THE DIRECTOR OF CIVIL DEFENSE TO PREPARE FOR A POSSIBLE INFLUENZA PANDEMIC," was adopted.

Stand. Com. Rep. No. 1633 (S.C.R. No. 44):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS, AND CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PRESERVE THE AMOUNT OF MEDICAID COVERAGES AND AMOUNT OF BENEFITS," was adopted.

Stand. Com. Rep. No. 1634 (S.R. No. 22):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 22, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS, AND CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PRESERVE THE AMOUNT OF MEDICAID COVERAGES AND AMOUNT OF BENEFITS," was adopted.

Stand. Com. Rep. No. 1635 (S.C.R. No. 49, S.D. 1):

On motion by Senator Hee, 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 A TASK FORCE ON ENFORCEMENT OF THE ELECTRICAL AND PLUMBING LICENSING LAWS," was adopted.

Stand. Com. Rep. No. 1636 (S.R. No. 24, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A TASK FORCE ON ENFORCEMENT OF THE ELECTRICAL AND PLUMBING LICENSING LAWS," was adopted.

Stand. Com. Rep. No. 1637 (S.C.R. No. 84, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was adopted.

Stand. Com. Rep. No. 1638 (S.R. No. 46, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was adopted.

Stand. Com. Rep. No. 1639 (S.C.R. No. 183, S.D. 1):

On motion by Senator Hee, 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 ESTABLISHMENT OF A TASK FORCE ON ECONOMIC DEVELOPMENT, WORKFORCE DEVELOPMENT, AND THE ROLE OF THE UNIVERSITY OF HAWAII IN THE ECONOMIC FUTURE OF THE STATE," was adopted.

Stand. Com. Rep. No. 1640 (S.C.R. No. 205):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SPONSOR, ACTIVELY SUPPORT, AND VOTE FOR THE DARFUR ACCOUNTABILITY ACT OF 2005," was adopted.

Stand. Com. Rep. No. 1641 (S.R. No. 112):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and S.R. No. 112, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SPONSOR, ACTIVELY SUPPORT, AND VOTE FOR THE DARFUR ACCOUNTABILITY ACT OF 2005," was adopted.

Stand. Com. Rep. No. 1642 (S.C.R. No. 208, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was adopted.

Stand. Com. Rep. No. 1643 (S.R. No. 115, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 115, S.D. 1, entitled: "SENATE RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was adopted.

Stand. Com. Rep. No. 1644 (S.C.R. No. 51, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND ANALYSIS OF THE ISSUES SURROUNDING THE SHORELINE CERTIFICATION PROCESS FOR THE PURPOSE OF ESTABLISHING SHORELINE SETBACKS," was adopted.

Stand. Com. Rep. No. 1645 (S.R. No. 27, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND ANALYSIS OF THE ISSUES SURROUNDING THE SHORELINE CERTIFICATION PROCESS FOR THE PURPOSE OF ESTABLISHING SHORELINE SETBACKS," was adopted.

Stand. Com. Rep. No. 1646 (S.C.R. No. 224, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 224, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII BIOTECH POLICY FORUM TO CONVENE KEY STAKEHOLDERS ON THE USE OF GENETICALLY ENGINEERED CROPS IN HAWAII," was adopted.

Stand. Com. Rep. No. 1647 (S.R. No. 129, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 129, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII BIOTECH POLICY FORUM TO CONVENE KEY STAKEHOLDERS ON THE USE OF GENETICALLY ENGINEERED CROPS IN HAWAII," was adopted.

Stand. Com. Rep. No. 1648 (S.C.R. No. 174):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 174, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE UNIVERSITY OF HAWAII TO WORK WITH THE LYON ARBORETUM COMMUNITY STEERING COMMITTEE AND TO SUBMIT A REPORT REGARDING ITS EFFORTS TO IMPROVE CONDITIONS AT THE LYON ARBORETUM," was adopted.

Stand. Com. Rep. No. 1649 (S.C.R. No. 45):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 45, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF PACIFIC RESOURCES FOR EDUCATION AND LEARNING IN HAWAII AND SUPPORTING ITS DESIGNATION AS AN 'EDUCATIONAL SERVICE AGENCY,'" was adopted.

Stand. Com. Rep. No. 1650 (S.C.R. No. 54):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE," was adopted.

Stand. Com. Rep. No. 1651 (S.C.R. No. 78, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLABORATIVE DEVELOPMENT OF STANDARDS FOR ELECTRONIC HEALTH AND MEDICAL RECORDS MANAGEMENT," was adopted.

Stand. Com. Rep. No. 1652 (S.R. No. 41, S.D. 1):

On motion by Senator Hee, 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 THE COLLABORATIVE DEVELOPMENT OF STANDARDS FOR ELECTRONIC HEALTH AND MEDICAL RECORDS MANAGEMENT," was adopted.

Stand. Com. Rep. No. 1654 (S.C.R. No. 100):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM," was adopted.

Stand. Com. Rep. No. 1655 (S.C.R. No. 207):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE LEGISLATURE TO CREATE A PROPOSAL TO IMPROVE THE MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM," was adopted.

Stand. Com. Rep. No. 1656 (S.R. No. 114):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 114, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO WORK WITH THE LEGISLATURE TO CREATE A PROPOSAL TO IMPROVE THE MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM," was adopted.

Stand. Com. Rep. No. 1657 (S.C.R. No. 98, S.D. 1):

On motion by Senator Hee, 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 REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A WORKING GROUP TO EVALUATE AND RECOMMEND METHODS TO STREAMLINE COURT-ORDERED FORENSIC EVALUATIONS AND TO DELIVER APPROPRIATE MENTAL HEALTH TREATMENT TO PRETRIAL DETAINEES," was adopted.

Stand. Com. Rep. No. 1658 (S.C.R. No. 225, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 225, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE 'MANAGEMENT AUDIT OF THE HIGHWAYS DIVISION OF THE DEPARTMENT OF TRANSPORTATION', CONDUCT A SIMILAR MANAGEMENT AUDIT OF THE AIRPORTS AND HARBORS DIVISIONS, AND CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT'S GENERAL PRACTICE OF PLACING STAFF ON PROLONGED ADMINISTRATIVE ASSIGNMENTS WITHOUT REVISING THEIR JOB RESPONSIBILITIES, IN ORDER TO INFORMALLY INSTITUTE A MAJOR REORGANIZATION NOT REFLECTED IN THE WRITTEN POSITION DESCRIPTIONS, ORGANIZATION CHARTS, AND FUNCTIONAL STATEMENTS," was adopted with Senators Hemmings, Hogue, Slom, Trimble and Whalen voting "No."

Stand. Com. Rep. No. 1659 (S.C.R. No. 21):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING FEDERAL HOUSING ASSISTANCE FOR GRANDPARENT-HEADED AND RELATIVE-HEADED HOUSEHOLDS," was adopted.

Stand. Com. Rep. No. 1660 (S.C.R. No. 173):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 173, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR SMART BUILDING AND COMMUNITY DESIGN DEVELOP ENERGY EFFICIENT DESIGN STANDARDS FOR NEW AND RETROFITTED BUILDINGS THROUGHOUT THE UNIVERSITY OF HAWAII SYSTEM," was adopted.

Stand. Com. Rep. No. 1661 (H.C.R. No. 3, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 3, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS TO SUPPORT FEDERAL POLICIES DESIGNED TO ELIMINATE HOMELESSNESS IN THE UNITED STATES," was adopted.

Stand. Com. Rep. No. 1662 (H.C.R. No. 83):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION

REQUESTING THE INSURANCE DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A REVIEW OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS (NCOIL) PROPERTY-CASUALTY INSURANCE MODERNIZATION ACT AS AMENDED ON NOVEMBER 21, 2003," was adopted.

Stand. Com. Rep. No. 1663 (S.C.R. No. 26):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 26, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES ENSURE TIMELY UPDATES OF THE CHILD PROTECTIVE SERVICES' DATABASE AND PROPERLY INFORM PARENTS AND OTHER CAREGIVERS OF THEIR RIGHTS AND RESPONSIBILITIES," was adopted.

Stand. Com. Rep. No. 1664 (S.C.R. No. 60, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A WORK-FAMILY TASK FORCE TO REVIEW HAWAII'S WORK-FAMILY LAWS AND POLICIES, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' LAWS AND PRACTICES THAT PROMOTE GOOD WORK-FAMILY POLICY," was adopted.

Stand. Com. Rep. No. 1665 (S.C.R. No. 76, S.D. 1):

Senator Hee moved that Stand. Com. Rep. No. 1665 and S.C.R. No. 76, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said

"Mr. President, in the interest of brevity, I'll just speak in opposition to one of the resolutions, that's Stand. Com. Rep. No. 1665, S.C.R. No. 76, S.D. 1, about social security.

"The reason I speak against it is we are debating this nationally right now, reform of the social security system, and it's an extremely important topic. It affects all of us. But I find it very interesting that we talk about choice in the Legislature and really that's what this social security reform that's been proposed by the President is all about – choice, it's not forcing anybody to do anything.

"Secondly, we talk about young people, and the only people that would be involved in social security reform as proposed again by the President are young people. They are the ones, and I'm very jealous, they get a chance to opt out and take care of their own financial future. So, I find that in conflict.

"It's also interesting to note that the opposition to this resolution, which, by the way, talks about privatization and social security and that's erroneous because no one has proposed privatization of social security, only this one aspect of it. But the opposition comes from labor unions, which they force mandatory dues and mandatory membership on individual workers, so they don't allow choice. And the AARP, which is a lobby for older people . . . and the older people are not affected whatsoever, none of their benefits, none of their costs or anything else are going to be changed.

"So, I find this really ludicrous that we have so many of our colleagues that are voting in favor and in support of this

resolution, which really is misdirected if we believe in the youth, we believe in choice and we believe in financial stability.

“Thank you.”

Senator Hooser rose in support as follows:

“Mr. President, I would like to also respond to the remarks made earlier on Stand. Com. Rep. No. 1665, S.C.R. No. 76, regarding social security.

“I would like to clarify the resolution simply opposes the privatization of the social security and it’s important to note, Mr. President, that private accounts as proposed unless financed by benefit reductions or tax increases, severely threaten the financing of social security and exacerbates their problems rather than supports them.

“The President’s current proposal would allow workers to divert 4 percent of taxable earnings in their private accounts and would raise the governments total debt by \$1.4 trillion over the first 10 years, again severely threatening the system.

“I’d note that today’s newspaper or today’s stock market dove down 190 points. I think it’s at a level now lower than it’s been since March of 2003, and to suggest diverting social security into these types of investments, I think, is unwise and the resolution supports that.

“The trust fund now is currently secured by treasury bonds and the current benefits are secure, I think, until 2041 and therefore I ask my members to support this resolution. Thank you.”

Senator Slom rose in rebuttal as follows:

“Mr. President, I rise in rebuttal to the good Senator from Kauai.

“Stand. Com. Rep. No. 1665, S.C.R. No. 76, in fact says we’re urging our ‘congressional delegation to reject proposed changes to the social security system.’ The social security system has not been changed since its adoption in the 1930’s. The whole point here again is the scare tactics that are used by opponents.

“The good Senator from Kauai would of course not be affected by this in any way. Even young people would not be affected unless they voluntarily chose to opt for a small percentage of their own future. And the last time I checked, the social security is supposed to be a protection for one’s own individual future. And you would think that individuals would be encouraged to take charge for their individual future. If they don’t want to invest in the stock market or any other investment, that is their choice and no one is forcing them.

“So, for those people that say that it’s going to divert funds and it’s going to result in a tax increase, the President has been very specific about that. There is no tax increase, but it is a matter of choice and it is entirely, and completely, and totally, and 100 percent voluntary.

“So, the people who are supporting this are against voluntary choice. Thank you.”

Senator Menor rose to speak in favor of the measure as follows:

“Mr. President, I rise to speak in favor of this resolution.

“Mr. President, as the introducer of this resolution, I would like to offer some rebuttal comments and I strongly urge my colleagues to support this resolution because in effect it is asking Congress to oppose the President’s proposals with respect to social security, which I think will have the effect of undermining a program that is of critical importance to the lives and well being of our constituents.

“Under the President’s proposal, if you’re under 55, the social security benefits you were promised will be cut by 40 percent. In exchange for giving up 40 percent of the benefits you were promised, the ownership society or the President’s proposal has a great deal for you. You’ll get 1/3 of your current contribution to play in the stock and bond markets. While this may be a great source of revenue for the President’s allies in the financial industry, it’s a very uncertain deal for everyone else.

“Only 4 years ago, millions of people saw their retirement savings wiped out by the stock market crash. And the interesting thing, Mr. President, is that the current administration and the Republican Leadership in Congress say draconian measures are needed because there is a crisis in social security. They claim it will soon be broke. What they don’t say unless you force them to do so is that private accounts will do nothing to address the shortfall in social security funds that may occur in 36 years.

“Siphoning money out of social security payments for private accounts will actually reduce the funds going into social security and speed up the arrival of any financial problems in the program. This issue also raises questions anew as to whether this administration and Congress that have run up the largest budget deficits in our nation’s history can be fiscally responsible.

“If they cared about sound financial management, would they be proposing to increase the national debt by more than \$4 trillion to begin the privatization of social security? Don’t forget, when they talk about taking money away from social security payment to create private accounts, they are talking about taking \$4 trillion out of the social security fund during the next 20 years. The retirees now in the system and those about to enter the system have to be paid. So, that \$4-plus trillion has to be replaced by borrowing from the Government and increasing the national debt.

“Mr. President, if adding more than \$4 trillion to the national debt would fix social security, the Administration’s idea might have some merit. But it will do nothing to fix the so-called crisis in funding social security. Private accounts will not bring one penny more into the social security trust fund.

“When pushed, even the President admitted that private accounts will do nothing to address the social security funding problem that will begin to emerge in 36 years. We do need to ensure social security is solvent, but to say that the sky is falling and we must tear down a great program is more than a little premature. I would like to remind those who say that there is an eminent crisis in social security that 36 years or more down the road is not eminent.

“Now, the social security trustees’ best projection is for the current hefty surplus in social security to be spent by 2018. At that time, if nothing whatsoever has been done between now and then to increase the funding of social securities, beneficiaries won’t notice. But the agency will have to begin cashing in its treasury bonds to pay benefits. The amount of money now in treasury bonds will pay benefits to everybody at the level promised with cost of living adjustments until 2041. Mr. President, if we do nothing between now and 2041 to



increase funds for social security, everyone in the system will receive their full benefits for 36 more years.

"It should also be noted that whatever shortfalls that have been projected in 2041 represents a guesstimate by the Social Security Administration. However, David Langer, a highly respected independent actuary, has made a study of the social security trustees' past projections. His analysis in fact supports an alternative conclusion that there will be no need to cut any benefits or increase taxes until 2080. But either way you look at it, 2041 or 2080, it's not something that could be described as a crisis, certainly not as immediate as the very real crisis we face in other programs like Medicare.

"But given that privatization will choke off funds to social security while increasing the national debt by \$4 trillion and put future retirees' retirement funds in jeopardy, what should be done to address the eventual problem of funding benefits for future generations? I believe, and I'm optimistic, that cooler and more rational heads will prevail in Washington and a bipartisan agreement can and will eventually be reached that will either increase the social security tax slightly or extend the benefit age more. After all, people are living longer than they did 60 years ago when the program began, or even 20 years ago when it was revised.

"Mr. President and my fellow colleagues, your job right now is to bring reason to this discussion and reduce the hysteria we are hearing from the administration and others in Washington, D.C. That's why I'm urging you to pass this resolution to show your support for our country's most successful and important income protection program which provides economic security to workers, retirees, persons with disabilities, and the surviving spouses and children of deceased workers.

"I urge you to support this resolution because social security provides essential benefits to over 195,000 people in Hawaii, including 139,300 retired workers; 16,900 widows and widowers; 16,790 disabled workers, including those injured in Iraq; and 13,630 children. I urge you to support this resolution because social security has reduced the poverty rate of our kupuna from over 30 percent down to 10.2 percent in the last 40 years, and because without social security, 34 percent of elderly women in Hawaii would be poor.

"Finally, this resolution also deserves your support because six out of ten of today's beneficiaries derive more than half of their income from social security and in most low-income households of retirement age, social security represents 80 percent or more of their retirement income.

"Let us join to support this resolution because social security needs to be strengthened now for our children and grandchildren. But in considering solutions, let's be certain that the social security system is changed sensibly in order to honor the obligations to future generations and that the solution truly strengthens the system and does not destroy it.

"Thank you, Mr. President."

Senator Sakamoto rose in support and stated:

"Mr. President, I rise in support of S.C.R. No. 76.

"Mr. President, I don't have as lengthy comments as our Senator from Mililani. I'm just simple in reading this resolution and I don't read it the same way our Senator from Hawaii Kai has read it. I don't know if he's watching 'Fear Factor' or 'Real World' or 'Lost,' but when I read it, it says that the Hawaii State Legislature opposes the privatization of social security and urges Hawaii's Congressional Delegation to reject such

proposed changes to the social security system. So, as a simple reader of English, I think such proposed changes refer to privatization. So, the expanded comments related to all of the other stuff, I'm not clear and I'm not here to debate the merits of other changes, but that's what I read this reso to say and I'm in support of that.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.C.R. No. 76, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII'S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM," was adopted with Senators Hemmings, Hogue, Slom, Trimble and Whalen voting "No."

Stand. Com. Rep. No. 1666 (S.C.R. No. 93, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH URGENT CHILD AND ADOLESCENT PSYCHIATRIC SERVICES AT MAUI MEMORIAL MEDICAL CENTER IN THE FORM OF CRISIS STABILIZATION SERVICES," was adopted.

Stand. Com. Rep. No. 1667 (S.C.R. No. 19, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 19, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF ATHLETE AGENTS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was adopted.

Stand. Com. Rep. No. 1668 (S.C.R. No. 29, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR THE EARLY DETECTION OF PROSTATE CANCER," was adopted.

Stand. Com. Rep. No. 1669 (S.C.R. No. 128, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 128, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY, DEPARTMENT OF HUMAN SERVICES, AND COMMUNITY PARTNERS TO ESTABLISH A TASK FORCE AND TO PARTICIPATE IN DEVELOPING PROGRAMS AND SUPPORT SERVICES FOR CHILDREN OF INCARCERATED PARENTS, AS WELL AS PROGRAMS TO STRENGTHEN THE FAMILY BOND," was adopted.

Stand. Com. Rep. No. 1674 (S.C.R. No. 17, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 17, S.D. 2, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF A UNIFORM STATEWIDE BUILDING CODE," was adopted.

Stand. Com. Rep. No. 1675 (S.C.R. No. 24, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was adopted.

Stand. Com. Rep. No. 1676 (S.C.R. No. 27, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 27, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY AND EVALUATE EXISTING TRAFFIC CONDITIONS IN THE SOUTH KONA AREA OF HAWAII AND PREPARE A TRAFFIC SOLUTION PLAN TO MINIMIZE EXISTING AND FUTURE TRAFFIC PROBLEMS," was adopted.

Stand. Com. Rep. No. 1677 (S.C.R. No. 39, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 39, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR MARRIAGE AND FAMILY THERAPY," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 1678 (S.C.R. No. 40, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO CONDUCT A CARRYING CAPACITY STUDY WITH THE SUPPORT OF THE HAWAII TOURISM AUTHORITY," was adopted.

Stand. Com. Rep. No. 1679 (S.C.R. No. 42, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO ENFORCE THE COLLECTION OF THE TRANSIENT ACCOMMODATIONS TAX ON UNREGISTERED VACATION RENTALS, AND REQUESTING THE COUNTIES TO ENFORCE THE ZONING LAWS AGAINST ILLEGAL OPERATIONS OF VACATION RENTALS," was adopted.

Stand. Com. Rep. No. 1680 (S.C.R. No. 106, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 106, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE TASK FORCE TO REVIEW AND MAKE

RECOMMENDATIONS CONCERNING THE HAWAII PUBLIC PROCUREMENT CODE," was adopted.

Stand. Com. Rep. No. 1681 (S.C.R. No. 147, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," was adopted.

Stand. Com. Rep. No. 1682 (S.C.R. No. 199, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 199, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COORDINATE STUDIES, WITH THE ASSISTANCE OF THE DEPARTMENT OF HEALTH, TO EVALUATE THE IMPACT OF THE PHYSICIAN ON-CALL CRISIS ON THE QUEEN'S MEDICAL CENTER TRAUMA CENTER TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII AND TO RECOMMEND ANY APPROPRIATE GOVERNMENT AND PRIVATE SECTOR RESPONSES TO THE 'ON-CALL' CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE," was adopted.

Stand. Com. Rep. No. 1683 (S.C.R. No. 141, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 141, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DETERMINE WHETHER CLASSIFICATION OF THE OFFENSES OF ASSAULT AND TERRORISTIC THREATENING BASED ON THE OCCUPATION OF THE VICTIM IS STILL NECESSARY," was adopted.

Stand. Com. Rep. No. 1684 (S.C.R. No. 121):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 121, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A WORKING GROUP ON ADULT EDUCATION," was adopted.

Stand. Com. Rep. No. 1685 (S.C.R. No. 64):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGAL SERVICES CORPORATION TO REMOVE THE RESTRICTIONS ON ACCESS TO PUBLIC LEGAL SERVICES FOR CITIZENS OF THE FREELY ASSOCIATED STATES RESIDING IN THE STATE OF HAWAII AND OTHER AFFECTED JURISDICTIONS AND REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR THE INCLUSION OF THE PROVISION OF LEGAL SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES RESIDING IN THE STATE OF HAWAII AND OTHER AFFECTED JURISDICTIONS UNDER THE COMPACT OF FREE ASSOCIATION, AND ANY SUBSEQUENTLY

RENEGOTIATED COMPACT.” was adopted with Senators Hemmings and Trimble voting “No.”

Stand. Com. Rep. No. 1686 (S.C.R. No. 176):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 176, entitled: “SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES,” was adopted with Senators Hemmings, Slom and Trimble voting “No.”

Stand. Com. Rep. No. 1687 (S.R. No. 100):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 100, entitled: “SENATE RESOLUTION URGING THE LEGISLATURE TO ADOPT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES,” was adopted with Senators Hemmings, Slom and Trimble voting “No.”

Stand. Com. Rep. No. 1688 (H.C.R. No. 62):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 62, entitled: “HOUSE CONCURRENT RESOLUTION SUPPORTING THE GOVERNMENT AND THE PEOPLE OF THE REPUBLIC OF KIRIBATI IN THEIR EFFORTS TO ADDRESS WAR REPARATIONS,” was adopted.

Stand. Com. Rep. No. 1689 (S.C.R. No. 37, S.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 37, S.D. 2, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INVESTIGATE ALTERNATE MEANS OF FINANCING A NEW PUBLIC HIGH SCHOOL IN KIHAI, MAUI,” was adopted.

Stand. Com. Rep. No. 1690 (S.C.R. No. 186, S.D. 1):

On motion by Senator Hee, 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 URGING THE FEDERAL, STATE, AND COUNTY GOVERNMENTS TO PLACE A MORATORIUM ON THE REMOVAL OF HOMELESS PEOPLE FROM PUBLIC AREAS,” was adopted with Senators Slom and Trimble voting “No.”

Stand. Com. Rep. No. 1692 (S.C.R. No. 62):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 62, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT AND DEVELOP PARTNERSHIPS WITH COMMUNITY-ORIENTED AGENCIES, ORGANIZATIONS, AND STUDENTS OF THE ISLAND OF HAWAII TO PROMOTE ACTIVITIES THAT ENCOURAGE POSITIVE YOUTH OUTCOMES,” was adopted.

Stand. Com. Rep. No. 1693 (S.C.R. No. 70, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 70, S.D. 1, entitled: “SENATE CONCURRENT

RESOLUTION REQUESTING HAWAII’S CONGRESSIONAL DELEGATION TO REEVALUATE THE DEPARTMENT OF DEFENSE ENLISTMENT POLICY FOR HOMESCHOOLERS,” was adopted.

Stand. Com. Rep. No. 1694 (S.C.R. No. 137):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 137, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN,” was adopted.

Stand. Com. Rep. No. 1695 (S.R. No. 75):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 75, entitled: “SENATE RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN,” was adopted.

Stand. Com. Rep. No. 1696 (S.C.R. No. 92, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 92, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX,” was adopted.

Stand. Com. Rep. No. 1697 (S.R. No. 51, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 51, S.D. 1, entitled: “SENATE RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX,” was adopted.

Stand. Com. Rep. No. 1698 (S.C.R. No. 143):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 143, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII,” was adopted.

Stand. Com. Rep. No. 1699 (S.R. No. 81):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 81, entitled: “SENATE RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII,” was adopted.

Stand. Com. Rep. No. 1700 (S.C.R. No. 177, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and

S.C.R. No. 177, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT, THE STATE OF HAWAII, AND THE CITY AND COUNTY OF HONOLULU TO WORK COOPERATIVELY TO PROTECT KAWAI NUI MARSH," was adopted.

Stand. Com. Rep. No. 1713 (S.C.R. No. 68, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 68, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE APPROVAL AND DECISION-MAKING PROCEDURES, AND THE PROJECT APPROVAL PROCESS OF THE MAUNA KEA SCIENCE RESERVE," was adopted.

Stand. Com. Rep. No. 1714 (S.C.R. No. 172, S.D. 1):

Senator Hee moved that Stand. Com. Rep. No. 1714 and S.C.R. No. 172, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Hemmings rose in opposition and said:

"Mr. President, this has to do with telling the University of Hawaii that they should not be doing defense research, and to save time I will not give a speech on this particular measure other than to say that defense research has been extremely vital to the economy of the island. On Kauai, Barking Sands, the same people who oppose that now know it's one of the biggest economic assets of the Kauai economy and an environmental buffer zone.

"Defense research also has created such things as Tang, therapeutic beds. On the technological side, defense research has resulted in GPS technology, which is a tremendous help in communications and traveling. And defense research even developed something called the internet.

"So, I don't think the State of Hawaii should be telling the University of Hawaii it should not be in defense research, and therefore I'll be voting 'no' against the resolution.

"Thank you, Mr. President."

Senator Hee rose to speak in support of the measure as follows:

"Mr. President, I rise to vote in support of SSCR 1714 and I do so only because of the erroneous comments made by the Minority Leader in his suggestion on what the resolution states.

"Let me just say that this resolution does not call for an end to UARC or classified research but asks and urges the university through its President to report back to the Legislature on the activities governing UARC and the funds used by UARC. It makes no argument about defense contracts and in fact suggests strongly that stakeholders who have made their complaints known be included in the discussion. Unlike the House, which asked to abandon the UARC facility, the Senate took a much more moderate and tempered approach in not casting any vote to include or to disband the research presently undergoing by this classified research.

"The Senate realizes that there are four other public institutions that are also engaged in UARC nationwide. The Senate recognizes that there is a financial implication as a result of this ongoing activity, and the Senate recognizes that scholarship has also been taking place as a result of the freedom to pursue scholastic endeavors by its faculty.

"Thank you, Mr. President."

Senator Hemmings rose in rebuttal and said:

"Mr. President, I'd like to stand on a point of rebuttal.

"The good Chairman of the Higher Education Committee is exactly right and he did an excellent job of recognizing that other universities are involved in this activity of defense research. But the resolution or the purpose of the resolution is still apropos, and that is to challenge by some in the university community the University of Hawaii's role in defense research. And though the good Senator from Kahaluu did do a good job of tempering it a bit, the essential purpose is still there and the underlying motivation of a handful of people within the university system is to thwart any defense research and this is the vehicle by which they were trying to attempt to do it. And though it has been tempered, it still is a viable resolution that this Body would do best not indulging itself in.

"So, I stand by my 'no' vote, Mr. President, and I urge my colleagues to take it under further consideration. Thank you."

Senator Sakamoto rose in support and stated:

"Mr. President, I rise in support of S.C.R. No. 172.

"The Chairman from Kahaluu, I think, did a very good job and the committee members, including the Senator from Alewa Heights/Liliha, the Senator from Kauai, and others said in lengthy testimony, and it's obvious to me, that the discussion needs to go on. I think our Senator from Kahaluu crafted a measure to say the University of Hawaii should hold hearings and report back and the discussion needs to go on, because any issue that's as contentious as that needs further discussion.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 172, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO HOLD HEARINGS AND REPORT ON THE UNIVERSITY AFFILIATED RESEARCH CENTER DESIGNATION BY THE NAVY, APPLIED RESEARCH LABORATORY PROPOSAL, CLASSIFIED RESEARCH POLICY AND THEIR RELATIONSHIP TO THE UNIVERSITY'S MISSION AND STRATEGIC PLAN," was adopted with Senators Hemmings, Hogue, Slom, Trimble and Whalen voting "No."

#### ADOPTION OF RESOLUTIONS

S.C.R. No. 140:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.C.R. No. 140, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS," was adopted.

S.C.R. No. 142, S.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A TASK FORCE ON SPORTSMANSHIP IN YOUTH SPORTS," was adopted.

S.C.R. No. 178, S.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE TRANSFER OF THE WAIHOLE VALLEY AGRICULTURAL PARK AND RESIDENTIAL LOTS SUBDIVISION BY THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was adopted.

S.C.R. No. 200, S.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.C.R. No. 200, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII," was adopted.

S.R. No. 78:

On motion by Senator Hee, seconded by Senator Hogue and carried, S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP, ADOPT, AND ISSUE A GUIDANCE DOCUMENT ON ENVIRONMENTAL JUSTICE POLICY APPLICABLE TO ALL LEVELS OF THE ENVIRONMENTAL REVIEW PROCESS," was adopted.

At 12:17 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.

**FINAL READING**

S.B. No. 74, S.D. 1, H.D. 1:

Senator Menor moved that S.B. No. 74, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"Besides the fact that the Department of Transportation has submitted testimony in strong opposition to the bill, I think I spoke before about it. We passed a bill the other day about graduated licensing for young people with the idea that they were not capable of good judgement and that they had higher accidents and all that. And now we come to this bill which says that because the industry is having a hard time recruiting and finding commercial licensed drivers, they want to reduce the age from 21 to 18 for commercial drivers. It just doesn't make sense, so I'll be voting '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. 74, S.D. 1, and S.B. No. 74, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 2 (Slom, Trimble). Excused, 6 (English, Espero, Fukunaga, Inouye, Kanno, Nishihara).

**REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM THURSDAY, APRIL 14, 2005**

The President made the following committee assignments of House concurrent resolutions that were received on Thursday, April 14, 2005:

House Concurrent Resolution	Referred to:
No. 18, H.D. 1	Jointly to the Committee on Education and Military Affairs and the Committee on Health
No. 41	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Higher Education
No. 101	Committee on Education and Military Affairs
No. 175, H.D. 1	Committee on Human Services, then to the Committee on Education and Military Affairs
No. 183, H.D. 1	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Energy, Environment, and International Affairs
No. 273, H.D. 1	Committee on Education and Military Affairs

**RE-REFERRAL OF GOVERNOR'S MESSAGES**

The Chair re-referred the following governor's messages that were received:

Governor's Message	Referred to:
No. 573	Committee on Health
No. 580	Committee on Media, Arts, Science and Technology
No. 581	Committee on Media, Arts, Science and Technology
No. 640	Committee on Higher Education

**RECONSIDERATION OF ACTION TAKEN**

S.B. No. 1235 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 12, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 1235, seconded by Senator Chun Oakland and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1235, seconded by Senator Chun Oakland.

Senator Baker noted:

"Mr. President, this bill would extend the PACE program, and what this measure did on the House side is insert the appropriate effective date and make some technical non-substantive amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1235, and S.B. No. 1235, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," was placed on the calendar for Final Reading on Monday, April 18, 2005.

Senator Hee rose on a point of personal privilege and said:

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

"Mr. President, it's no secret that the two interim regents that the Committee on Higher Education heard a little more than 10 days ago has resulted in some concerns, serious concerns, grave concerns in my own opinion with regard to the interim appointment from the Big Island as well as the interim appointment from the island of Kauai. Since that time, there have been others who have weighed in after-the-fact, and principally, the University of Hawaii Professional Assembly has weighed in going door-to-door with one of the interim appointees.

"Therefore, Mr. President, your Committee on Higher Education will hold another hearing on Gov. Msg. No. 289, submitting for consideration and confirmation to the Board of Regents, gubernatorial nominee Ramon S. De La Pena for a term to expire on 06/30/2008, and Gov. Msg. No. 290 for gubernatorial nominee John K. Kai for a term to expire on June 30, 2007.

"I want to make it clear that the basis of rehearing both of these is in an abundance of fairness. I also want to make it clear that while I personally will reserve judgement, I suspect that this opportunity given to these two individuals will afford them the time to study over the weekend and to ramp up the dialogue to the extent that the Chair of the Committee on Higher Education expects, unlike those who come fresh off of a governor's message. In the case of Mr. Kai, he has had ten months to prepare for confirmation and in the case of Dr. De La Pena, seven months.

"I want to make it clear that the Board of Regents is mandated by state constitution to manage the University of Hawaii through Article X, Section 6, which states the board shall have the exclusive jurisdiction over internal structure, management, and operation of the university. And the reason I want to make that clear is because among the questions to be asked, for those of you who hold long and dear relationships with the nominees, advise them that I shall ask them questions which establishes the mission and goals of the system; ask them questions relating to adopting the academic and facilities planning documents for the system and campuses; that I'll ask them questions about the appointing and evaluating of the president; that I'll ask them questions on establishing an administrative structure and what their record stands with regard to that; of approving all major contractual obligations and their role in that; reviewing all fiscal audits of the university operations and their response to that; approving the university budget, long-range financial plans, and budget requests on state funding and their familiarity to that.

"I want them to understand that the University of Hawaii is a \$1 billion institution that serves nearly 80,000 students statewide, consists of 10 major campuses and generates \$300 million in federal, state, and private research. I expect the two interim nominees to respond favorably and with some modicum of expertise with these issues that their activities are equivalent to 5 percent of the gross state product.

"Mr. President, I am convinced that we will give them yet another fair hearing because the last thing this board should do

is confirm an appointee because he happens to be a friend or happens to be a nice person. All of them are friends and all of them, I assume, are nice people.

"We expect answers, and this opportunity, by this notice, gives these interim appointees yet another chance to prove that they know what they're doing on the Board of Regents.

"Thank you."

Senator Hogue rose on a point of personal privilege and stated:

"Point of personal privilege, Mr. President.

"I want to thank the Chair of the Higher Education Committee for this opportunity to have another fair and balanced hearing. I think that is very important. The two gentlemen who went before the Higher Education Committee the last time have both expressed concerns about how nervous they were. They both have said that they didn't feel that they came across as well as they possibly could have.

"I am hopeful that those who are in attendance at this new hearing come with an open mind and come to listen to what these two gentlemen have to say. I am hopeful that the Higher Education Chair is correct that the dialog is ramped up. At the same time, I respectfully request that the tone of the hearings be entirely courteous and respectful indicative of the place that both of these gentlemen have been in our community and their willingness to come forward and volunteer at a very, very high position.

"So with that in mind, thank you again, Mr. Chair, and let's go forward and have a very fair and balanced hearing. Thank you."

Senator Hemmings rose on a point of personal privilege as follows:

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

"I, too, would like to thank the Chairman of the Higher Education Committee. His utterances just show how well a two-party system works and that this Legislature has raised the bar considerably on the ability and the expertise and the ethics of people that the executive branch of government is nominating. I applaud the good Senator from Kahaluu for raising that bar.

"I would like to include that possibly we should make sure that the nominees to this important position, as announced so well by the good Senator from Kahaluu, also be businesspeople that do not have or will not have contracts with the University of Hawaii as some previous regents did in direct conflict of interest, and that also these people will afford the university to have good business practices and not appoint a president of the UH, which we just painfully had to terminate, who was not on the search teams investigation list. So, what I guess I'm saying is that these nominees will be people of great ethics and will not use their positions for personal gain nor will they use it for political purposes in appointing people such as the president because they are politically connected.

"Thank you, Mr. President."

Senator Hee then rose and said:

"Mr. President, I want to, by this means, invite any Senator who wishes to join us. I also failed to mention that the Higher Education Committee has already accepted public testimony.

We will not offer the opportunity for people to testify, but we will offer anyone to submit written testimony regarding the hearing.

“Secondly, I am requesting that Capitol TV avail their services and, if possible, televise the hearing on the islands that these two people represent.

“And finally, for the good Senator, our Minority Leader, I think he should also be invited because one of the interim board members voted in support of adopting a policy governing UARC and classified research on October of 2004.

“Thank you.”

The President questioned:

“Senator Hee, when will the hearing be?”

Senator Hee responded:

“Mr. President, your hearing by the Higher Education Committee will be on Monday, April 18<sup>th</sup>, at 10:00 a.m., in room 224 at the State Capitol. Thank you.”

Senator Kim rose on a point of personal privilege and said:

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

“Mr. President, I want to also commend the Chairman of the Higher Education Committee. I commend him for having the second hearing. But I guess the question arises – Do we give second hearings every time somebody comes before us that is nervous and perhaps not prepared? Is that the practice of this Body? Certainly, I don’t think that has been afforded in the past, and certainly these individuals should perhaps receive more advice from the body or the person appointing them to come before us and be better prepared when they come before us, if in fact they do want to serve on these boards and commissions that have that kind of responsibilities.

“So I raise that as a point that we should ponder upon as we move forward in this process. Thank you.”

#### APPOINTMENT OF CONFEREES

S.B. No. 3, 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. 3, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Chun Oakland, Tsutsui, co-chairs; Fukunaga, Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 27, 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. 27, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Ihara, Fukunaga, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 76, 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. 76, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Espero, Menor, co-

chairs; Whalen as managers on the part of the Senate at such conference.

S.B. No. 77, 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. 77, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Espero, Menor, co-chairs; Whalen as managers on the part of the Senate at such conference.

S.B. No. 244, 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. 244, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hee, Taniguchi, co-chairs; Ihara, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 440, 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. 440, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, English, Whalen as managers on the part of the Senate at such conference.

S.B. No. 467, 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. 467, 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, Kim, Slom as managers on the part of the Senate at such conference.

S.B. No. 556, 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. 556, 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, Trimble as managers on the part of the Senate at such conference.

S.B. No. 617, 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. 617, 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, Hogue as managers on the part of the Senate at such conference.

S.B. No. 639, 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. 639, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Menor, Taniguchi, co-chairs; Hooser, Hogue as managers on the part of the Senate at such conference.

S.B. No. 673, 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. 673, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Hee, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 682, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 682, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Chun Oakland, Tsutsui, co-chairs; Fukunaga, Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 708, 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. 708, 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, Hee, Hogue as managers on the part of the Senate at such conference.

S.B. No. 754, 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. 754, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 791, 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. 791, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Tsutsui, co-chair; Chun Oakland, Hanabusa, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 873, 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. 873, S.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.

S.B. No. 944, 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. 944, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, Trimble 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 Kanno, chair; Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 960 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 960, and the request for a conference on the subject matter thereof, the

President appointed Senators Inouye, chair; Taniguchi, co-chair; Espero, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1022, 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. 1022, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Fukunaga, Ihara, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 1038, 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. 1038, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Hee, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.

S.B. No. 1114, 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. 1114, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Hanabusa, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1129, 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. 1129, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Espero, Sakamoto, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1132, 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. 1132, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1201, S.D. 2 (H.D. 3):

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 Baker, chair; Hanabusa, Taniguchi, co-chairs; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1221, 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. 1221, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Nishihara, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1262, 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. 1262, S.D. 1,



and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Hanabusa, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1394, 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. 1394, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Hee, Taniguchi, co-chairs; Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1420, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1420, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Chun Oakland, Tsutsui, co-chairs; Taniguchi, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1427, 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. 1427, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Inouye, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1483, 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. 1483, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Inouye, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1554, 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. 1554, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Hanabusa, Hooser, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1643, 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. 1643, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kokubun, co-chair; Taniguchi, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1660, 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. 1660, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Inouye, Taniguchi, co-chairs; Menor, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1661, 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. 1661, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Nishihara, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1729, 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. 1729, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Nishihara, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1781 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1781, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kanno, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1814, 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. 1814, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kokubun, Taniguchi, co-chairs, as managers on the part of the Senate at such conference.

S.B. No. 1816, 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. 1816, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Baker, Taniguchi, co-chairs; Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1843, 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. 1843, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Taniguchi, co-chair; Espero, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1872 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1872, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Ihara, co-chairs; Taniguchi, Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1876, 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. 1876, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Taniguchi, co-chair; Espero, Kokubun, Slom as managers on the part of the Senate at such conference.

H.B. No. 85, 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. 85, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Kokubun, co-chair; Baker, Whalen as managers on the part of the Senate at such conference.

H.B. No. 100, 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. 100, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; English, Espero, Fukunaga, Hooser, Inouye, Kanno, Kim, Kokubun, Nishihara, Sakamoto, Tsutsui, Hemmings, Slom, Trimble as managers on the part of the Senate at such conference.

H.B. No. 150, 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. 150, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Hanabusa, co-chair; Chun Oakland, Trimble as managers on the part of the Senate at such conference.

H.B. No. 438, 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. 438, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Hanabusa, co-chair; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 502, 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. 502, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Hanabusa, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 588, 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. 588, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 683, 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. 683, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Tsutsui, co-chair; Chun Oakland, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 685 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 685, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 712, 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. 712, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kokubun, Hanabusa, co-chairs; English, Hogue as managers on the part of the Senate at such conference.

H.B. No. 862, 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. 862, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Hanabusa, co-chair; Hee, Trimble as managers on the part of the Senate at such conference.

H.B. No. 919, 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. 919, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Hanabusa, co-chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1709 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1709, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1747, 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. 1747, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Hee, Trimble as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:32 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 18, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTIETH DAY

**Monday, April 18, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Paul Whalen, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Ige and Inouye who were excused.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 684 to 798) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 684, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of ROBERT E. COOPER, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 685, submitting for consideration and confirmation to the Board of Directors of the Agribusiness Development Corporation, the nomination of SUSAN T. HARADA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 686, submitting for consideration and confirmation to the Board of Directors of the Aloha Tower Development Corporation, the nomination of NEAL M. OTANI, term to expire June 30, 2009, was referred to the Committee on Business and Economic Development.

Gov. Msg. No. 687, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of LEE ANN M. HIGASHI, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 688, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of BARBARA M. KOKUBUN, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 689, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nomination of FLORENTINA SMITH, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 690, submitting for consideration and confirmation to the State Boxing Commission of Hawaii, the nomination of BOBBY LEE, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 691, submitting for consideration and confirmation to the Cable Advisory Committee, the nomination of DAVID P. DELEON, term to expire June 30, 2005, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 692, submitting for consideration and confirmation to the Cable Advisory Committee, the nomination of DAVID P. DELEON, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 693, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of LESLIE ALAN UEOKA, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 694, submitting for consideration and confirmation to the Contractors License Board, the nomination of NEAL ARITA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 695, submitting for consideration and confirmation to the Contractors License Board, the nomination of WILLIAM R. BROWN, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 696, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nomination of MARY VERDINE S.O. KONG, term to expire June 30, 2008, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 697, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nomination of DAVID HELDER, term to expire June 30, 2009, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 698, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of RONALD L. YOUNG DMD, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 699, submitting for consideration and confirmation to the Disability and Communication Access Board, the nomination of GLENN MORGAN, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 700, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of RONALD H. NAKAMINE, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 701, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of STEVE TSUNEMOTO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 702, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of DAVID F. MOORE, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 703, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of DANIEL E. SHAAL, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 704, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of DARREL T. ITANO, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 705, submitting for consideration and confirmation to the Environmental Council, the nomination of JAMES J. RODRIGUES, term to expire June 30, 2008, was referred to the Committee on Energy, Environment, and International Affairs.

Gov. Msg. No. 706, submitting for consideration and confirmation to the Commission on Fatherhood, the nomination of CALVIN T. CHINEN, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 707, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of ROSEMARIE (BILLIE) I. BACLIG, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 708, submitting for consideration and confirmation to the Hawaiian Homes Commission, MALIA P. KAMAHA, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 709, submitting for consideration and confirmation to the Statewide Health Coordinating Council, ANDY P. ANCHETA MPH, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 710, submitting for consideration and confirmation to the Statewide Health Coordinating Council, SUSAN K. FORBES DRPH, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 711, submitting for consideration and confirmation to the Statewide Health Coordinating Council, CREIGHTON LIU, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 712, submitting for consideration and confirmation to the Statewide Health Coordinating Council, SARAJEAN TOKUNAGA, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 713, submitting for consideration and confirmation to the Statewide Health Coordinating Council, PATRICIA UYEHARA-WONG, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 714, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, DEBRA K. SUTTON, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 715, submitting for consideration and confirmation to the Health Planning Council, Hawaii County Subarea, the nomination of LORI CANNON-SALIS RN, CCRN, CRFN, MSN, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 716, submitting for consideration and confirmation to the Health Planning Council, Hawaii County Subarea, the nomination of KARLSON PUNG, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 717, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of WILLIAM BAILEY, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 718, submitting for consideration and confirmation to the Health Planning Council, Honolulu Subarea, the nomination of MARY DIXON, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 719, submitting for consideration and confirmation to the Health Planning Council, Maui County Subarea, the nomination of CURT S. MORIMOTO, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 720, submitting for consideration and confirmation to the State Highway Safety Council, the nomination of AMELIA E HANLON, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 721, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nomination of ERNEST BALATINCZ STS CHST, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 722, submitting for consideration and confirmation to the Board of Directors of the Hawaii Hurricane Relief Fund, the nomination of HAROLD R. DECOSTA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 723, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of WINNIFRED AOKI, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 724, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of RACHEL CORDAY, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 725, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of BARBARA FISCHLOWITZ-LEONG, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 726, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of DARA Y. FUKUHARA, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 727, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of FRANCINE M. KENYON, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 728, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of VIRGINIA M. KLINE, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 729, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of KEALOHA LAEMOA, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 730, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of MARGARET LEVY-DOHANOS, term to expire June 30, 2005, was referred to the Committee on Human Services.

Gov. Msg. No. 731, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of MARGARET LEVY-DOHANOS, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 732, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of CHARLOTTE G. SMITH, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 733, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of DIANA C. TIZARD, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 734, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of ANDRICK C. TONG, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 735, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of LINDA ANN WATSON, term to expire June 30, 2006, was referred to the Committee on Human Services.

Gov. Msg. No. 736, submitting for consideration and confirmation to the Statewide Council on Independent Living, the nomination of ED WEIL, term to expire June 30, 2008, was referred to the Committee on Human Services.

Gov. Msg. No. 737, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of WILLIAM H. SAGER, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 738, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of LYLE AULD, term to expire June 30, 2005, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 739, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of LYLE AULD, term to expire June 30, 2009, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 740, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of WHITNEY G. K. SMITH, term to expire June 30, 2009, was referred to the Committee on Media, Arts, Science and Technology.

Gov. Msg. No. 741, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of WENDEE J. WILSON, term to expire June 30, 2005, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 742, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of WENDEE J. WILSON, term to expire June 30, 2009, was

referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 743, submitting for consideration and confirmation to the Hawaii Medical Education Council, the nomination of DEW-ANNE M. NISHIDA LANGCAON FHFMA, CPA, term to expire June 30, 2007, was referred to the Committee on Higher Education.

Gov. Msg. No. 744, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawaii Service Area Board, the nomination of AMY R. AGUIAR, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 745, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawaii Service Area Board, the nomination of GEARY KRUEGER, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 746, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Hawaii Service Area Board, the nomination of CEVN B. MCGUIRE, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 747, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Kauai Service Area Board, the nomination of MARDI L. MAIONE, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 748, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, the nomination of ROBERT D. LANSER JR., term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 749, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Area Board, the nomination of ROYAL RANDOLPH JR., MD, MPH, LLC, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 750, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nomination of WINIFRED PELE HANOVA, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 751, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Maui Service Board, the nomination of PAUL S. VARGAS JR., term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 752, submitting for consideration and confirmation to the Mental Health and Substance Abuse, Oahu Service Area Board, the nomination of G.M. MIKE DURANT, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 753, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of GARY L. BLAICH MD, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 754, submitting for consideration and confirmation to the State Council on Mental Health, the

nomination of SUSAN A. COOPER, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 755, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of LEIALOHA G. K. JENKINS, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 756, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of ALVA O. KANEAIKALA, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 757, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of KUULEI A. KILIONA, term to expire June 30, 2008, was referred to the Committee on Health.

Gov. Msg. No. 758, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of COLLEEN KU'ULANI MIYASHIRO, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 759, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of PAULA T. T. MORELLI PHD, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 760, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of PIHANALANI N.E.J. NAPOLEON-GRAMBUSCH, term to expire June 30, 2007, was referred to the Committee on Health.

Gov. Msg. No. 761, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of ANGELA RABAN, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 762, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of ANDREW K. ARCE, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 763, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of JAMES A. BOSWELL, term to expire June 30, 2008, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 764, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of BENJAMIN K. WAIOLAMA, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 765, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of ROBERT K. KANOA JR., term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 766, submitting for consideration and confirmation to the Hawaii Commission for National and Community Service, the nomination of CONCHITA D. STEWART, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 767, submitting for consideration and confirmation to the Hawaii Commission for National and

Community Service, the nomination of MARCIE WONG, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 768, submitting for consideration and confirmation to the State Board of Nursing, the nomination of ALTON J. FUJIO, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 769, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of JERRY NISHEK, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 770, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of MARK E. BROWN, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 771, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of KENT KIKUCHI MD, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 772, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of CHARLES AKI, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 773, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of EDWARD FOUNTAIN, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 774, submitting for consideration and confirmation to the Real Estate Commission, the nomination of STAN KURIYAMA, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 775, submitting for consideration and confirmation to the Board of Registration of the Island of Hawaii, the nomination of GIL SILVA, term to expire June 30, 2009, was referred to the Committee on Judiciary and Hawaiian Affairs.

Gov. Msg. No. 776, submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawaii, the nomination of DAVID EASA MD, term to expire June 30, 2009, was referred to the Committee on Higher Education.

Gov. Msg. No. 777, submitting for consideration and confirmation to the Hawaii Simplified Sales and Use Tax Administration Act, the nomination of MARILYN NIWAO M.S.P.H., J.D., CPA, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 778, submitting for consideration and confirmation to the Hawaii Simplified Sales and Use Tax Administration Act, the nomination of MIKI OKUMURA, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 779, submitting for consideration and confirmation to the Hawaii Simplified Sales and Use Tax

Administration Act, the nomination of CAROL PREGILL, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 780, submitting for consideration and confirmation to the Tax Review Commission, the nomination of CAROLYN L. CHING CPA, term to expire Adjournment Sine Die 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 781, submitting for consideration and confirmation to the Board of Taxation Review, 1<sup>st</sup> Taxation District (Oahu), the nomination of MARIA JOAN LOWDER, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 782, submitting for consideration and confirmation to the Board of Taxation Review, 3<sup>rd</sup> Taxation District (Hawaii), the nomination of IOANA D. AGASA, term to expire June 30, 2008, was referred to the Committee on Ways and Means.

Gov. Msg. No. 783, submitting for consideration and confirmation to the Board of Taxation Review, 2<sup>nd</sup> Taxation District (Maui), the nomination of PATRICK L. ING CPA, term to expire June 30, 2008, was referred to the Committee on Ways and Means.

Gov. Msg. No. 784, submitting for consideration and confirmation to the Board of Taxation Review, 2<sup>nd</sup> Taxation District (Maui), the nomination of RONALD A. KAWAHARA, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 785, submitting for consideration and confirmation to the Board of Taxation Review, 3<sup>rd</sup> Taxation District (Hawaii), the nomination of LYNDA Q. SHAW, term to expire June 30, 2009, was referred to the Committee on Ways and Means.

Gov. Msg. No. 786, submitting for consideration and confirmation to the Commission on Transportation, the nomination of MELVIN MIYAMOTO, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 787, submitting for consideration and confirmation to the Commission on Transportation, the nomination of OWEN MIYAMOTO, term to expire June 30, 2009, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 788, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of MEREDITH J. CHING, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 789, submitting for consideration and confirmation to the Commission on Water Resource Management, the nomination of NEAL S. FUJIWARA, term to expire June 30, 2009, was referred to the Committee on Water, Land, and Agriculture.

Gov. Msg. No. 790, submitting for consideration and confirmation to the Board of Certification of Public Water System Operators, the nomination of JEFFREY T. PEARSON, term to expire June 30, 2009, was referred to the Committee on Energy, Environment, and International Affairs.

Gov. Msg. No. 791, submitting for consideration and confirmation to the Hawaii Workforce Development Council,

the nomination of JAMES C. TOLLEFSON, term to expire June 30, 2009, was referred to the Committee on Labor.

Gov. Msg. No. 792, submitting for consideration and confirmation to the Hawaii Workforce Development Council, the nomination of GLENN H. YAMASAKI KIMURA, term to expire June 30, 2008, was referred to the Committee on Labor.

Gov. Msg. No. 793, advising the Senate of the withdrawal of the nominations of:

ROBERT K. KANO JR. to the Board of Private Detectives and Guards, under Gov. Msg. No. 242, dated January 28, 2005; and

J. KEOLALANI HANO to the Island Burial Council, Island of Hawaii, under Gov. Msg. No. 588, dated April 11, 2005,

was placed on file.

In compliance with Gov. Msg. No. 793, the nominations listed under Gov. Msg. Nos. 242 and 588 were returned.

Gov. Msg. No. 794, advising the Senate of the withdrawal of the nomination of G.M. MIKE DURANT to the Mental Health and Substance Abuse, Hawaii Service Area Board, under Gov. Msg. No. 638, dated April 11, 2005, was placed on file.

In compliance with Gov. Msg. No. 794, the nomination listed under Gov. Msg. No. 638 was returned.

Gov. Msg. No. 795, informing the Senate that on April 18, 2005, she signed into law Senate Bill No. 1680 as Act 9, entitled: "RELATING TO QUALIFICATIONS OF BOARD MEMBERS," was placed on file.

Gov. Msg. No. 796, informing the Senate that on April 18, 2005, she signed into law Senate Bill No. 681 as Act 10, entitled: "RELATING TO THE DEFINITION OF SEXUAL CONDUCT," was placed on file.

Gov. Msg. No. 797, informing the Senate that on April 18, 2005, she signed into law Senate Bill No. 1230 as Act 11, entitled: "RELATING TO DENTAL INSURANCE," was placed on file.

Gov. Msg. No. 798, informing the Senate that on April 18, 2005, she signed into law Senate Bill No. 615 as Act 12, entitled: "RELATING TO SMALL CLAIMS COURT," was placed on file.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 613 to 661) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 613, transmitting H.C.R. No. 10, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 10, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF A TEMPORARY INTERDEPARTMENTAL EMERGENCY CONTRACEPTION INFORMATION WORKING GROUP WITHIN THE DEPARTMENT OF HEALTH TO DEVELOP A MECHANISM TO DISSEMINATE INFORMATION ON EMERGENCY CONTRACEPTION STATEWIDE," was

referred to the Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 614, transmitting H.C.R. No. 11, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 11, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR DRUG AND ALCOHOL SCREENING IN EMERGENCY ROOMS," was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health.

Hse. Com. No. 615, transmitting H.C.R. No. 25, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 25, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CULTURAL PERPETUATION IN RURAL HAWAIIAN COMMUNITIES," was referred jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Media, Arts, Science and Technology.

Hse. Com. No. 616, transmitting H.C.R. No. 26, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE PROFESSION OF ARCHAEOLOGY," was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 617, transmitting H.C.R. No. 40, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was referred jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 618, transmitting H.C.R. No. 58, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' USE OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS," was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 619, transmitting H.C.R. No. 67, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF CERTIFIED ATHLETIC TRAINERS," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 620, transmitting H.C.R. No. 71, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ABILITY OF NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY YEARS OR MORE YEARS OF SERVICE TO RECEIVE MILITARY RETENTION PAY IMMEDIATELY UPON RETIREMENT, REGARDLESS OF AGE," was referred jointly to the Committee on Education and Military Affairs, the Committee on Labor and the Committee on Intergovernmental Affairs.

Hse. Com. No. 621, transmitting H.C.R. No. 73, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 73, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF INTERNATIONAL WOMEN'S DAY AND REQUESTING THE UNITED STATES SENATE TO RATIFY THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 622, transmitting H.C.R. No. 79, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 79, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY THE FEASIBILITY OF ESTABLISHING A UNIFORM STATEWIDE BUILDING CODE," was referred jointly to the Committee on Business and Economic Development and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 623, transmitting H.C.R. No. 99, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DESIGNATION OF ALL OF HAWAII'S AIRPORTS AS SMOKE-FREE AREAS FROM AIRPLANE CABIN TO AIRPORT CURB," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 624, transmitting H.C.R. No. 100, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 100, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH AND HEAD A TASK GROUP TO CONDUCT A FEASIBILITY STUDY, HOST PUBLIC FORUMS, AND PROPOSE RECOMMENDATIONS ON STEM CELL RESEARCH," was referred jointly to the Committee on Higher Education, the



Committee on Health and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs.

Hse. Com. No. 625, transmitting H.C.R. No. 105, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE VARIOUS COUNTY COUNCILS TO PROVIDE RELIEF TO RESIDENTS ON FIXED INCOMES WHO ARE UNABLE TO AFFORD HIGHER PROPERTY TAXES," was referred to the jointly to the Committee on Human Services and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 626, transmitting H.C.R. No. 107, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM IN THE STATE CAPITOL," was referred jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 627, transmitting H.C.R. No. 109, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ASSIST IN THE REESTABLISHMENT OF THE CHILD AND ADOLESCENT MENTAL HEALTH UNIT, KNOWN AS THE MOLOKINI UNIT, AT MAUI MEMORIAL MEDICAL CENTER, IN ORDER TO PROMOTE A LOCAL SYSTEM OF CARE ON THE ISLAND OF MAUI BASED ON THE HAWAII CHILD AND ADOLESCENT SYSTEM PROGRAM PRINCIPLES AND CONSISTENT WITH THE MANDATES OF THE 1997 FELIX CONSENT DECREE," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 628, transmitting H.C.R. No. 110, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION THAT PREVENTS BROWN TREE SNAKES FROM THE U.S. TERRITORY OF GUAM, FROM BEING INTRODUCED INTO HAWAII," was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 629, transmitting H.C.R. No. 111, H.D. 2, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 111, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was referred jointly to the Committee on

Business and Economic Development and the Committee on Media, Arts, Science and Technology.

Hse. Com. No. 630, transmitting H.C.R. No. 121, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 121, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY INCLUDING ADMINISTRATION, LAW ENFORCEMENT, AND CORRECTIONS DIVISIONS," was referred to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 631, transmitting H.C.R. No. 123, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 123, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF PUBLIC PARKING AT THE STATE CAPITOL," was referred to the Committee on Transportation and Government Operations.

Hse. Com. No. 632, transmitting H.C.R. No. 132, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 132, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LAND USE COMMISSION TO ESTABLISH A TASK FORCE TO CONSIDER THE ADOPTION OF GUIDELINES ON PERMITTED USES FOR SPECIAL PERMITS," was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 633, transmitting H.C.R. No. 146, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 146, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON BIOPROSPECTING," was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 634, transmitting H.C.R. No. 155, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 155, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HAWAIIAN HOME LANDS, DEPARTMENT OF LAND AND NATURAL RESOURCES, THE U.S. FISH AND WILDLIFE SERVICE, AND THE COUNTIES TO DETERMINE THE EXTENT OF AND RECOMMEND TREATMENT FOR GORSE SHRUBS ON THEIR RESPECTIVE LANDS," was referred jointly to the Committee on Energy, Environment, and International Affairs and the Committee on Water, Land, and Agriculture.

Hse. Com. No. 635, transmitting H.C.R. No. 156, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE REGULATION OF

PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 636, transmitting H.C.R. No. 157, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR CREATING A COMPREHENSIVE VOG EMISSIONS MONITORING SYSTEM FOR THE ISLAND OF HAWAII," was referred jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs.

Hse. Com. No. 637, transmitting H.C.R. No. 164, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 164, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WOMEN'S CAUCUS OF THE HAWAII STATE LEGISLATURE TO FORM ACTION GROUPS TO DISSEMINATE INFORMATION FOCUSING ON THE ELIMINATION OF CERVICAL CANCER IN THE STATE, AND REQUESTING THE GOVERNOR TO ESTABLISH THE HAWAII CERVICAL CANCER ELIMINATION TASK FORCE," was referred jointly to the Committee on Health and the Committee on Transportation and Government Operations.

Hse. Com. No. 638, transmitting H.C.R. No. 165, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING ESTATE GROWN HAWAII NONI AND ENCOURAGING CONSUMERS TO PURCHASE AND SUPPORT ESTATE GROWN HAWAII NONI AND THE LOCAL NONI INDUSTRY," was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 639, transmitting H.C.R. No. 167, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE IMPOSITION OF A WINDFALL PROFIT TAX ON THE FAIR MARKET VALUE OF IMPROVEMENTS THAT REVERT TO A LESSOR AT THE TERMINATION OF A COMMERCIAL OR INDUSTRIAL LEASE," was referred to the Committee on Ways and Means.

Hse. Com. No. 640, transmitting H.C.R. No. 168, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 168, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACT ON THE STATE ECONOMY CAUSED BY THE CONCENTRATION IN OWNERSHIP OF COMMERCIAL AND INDUSTRIAL LANDS," was referred to the Committee on Ways and Means.

Hse. Com. No. 641, transmitting H.C.R. No. 169, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION MODELED AFTER THE HASS AVOCADO PROMOTION, RESEARCH, AND INFORMATION ACT OF 2000 TO ASSIST THE LOCAL COFFEE BEAN INDUSTRY," was referred to the Committee on Water, Land, and Agriculture.

Hse. Com. No. 642, transmitting H.C.R. No. 172, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PAYDAY LENDERS AND DEFERRED DEPOSIT CHECK CASHERS," was referred to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 643, transmitting H.C.R. No. 174, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 174, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATEWIDE INTERAGENCY TASK FORCE TO PERFORM A STUDY ON MOTORCYCLE SAFETY ISSUES, AND TO CLARIFY THE ROLE OF THE DEPARTMENT OF TRANSPORTATION IN REGULATING SAFETY," was referred to the Committee on Transportation and Government Operations.

Hse. Com. No. 644, transmitting H.C.R. No. 192, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO PARTNER WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE THE STATE'S HISTORICAL MAPS THROUGH DIGITAL MAPPING," was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 645, transmitting H.C.R. No. 195, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 195, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ADOPTING THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES," was referred to the Committee on Energy, Environment, and International Affairs.

Hse. Com. No. 646, transmitting H.C.R. No. 200, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 200, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on

Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 647, transmitting H.C.R. No. 204, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was referred to the Committee on Commerce, Consumer Protection and Housing.

Hse. Com. No. 648, transmitting H.C.R. No. 206, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 206, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH TO SUBMIT A PROGRESS REPORT ON THE RESULTS OF AUDITS AND REVIEWS OF THE HOME AND COMMUNITY BASED SERVICES WAIVER PROGRAM FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 649, transmitting H.C.R. No. 212, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 212, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE FUTURE OF PHOTOVOLTAIC ELECTRICITY IN HAWAII," was referred to the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 650, transmitting H.C.R. No. 213, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SYSTEMWIDE FINANCIAL AUDIT OF THE UNIVERSITY OF HAWAII SYSTEM," was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 651, transmitting H.C.R. No. 218, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAMMATIC AND FINANCIAL AUDIT OF THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 652, transmitting H.C.R. No. 222, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 222, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND STRENGTHEN ITS WATER QUALITY STANDARDS AND

PRACTICES," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 653, transmitting H.C.R. No. 229, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 229, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EVALUATE THE IMPACT OF THE PHYSICIAN 'ON-CALL' CRISIS ON THE QUEEN'S MEDICAL CENTER TRAUMA CENTER'S ABILITY TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII AND TO RECOMMEND APPROPRIATE PRIVATE SECTOR AND GOVERNMENT RESPONSES TO THE 'ON-CALL' CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 654, transmitting H.C.R. No. 255, H.D. 2, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 255, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING AN INTERIM TASK FORCE ON THE ACCESSIBILITY OF MENTAL HEALTH CARE TO CONSIDER THE FEASIBILITY OF THE STATE AUTHORIZING TRAINED AND SUPERVISED PSYCHOLOGISTS TO SAFELY PRESCRIBE PSYCHOTROPIC MEDICATIONS FOR THE TREATMENT OF MENTAL ILLNESS," was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 655, transmitting H.C.R. No. 262, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TRAINING PROGRAM IN CONJUNCTION WITH THE LOCAL REAL ESTATE APPRAISER'S NATIONAL ORGANIZATION AS PART OF THEIR PROFESSIONAL EDUCATIONAL SEMINARS TO TRAIN REAL ESTATE APPRAISERS TO USE THE INCOME CAPITALIZATION APPROACH TO SET LEASE RENT RATES FOR STATE AGRICULTURAL LEASE REOPENING," was referred to the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 656, transmitting H.C.R. No. 263, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 263, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was referred jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development.

Hse. Com. No. 657, transmitting H.C.R. No. 265, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 265, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO REINSTATE THE SOCIAL WORKER SERIES IN ITS CLASSIFICATION AND COMPENSATION PLAN," was referred jointly to the Committee on Labor and the Committee on Human Services.

Hse. Com. No. 658, transmitting H.C.R. No. 266, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF MAY AS MENTAL HEALTH AWARENESS MONTH," was referred jointly to the Committee on Health and the Committee on Human Services.

Hse. Com. No. 659, transmitting H.C.R. No. 277, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES," was referred jointly to the Committee on Human Services and the Committee on Health.

Hse. Com. No. 660, transmitting H.C.R. No. 278, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO POST TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BUDGET INFORMATION ON ITS WEBSITE FOR PUBLIC REVIEW," was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 661, transmitting H.C.R. No. 293, H.D. 1, which was adopted by the House of Representatives on April 15, 2005, was placed on file.

By unanimous consent, H.C.R. No. 293, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO FULFILL ITS CONSTITUTIONAL AND STATUTORY MANDATE TO PROTECT PUBLIC TRUST INSTREAM USES," was referred to the Committee on Water, Land, and Agriculture.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1716 (Gov. Msg. Nos. 240, 241 and 509):

Senator Hee moved that Stand. Com. Rep. No. 1716 be received and placed on file, seconded by Senator Baker and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the State Post-Secondary Education Commission of the following:

GRACE BLODGETT, term to expire June 30, 2008 (Gov. Msg. No. 240);

DIANE KOMENAKA, term to expire June 30, 2008 (Gov. Msg. No. 241); and

SALLY B. PROCTOR, term to expire June 30, 2009 (Gov. Msg. No. 509),

seconded by Senator Baker.

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

Ayes, 20. Noes, none. Excused, 5 (Chun Oakland, Fukunaga, Hanabusa, Ige, Inouye).

Stand. Com. Rep. No. 1717 (Gov. Msg. No. 483):

Senator Hee moved that Stand. Com. Rep. No. 1717 be received and placed on file, seconded by Senator Baker and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of MARY EVELYN WORRALL to the Hawaii Medical Education Council, term to expire June 30, 2009, seconded by Senator Baker.

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

Ayes, 20. Noes, none. Excused, 5 (Chun Oakland, Fukunaga, Hanabusa, Ige, Inouye).

Stand. Com. Rep. No. 1718 (Gov. Msg. Nos. 498, 500 and 501):

Senator Hee moved that Stand. Com. Rep. No. 1718 be received and placed on file, seconded by Senator Baker and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Center for Nursing Advisory Board of the following:

JANE K. KADOHIRO DRPH, APRN, term to expire June 30, 2009 (Gov. Msg. No. 498);

ANA M. SILVA RN, CNA, BC, term to expire June 30, 2009 (Gov. Msg. No. 500); and

JOAN PRINDIVILLE WHITE, term to expire June 30, 2009 (Gov. Msg. No. 501),

seconded by Senator Baker.

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

Ayes, 20. Noes, none. Excused, 5 (Chun Oakland, Fukunaga, Hanabusa, Ige, Inouye).

#### FINAL READING

S.B. No. 1235, H.D. 1:

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. 1235, and S.B. No. 1235, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY

CARE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Fukunaga, Ige, Inouye).

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

**MATTERS DEFERRED FROM  
FRIDAY, APRIL 15, 2005**

The President made the following committee assignments of House concurrent resolutions that were received on Friday, April 15, 2005:

House Concurrent Resolution	Referred to:
No. 93, H.D. 1	Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
No. 94, H.D. 1	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development
No. 102, H.D. 1	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Intergovernmental Affairs
No. 153	Committee on Health
No. 189, H.D. 1	Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs
No. 252, H.D. 1	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Labor

**RE-REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONS**

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 56 Affairs	Committee on Judiciary and Hawaiian Affairs
No. 246 Affairs	Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

**RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 621 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 12, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 621, seconded by Senator Hee and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 621, seconded by Senator Hee.

Senator Hanabusa noted:

“Mr. President, S.B. No. 621 is part of the judiciary package. The Senate had originally passed out the original version of this bill. When it went to the House, the Judiciary asked for some technical changes. This bill technically allows a person to answer a traffic infraction by internet or phone when using a credit card.

“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. 621, and S.B. No. 621, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS,” was placed on the calendar for Final Reading on Wednesday, April 20, 2005.

S.B. No. 40, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 12, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 40, S.D. 1, seconded by Senator Baker and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 40, S.D. 1, seconded by Senator Baker.

Senator Chun Oakland noted:

“Mr. President, this is the caregiver consent bill for minors with regard to healthcare needs and the House just made some technical amendments. 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. 40, S.D. 1, and S.B. No. 40, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT,” was placed on the calendar for Final Reading on Wednesday, April 20, 2005.

S.B. No. 698 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 12, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 698, seconded by Senator Hee and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 698, seconded by Senator Hee.

Senator Hanabusa noted:

“Mr. President, this is a technical amendment by the House. This is a bill relating to the Criminal Justice Data Center. Members may remember, Mr. President, that this is the one that allows them to use full frontal photographs.

“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. 698, and S.B. No. 698, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER,” was placed on the calendar for Final Reading on Wednesday, April 20, 2005.

**APPOINTMENT OF CONFEREES**

S.B. No. 55, 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. 55, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Tsutsui, co-chair; Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 60, 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. 60, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Ige, Kanno, Hogue as managers on the part of the Senate at such conference.

S.B. No. 116, 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. 116, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Baker, Taniguchi, co-chairs; Trimble as managers on the part of the Senate at such conference.

S.B. No. 120, 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. 120, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 121 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 121, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; English, Hanabusa, co-chairs; Baker, Slom as managers on the part of the Senate at such conference.

S.B. No. 122, 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. 122, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Hanabusa, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

S.B. No. 212, 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. 212, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 294, 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. 294, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-

chair; Inouye as managers on the part of the Senate at such conference.

S.B. No. 433, 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. 433, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; English, Hee, Hooser, Whalen as managers on the part of the Senate at such conference.

S.B. No. 486, 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. 486, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Ige, Tsutsui, co-chairs; Fukunaga, Kokubun, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 669, 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. 669, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 738, 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. 738, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Slom as managers on the part of the Senate at such conference.

S.B. No. 751, 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. 751, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Slom as managers on the part of the Senate at such conference.

S.B. No. 761, 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. 761, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

S.B. No. 797, 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. 797, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 801, 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. 801, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-

chair; Espero, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 802, 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. 802, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, Tsutsui, co-chairs; Chun Oakland, Ige, Taniguchi as managers on the part of the Senate at such conference.

S.B. No. 807, 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. 807, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Inouye, Taniguchi, co-chairs; Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 813, 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. 813, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Slom as managers on the part of the Senate at such conference.

S.B. No. 817, 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. 817, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Slom as managers on the part of the Senate at such conference.

S.B. No. 935, 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. 935, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Inouye, Taniguchi, co-chairs, as managers on the part of the Senate at such conference.

S.B. No. 1003, 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. 1003, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Menor, co-chair; Ige, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1018, 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. 1018, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Sakamoto, co-chair; Fukunaga, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1081, 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. 1081, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Espero, Nishihara, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1100, 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. 1100, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, co-chair; Chun Oakland, Hanabusa, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1117, 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. 1117, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1137, 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. 1137, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1193, 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. 1193, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Hanabusa, Taniguchi, co-chairs; Slom as managers on the part of the Senate at such conference.

S.B. No. 1194, 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. 1194, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Slom as managers on the part of the Senate at such conference.

S.B. No. 1250, 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. 1250, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Sakamoto, Taniguchi, co-chairs; Hanabusa, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1267, 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. 1267, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hanabusa, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1268, 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. 1268, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1285, 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. 1285, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Chun Oakland, Menor, co-chairs; Hanabusa, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1352, 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. 1352, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Hanabusa, Whalen as managers on the part of the Senate at such conference.

S.B. No. 1378, 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. 1378, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Fukunaga, Taniguchi, co-chairs; Trimble as managers on the part of the Senate at such conference.

S.B. No. 1453, 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. 1453, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Nishihara, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1557, 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. 1557, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, Menor, co-chairs; Hooser, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1592, 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. 1592, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; English, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1620, 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. 1620, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Taniguchi, co-chairs; Fukunaga, Hooser, Kokubun as managers on the part of the Senate at such conference.

S.B. No. 1685, 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. 1685, S.D. 2,

and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Fukunaga, Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1697, 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. 1697, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Inouye, Taniguchi, co-chairs; Fukunaga, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1721, 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. 1721, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Fukunaga, Taniguchi, co-chairs; Kim, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1772, 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. 1772, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Fukunaga, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1778, 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. 1778, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Baker, Espero, Ige, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1780, 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. 1780, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Hooser, Ihara, Kanno, Kokubun, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1854, 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. 1854, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Menor, Tsutsui, co-chairs; Fukunaga, Hooser, Taniguchi, Trimble as managers on the part of the Senate at such conference.

S.B. No. 1877 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1877, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Espero, Hemmings as managers on the part of the Senate at such conference.



S.B. No. 1888, 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. 1888, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1891, 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. 1891, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1897, 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. 1897, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; English, Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1903, 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. 1903, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, Menor, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 19, 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. 19, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 20 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 20, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Trimble as managers on the part of the Senate at such conference.

H.B. No. 31, 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. 31, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Chun Oakland, Hanabusa, Menor, Taniguchi, co-chairs; Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 97, 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. 97, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, Menor, Taniguchi, co-chairs; Ige, Hogue as managers on the part of the Senate at such conference.

H.B. No. 99, 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. 99, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 106, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 106, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, co-chair; Chun Oakland, Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 109, 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. 109, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 115, 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. 115, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 128, 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. 128, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Espero, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 138, 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. 138, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 140, 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. 140, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Taniguchi, co-chair; Hooser, Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 155, 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. 155, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Menor, co-chair;

Nishihara, Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 160, 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. 160, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 162, 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. 162, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Inouye, Taniguchi, co-chairs; Trimble as managers on the part of the Senate at such conference.

H.B. No. 164, 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. 164, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Hanabusa, Menor, co-chairs; English, Hogue as managers on the part of the Senate at such conference.

H.B. No. 168, 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. 168, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 222 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 222, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Chun Oakland, Taniguchi, co-chairs; Fukunaga, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 244, 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. 244, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Hooser, Taniguchi, Trimble as managers on the part of the Senate at such conference.

H.B. No. 250 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 250, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 251 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 251, and the request for a conference on the subject matter thereof, the

President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 252 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 252, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 253 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 253, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 254 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 254, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 255 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 255, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 256 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 256, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 257 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 257, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 258 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 258, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 259 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 259, and the

request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 260 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 260, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 261 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 261, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 262 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 262, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 263 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 263, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 278, 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. 278, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 283, 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. 283, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; Hogue as managers on the part of the Senate at such conference.

H.B. No. 295, 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. 295, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Menor, co-chair; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 325 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 325, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 328 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 328, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 330, 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. 330, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 332, 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. 332, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, co-chair; Chun Oakland, Espero as managers on the part of the Senate at such conference.

H.B. No. 384, 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. 384, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 390, 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. 390, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 393, 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. 393, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Hanabusa, Taniguchi, co-chairs; Kim, Slom as managers on the part of the Senate at such conference.

H.B. No. 408, 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. 408, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 416, 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. 416, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Kokubun, Taniguchi, co-chairs; Trimble as managers on the part of the Senate at such conference.

H.B. No. 429, 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. 429, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Taniguchi, co-chair; Kim, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 434 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 434, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Ige, Taniguchi, co-chairs; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 447, 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. 447, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; English, Whalen as managers on the part of the Senate at such conference.

H.B. No. 450, 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. 450, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; English, Espero, Fukunaga, Hooser, Inouye, Kanno, Kim, Kokubun, Nishihara, Sakamoto, Tsutsui, Hemmings, Slom, Trimble as managers on the part of the Senate at such conference.

H.B. No. 460, 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. 460, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Kanno, Taniguchi, co-chairs; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 466, 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. 466, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Ihara, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 471, 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. 471, H.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Kim, chair; Kanno, Taniguchi, co-chairs; Nishihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 477, 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. 477, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Hanabusa, co-chair; Ige, Hogue as managers on the part of the Senate at such conference.

H.B. No. 488 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 488, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 491 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 491, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Espero, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 500, 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. 500, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; English, Espero, Fukunaga, Hooser, Inouye, Kanno, Kim, Kokubun, Nishihara, Sakamoto, Tsutsui, Hemmings, Slom, Trimble as managers on the part of the Senate at such conference.

H.B. No. 505, 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. 505, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Tsutsui, co-chair; Hooser, Taniguchi, Trimble as managers on the part of the Senate at such conference.

H.B. No. 516, 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. 516, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Inouye, Tsutsui, co-chairs; Chun Oakland, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 551, 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. 551, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Hanabusa, co-chair; Chun Oakland, Nishihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 556 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 556, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Ige, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 584, 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. 584, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Sakamoto, Hogue as managers on the part of the Senate at such conference.

H.B. No. 606, 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. 606, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, Menor, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 631, 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. 631, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Slom as managers on the part of the Senate at such conference.

H.B. No. 704, 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. 704, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Slom as managers on the part of the Senate at such conference.

H.B. No. 758, 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. 758, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kanno, Taniguchi, co-chairs; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 769, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 769, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Hooser, Hogue as managers on the part of the Senate at such conference.

H.B. No. 792, 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. 792, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 835, 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. 835, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Menor, co-chair; Nishihara, Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 841 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 841, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kanno, Taniguchi, co-chairs; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 842 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 842, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 843, 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. 843, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Nishihara, Hogue as managers on the part of the Senate at such conference.

H.B. No. 844, 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. 844, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Kanno, Taniguchi, co-chairs; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 852, 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. 852, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Espero, Hanabusa, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 864 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 864, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Hanabusa, co-chair; Chun Oakland, Kim, Slom as managers on the part of the Senate at such conference.

H.B. No. 868, 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. 868, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Hogue as managers on the part of the Senate at such conference.

H.B. No. 875, 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. 875, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Sakamoto, Taniguchi, co-chairs; Kanno, Whalen as managers on the part of the Senate at such conference.

H.B. No. 895, 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. 895, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, Hanabusa co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 906, 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. 906, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Inouye, Taniguchi, co-chairs; Ihara, Hogue as managers on the part of the Senate at such conference.

H.B. No. 912, 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. 912, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Espero, chair; Taniguchi, co-chair; Inouye, Trimble as managers on the part of the Senate at such conference.

H.B. No. 931, 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. 931, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Hooser, Hogue as managers on the part of the Senate at such conference.

H.B. No. 938, 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. 938, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, co-chair; Fukunaga, Whalen as managers on the part of the Senate at such conference.

H.B. No. 954, 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. 954, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Ige, Taniguchi, co-chairs; Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 955, 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. 955, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 997, 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. 997, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Taniguchi, co-chair; Nishihara, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 998, 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. 998, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Espero, Taniguchi, co-chairs; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1017, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1017, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Menor, Taniguchi, co-chairs; Espero, Hanabusa, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1029 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1029, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1051, 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. 1051, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, Tsutsui, co-chairs; Chun Oakland, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1060, 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. 1060, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Hanabusa, Tsutsui, co-chairs; Ihara, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1082, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1082, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1132, 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. 1132, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi,

co-chair; Hooser, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1136, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1136, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Hooser, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1146, 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. 1146, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Kanno, Tsutsui, co-chairs; Fukunaga, Taniguchi, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1152, 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. 1152, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Taniguchi, co-chair; Menor, Nishihara, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1154, 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. 1154, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Menor, co-chair; Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1200, 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. 1200, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1201, 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. 1201, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1202, 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. 1202, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1238, 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. 1238, H.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Kokubun, chair; English, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1276, H.D. 3 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1276, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1278, 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. 1278, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1280, 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. 1280, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hee, Taniguchi, co-chairs; Trimble as managers on the part of the Senate at such conference.

H.B. No. 1295, 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. 1295, 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. 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 Sakamoto, chair; Chun Oakland, Taniguchi, co-chairs; Fukunaga, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1301, 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. 1301, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1304, 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. 1304, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, Taniguchi, co-chairs; Chun Oakland, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1308, 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. 1308, H.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; English, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1317, 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. 1317, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, co-chair; Taniguchi, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1318, 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. 1318, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1320, 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. 1320, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, chair; Hanabusa, Taniguchi, co-chairs; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1360, 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. 1360, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hee, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1378, 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. 1378, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1393, 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. 1393, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1430, 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. 1430, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Hanabusa, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1433 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1433, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1442, 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. 1442, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hanabusa, co-chair; Hee, Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1461 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1461, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, co-chair; Slom as managers on the part of the Senate at such conference.

H.B. No. 1476, 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. 1476, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Kokubun, Taniguchi, co-chairs; Hogue as managers on the part of the Senate at such conference.

H.B. No. 1528, 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. 1528, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Inouye, Taniguchi, co-chairs; Slom as managers on the part of the Senate at such conference.

H.B. No. 1536, 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. 1536, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1548, 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. 1548, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1550, 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. 1550, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Baker, Hanabusa, co-chairs; Nishihara, Hogue as managers on the part of the Senate at such conference.



H.B. No. 1554, 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. 1554, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Taniguchi, co-chair; Espero, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1555, 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. 1555, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1556, 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. 1556, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Kokubun, Taniguchi, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1594 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1594, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1595 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1595, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1596 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1596, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1597 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1597, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1598 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1598, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair;

Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1599 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1599, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1605, 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. 1605, H.D. 1, 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. 1614, 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. 1614, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Sakamoto, Taniguchi, co-chairs; Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1640, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1640, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; English, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1641, 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. 1641, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1657, 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. 1657, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; Ige, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1659, 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. 1659, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Hooser, co-chair; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1713, 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. 1713, H.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Hee, Ihara, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1728, 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. 1728, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Taniguchi, co-chair; Nishihara, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1733, 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. 1733, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1740, 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. 1740, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Hee, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1745, 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. 1745, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1749, 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. 1749, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Hanabusa, co-chair; Trimble as managers on the part of the Senate at such conference.

H.B. No. 1750 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1750, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Chun Oakland, Kanno, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1758, 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. 1758, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Hogue as managers on the part of the Senate at such conference.

H.B. No. 1763, 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. 1763, H.D. 2,

and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Taniguchi, co-chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1784, 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. 1784, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Espero, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 20, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-FIRST DAY

## Wednesday, April 20, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. Tom T. Fujita, Nuuanu Congregational 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 Fiftieth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 799 to 803) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 799, advising the Senate of the withdrawal of the nominations of:

CLARENCE HALONA KAOPUIKI to the Island Burial Council, Island of Molokai, under Gov. Msg. No. 600, dated April 11, 2005; and

DARREL T. ITANO to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, under Gov. Msg. No. 704, dated April 15, 2005,

was placed on file.

In compliance with Gov. Msg. No. 799, the nominations listed under Gov. Msg. Nos. 600 and 704 were returned.

Gov. Msg. No. 800, informing the Senate that on April 19, 2005, she signed into law House Bill No. 119 as Act 13, entitled: "RELATING TO ELECTIONS," was placed on file.

Gov. Msg. No. 801, informing the Senate that on April 19, 2005, she signed into law House Bill No. 894 as Act 14, entitled: "RELATING TO ELECTIONS," was placed on file.

Gov. Msg. No. 802, informing the Senate that on April 19, 2005, she signed into law Senate Bill No. 789 as Act 15, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR HOME AND COMMUNITY BASED SERVICES," was placed on file.

Gov. Msg. No. 803, informing the Senate that on April 20, 2005, she signed into law Senate Bill No. 780 as Act 16, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was placed on file.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 34, from the State Auditor dated April 19, 2004, transmitting a report, "Financial Audit of the Department of Agriculture," (Report No. 05-02), was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 662 to 668) were read by the Clerk and were placed on file:

Hse. Com. No. 662, informing the Senate that the Speaker on April 18, 2005, 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. 19, H.D. 2 (S.D. 2):

Representatives Waters, Chong, co-chairs; Finnegan.

H.B. No. 20 (S.D. 1):

Representatives Waters, Chong, co-chairs; Ching.

H.B. No. 97, H.D. 2 (S.D. 2):

Representatives Arakaki, Sonson, Nakasone, co-chairs; Moses.

H.B. No. 100, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Carroll, Chong, Evans, Karamatsu, Lee, Magaoay, Nakasone, Nishimoto, Tanaka, Tsuji, Wakai, Yamane, Yamashita, Fox, Meyer, Moses, Pine.

H.B. No. 115, H.D. 1 (S.D. 2):

Representatives Ito, Chong, co-chairs; Moses.

H.B. No. 125, H.D. 2 (S.D. 1):

Representatives Kanoho, chair; Schatz, Meyer.

H.B. No. 128, H.D. 2 (S.D. 2):

Representatives Kanoho, Carroll, co-chairs; Fox.

H.B. No. 138, H.D. 1 (S.D. 1):

Representatives Takumi, Evans, co-chairs; Berg, Ching.

H.B. No. 140, H.D. 1 (S.D. 2):

Representatives Sonson, Takamine, co-chairs; Kawakami.

H.B. No. 150, H.D. 2 (S.D. 2):

Representatives Souki, Luke, co-chairs; Lee, Fox.

H.B. No. 155, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Schatz, Stonebraker.

H.B. No. 160, H.D. 2 (S.D. 1):

Representatives Hiraki, Takamine, co-chairs; Marumoto.

H.B. No. 161, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Schatz, Stonebraker.

H.B. No. 162, H.D. 2 (S.D. 1):

Representatives Herkes, Nakasone, co-chairs; Marumoto.

H.B. No. 164, H.D. 1 (S.D. 1):

Representatives Hiraki, Luke, co-chairs; Marumoto.

- H.B. No. 168, H.D. 2 (S.D. 1):  
Representatives Abinsay, Tsuji, co-chairs; Halford.
- H.B. No. 169, H.D. 1 (S.D. 1):  
Representatives Abinsay, chair; Tsuji, Halford.
- H.B. No. 214, H.D. 1 (S.D. 1):  
Representatives Hiraki, chair; Herkes, Schatz, Stonebraker.
- H.B. No. 222 (S.D. 2):  
Representatives Takumi, Sonson, Kawakami, co-chairs; Berg, Finnegan.
- H.B. No. 244, H.D. 1 (S.D. 1):  
Representatives Sonson, Takamine, co-chairs; Kawakami, Pine.
- H.B. No. 278, H.D. 1 (S.D. 1):  
Representatives Luke, Nishimoto, co-chairs; Pine.
- H.B. No. 283, H.D. 1 (S.D. 1):  
Representatives Chang, Kawakami, co-chairs; Karamatsu, Ching.
- H.B. No. 295, H.D. 2 (S.D. 2):  
Representatives Ito, Hiraki, Luke, Chong, co-chairs; Marumoto.
- H.B. No. 320, H.D. 1 (S.D. 1):  
Representatives Luke, chair; B. Oshiro, Thielen.
- H.B. No. 328 (S.D. 1):  
Representatives Kanoho, Abinsay, Magaoay, co-chairs; Halford.
- H.B. No. 330, H.D. 1 (S.D. 2):  
Representatives Abinsay, Kanoho, Magaoay, co-chairs; Halford.
- H.B. No. 384, H.D. 2 (S.D. 2):  
Representatives Luke, Nishimoto, co-chairs; Thielen.
- H.B. No. 390, H.D. 1 (S.D. 2):  
Representatives Souki, Hiraki, Kawakami, co-chairs; Lee, Moses.
- H.B. No. 393, H.D. 1 (S.D. 1):  
Representatives Hiraki, Luke, Tanaka, co-chairs; Stonebraker.
- H.B. No. 408, H.D. 2 (S.D. 1):  
Representatives Morita, Evans, co-chairs; Fox.
- H.B. No. 416, H.D. 2 (S.D. 2):  
Representatives Morita, Kanoho, Magaoay, co-chairs; Pine.
- H.B. No. 422, H.D. 2 (S.D. 2):  
Representatives Souki, Morita, Kanoho, Lee, co-chairs; Evans, Pine.  
In accordance therewith, the President appointed Senators English, chair; Inouye, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.
- H.B. No. 429, H.D. 1 (S.D. 1):  
Representatives Magaoay, chair; Yamane, Moses.
- H.B. No. 434 (S.D. 1):  
Representatives Luke, Nishimoto, co-chairs; Thielen.
- H.B. No. 438, H.D. 1 (S.D. 2):  
Representatives Luke, chair; B. Oshiro, Marumoto.
- H.B. No. 450, H.D. 2 (S.D. 2):  
Representatives Saiki, Carroll, co-chairs; Finnegan.
- H.B. No. 460, H.D. 2 (S.D. 1):  
Representatives Luke, Caldwell, Lee, co-chairs; Thielen.
- H.B. No. 466, H.D. 2 (S.D. 2):  
Representatives Luke, Nishimoto, co-chairs; Moses.
- H.B. No. 471, H.D. 2 (S.D. 2):  
Representatives Chang, Caldwell, Nakasone, co-chairs; Karamatsu, Marumoto.
- H.B. No. 477, H.D. 1 (S.D. 1):  
Representatives Hiraki, Luke, co-chairs; Marumoto.
- H.B. No. 488 (S.D. 2):  
Representatives Ito, Tanaka, co-chairs; Stonebraker.
- H.B. No. 491 (S.D. 2):  
Representatives Kanoho, Carroll, co-chairs; Meyer.
- H.B. No. 500, H.D. 2 (S.D. 2):  
Representatives Luke, Takamine, co-chairs; Thielen.
- H.B. No. 502, H.D. 1 (S.D. 2):  
Representatives B. Oshiro, chair; Luke, Thielen.
- H.B. No. 505, H.D. 1 (S.D. 2):  
Representatives Sonson, Arakaki, Kawakami, co-chairs; Finnegan.
- H.B. No. 516, H.D. 2 (S.D. 1):  
Representatives Arakaki, Luke, Schatz, Nishimoto, co-chairs; Finnegan.
- H.B. No. 551, H.D. 1 (S.D. 2):  
Representatives Luke, chair; B. Oshiro, Marumoto.

H.B. No. 553, H.D. 1 (S.D. 1):

Representatives Luke, chair; B. Oshiro, Thielen.

H.B. No. 584, H.D. 1 (S.D. 1):

Representatives Hiraki, Luke, co-chairs; Stonebraker.

H.B. No. 588, H.D. 1 (S.D. 1):

Representatives B. Oshiro, chair; Luke, Thielen.

H.B. No. 606, H.D. 1 (S.D. 2):

Representatives Morita, Hiraki, co-chairs; Schatz, Pine.

H.B. No. 631, H.D. 1 (S.D. 2):

Representatives Caldwell, Nakasone, co-chairs; Meyer.

H.B. No. 644, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Schatz, Marumoto.

H.B. No. 683, H.D. 1 (S.D. 2):

Representatives Arakaki, Takamine, co-chairs; Finnegan.

H.B. No. 685 (S.D. 1):

Representatives Hiraki, chair; Herkes, Schatz, Stonebraker.

H.B. No. 704, H.D. 1 (S.D. 2):

Representatives Caldwell, Takamine, co-chairs; Nakasone, Meyer.

H.B. No. 712, H.D. 2 (S.D. 2):

Representatives Kanoho, Carroll, B. Oshiro, co-chairs; Halford.

H.B. No. 758, H.D. 2 (S.D. 2):

Representatives Takumi, Caldwell, Chong, co-chairs; Ching.

H.B. No. 769, H.D. 3 (S.D. 2):

Representatives Morita, Hiraki, Kawakami, co-chairs; Pine.

H.B. No. 785, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Schatz, Marumoto.

H.B. No. 792, H.D. 1 (S.D. 2):

Representatives Hale, Abinsay, Tsuji, co-chairs; Halford.

H.B. No. 806, H.D. 1 (S.D. 1):

Representatives B. Oshiro, chair; Luke, Marumoto.

H.B. No. 833, H.D. 1 (S.D. 1):

Representatives Kanoho, Luke, co-chairs; Meyer.

H.B. No. 835, H.D. 2 (S.D. 1):

Representatives Chang, Hiraki, co-chairs; Marumoto.

H.B. No. 841 (S.D. 2):

Representatives Takumi, Caldwell, Chong, co-chairs; Ching.

H.B. No. 842 (S.D. 1):

Representatives Takumi, Evans, co-chairs; Berg, Ching.

H.B. No. 843, H.D. 1 (S.D. 1):

Representatives Takumi, Evans, co-chairs; Berg, Ching.

H.B. No. 844, H.D. 1 (S.D. 2):

Representatives Takumi, Evans, co-chairs; Berg, Finnegan.

H.B. No. 852, H.D. 2 (S.D. 2):

Representatives Kanoho, Herkes, Wakai, co-chairs; Meyer.

H.B. No. 862, H.D. 2 (S.D. 2):

Representatives Souki, Luke, co-chairs; Lee, Fox.

H.B. No. 863, H.D. 2 (S.D. 2):

Representatives Morita, Hiraki, Luke, Yamashita, co-chairs; Marumoto.

H.B. No. 864 (S.D. 1):

Representatives Kanoho, Luke, co-chairs; Thielen.

H.B. No. 868, H.D. 2 (S.D. 1):

Representatives Hiraki, B. Oshiro, co-chairs; Stonebraker.

H.B. No. 875, H.D. 2 (S.D. 2):

Representatives Caldwell, Takumi, B. Oshiro, Nakasone, co-chairs; Thielen.

H.B. No. 895, H.D. 2 (S.D. 2):

Representatives Morita, Kanoho, B. Oshiro, co-chairs; Pine.

H.B. No. 906, H.D. 1 (S.D. 1):

Representatives Magaoay, Yamashita, co-chairs; Halford.

H.B. No. 912, H.D. 1 (S.D. 1):

Representatives Herkes, Wakai, co-chairs; Ching.

H.B. No. 931, H.D. 2 (S.D. 2):

Representatives Kanoho, Kahikina, Magaoay, co-chairs; Meyer.

H.B. No. 938, H.D. 1 (S.D. 1):

Representatives Sonson, Luke, co-chairs; Finnegan.

H.B. No. 954, H.D. 1 (S.D. 2):

Representatives Abinsay, Tsuji, co-chairs; Halford.

H.B. No. 955, H.D. 1 (S.D. 2):

Representatives Kanoho, Abinsay, Yamashita, co-chairs; Halford.

H.B. No. 957, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Kawakami, Fox.

H.B. No. 997, H.D. 1 (S.D. 2):

Representatives Chang, Nakasone, co-chairs; Karamatsu, Yamashita, Marumoto.

H.B. No. 998, H.D. 2 (S.D. 2):

Representatives Chang, Herkes, Takamine, co-chairs; Karamatsu, Ching.

H.B. No. 1015, H.D. 2 (S.D. 1):

Representatives Morita, Souki, Lee, co-chairs; Moses.

In accordance therewith, the President appointed Senators English, chair; Inouye, Menor, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1017, H.D. 3 (S.D. 2):

Representatives Morita, Hiraki, Luke, Yamashita, co-chairs; Thielen.

H.B. No. 1029 (S.D. 2):

Representatives Ito, Kawakami, co-chairs; Yamane, Moses.

H.B. No. 1051, H.D. 2 (S.D. 2):

Representatives Arakaki, Hiraki, Karamatsu, co-chairs; Green, Finnegan.

H.B. No. 1060, H.D. 2 (S.D. 2):

Representatives Sonson, Magaoay, Takamine, co-chairs.

H.B. No. 1082, H.D. 3 (S.D. 2):

Representatives Abinsay, Luke, Tsuji, co-chairs; Halford.

H.B. No. 1132, H.D. 1 (S.D. 2):

Representatives Takumi, Evans, co-chairs; Berg, Ching.

H.B. No. 1136, H.D. 3 (S.D. 2):

Representatives Takumi, Nakasone, co-chairs; Berg, Finnegan.

H.B. No. 1146, H.D. 1 (S.D. 2):

Representatives Arakaki, Sonson, Caldwell, Nakasone, co-chairs; Yamane, Pine.

H.B. No. 1152, H.D. 1 (S.D. 1):

Representatives Souki, Takamine, co-chairs; Lee, Yamane, Pine.

H.B. No. 1154, H.D. 1 (S.D. 2):

Representatives Abinsay, Hiraki, co-chairs; Schatz, Halford.

H.B. No. 1200, H.D. 2 (S.D. 2):

Representatives Abinsay, Herkes, Tsuji, co-chairs; Halford.

H.B. No. 1201, H.D. 2 (S.D. 2):

Representatives Abinsay, Luke, co-chairs; Halford.

H.B. No. 1202, H.D. 2 (S.D. 2):

Representatives Abinsay, Luke, co-chairs; Halford.

H.B. No. 1214, H.D. 2 (S.D. 2):

Representatives Caldwell, Luke, Takamine, co-chairs; Pine.

H.B. No. 1224 (S.D. 1):

Representatives Takamine, chair; Kawakami, Moses.

In accordance therewith, the President appointed Senators Taniguchi, chair; Fukunaga, co-chair; Ige, Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1235, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Kawakami, Meyer.

In accordance therewith, the President appointed Senators Taniguchi, chair; Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1236 (S.D. 1):

Representatives Takamine, chair; Kawakami, Meyer.

In accordance therewith, the President appointed Senators Taniguchi, chair; Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1238, H.D. 1 (S.D. 2):

Representatives Morita, Hiraki, Kawakami, co-chairs; Moses.

H.B. No. 1276, H.D. 3 (S.D. 1):

Representatives Kanoho, Luke, Magaoay, co-chairs; Carroll, Schatz, Meyer.

H.B. No. 1278, H.D. 2 (S.D. 1):

Representatives Kanoho, Waters, Magaoay, co-chairs; Thielen.

H.B. No. 1280, H.D. 1 (S.D. 2):

Representatives Kanoho, Carroll, co-chairs; Fox.

H.B. No. 1295, H.D. 2 (S.D. 2):

Representatives Takumi, Evans, co-chairs; Berg, Ching.

H.B. No. 1300, H.D. 2 (S.D. 2):

Representatives Takumi, Sonson, Kawakami, co-chairs; Berg, Yamashita, Finnegan.

H.B. No. 1301, H.D. 1 (S.D. 2):

Representatives Morita, Tsuji, Yamane, co-chairs; Pine.

H.B. No. 1303, H.D. 2 (S.D. 2):

Representatives Kahikina, Kanoho, Caldwell, Nakasone, co-chairs; Nishimoto, Schatz, Pine.

H.B. No. 1304, H.D. 1 (S.D. 2):

Representatives Arakaki, Sonson, Hiraki, Nishimoto, co-chairs; Green, Finnegan.

H.B. No. 1308, H.D. 1 (S.D. 2):

Representatives Kanoho, Karamatsu, co-chairs; Carroll, Schatz, Thielen.

H.B. No. 1309, H.D. 2 (S.D. 2):

Representatives Souki, Takamine, co-chairs; Lee, Yamane, Fox.

In accordance therewith, the President appointed Senators Taniguchi, chair; Ige, Inouye, co-chairs; Espero as managers on the part of the Senate at such conference.

H.B. No. 1317, H.D. 1 (S.D. 1):

Representatives Sonson, Arakaki, Hiraki, Kawakami, co-chairs.

H.B. No. 1318, H.D. 1 (S.D. 1):

Representatives Caldwell, Arakaki, Nakasone, co-chairs; Fox.

H.B. No. 1320, H.D. 1 (S.D. 1):

Representatives Ito, Luke, Chong, co-chairs; Yamane, Stonebraker.

H.B. No. 1360, H.D. 2 (S.D. 2):

Representatives Abinsay, Waters, Magaoay, co-chairs; Halford.

H.B. No. 1378, H.D. 1 (S.D. 2):

Representatives B. Oshiro, Nishimoto, co-chairs; Pine.

H.B. No. 1393, H.D. 2 (S.D. 1):

Representatives Luke, Lee, co-chairs; Thielen.

H.B. No. 1413, H.D. 1 (S.D. 1):

Representatives Saiki, Kahikina, Nishimoto, co-chairs; Finnegan.

H.B. No. 1430, H.D. 2 (S.D. 2):

Representatives Morita, B. Oshiro, co-chairs; Pine.

H.B. No. 1433 (S.D. 2):

Representatives Kanoho, Morita, Hiraki, Evans, co-chairs; Meyer.

H.B. No. 1442, H.D. 2 (S.D. 2):

Representatives Kanoho, B. Oshiro, co-chairs; Thielen.

H.B. No. 1462 (S.D. 1):

Representatives Kawakami, B. Oshiro, co-chairs; Moses.

H.B. No. 1476, H.D. 1 (S.D. 1):

Representatives Kanoho, Evans, co-chairs; Carroll, Moses.

H.B. No. 1528, H.D. 2 (S.D. 2):

Representatives Caldwell, Nakasone, co-chairs; Moses.

H.B. No. 1536, H.D. 1 (S.D. 1):

Representatives Kanoho, Nishimoto, co-chairs; Carroll, Moses.

H.B. No. 1548, H.D. 1 (S.D. 1):

Representatives Caldwell, Nakasone, co-chairs; Moses.

H.B. No. 1550, H.D. 1 (S.D. 1):

Representatives Takumi, Luke, co-chairs; Berg, Green, Finnegan.

H.B. No. 1554, H.D. 2 (S.D. 2):

Representatives Kanoho, Kahikina, Hiraki, Nishimoto, co-chairs; Fox.

H.B. No. 1555, H.D. 1 (S.D. 1):

Representatives Takumi, Waters, Evans, co-chairs; Berg, Ching.

H.B. No. 1556, H.D. 1 (S.D. 1):

Representatives Souki, Abinsay, Evans, co-chairs; Moses.

H.B. No. 1590, H.D. 2 (S.D. 2):

Representatives Chang, Herkes, Takamine, co-chairs; Karamatsu, Ching.

In accordance therewith, the President appointed Senators Fukunaga, chair; Taniguchi, co-chair; Ige, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1605, H.D. 1 (S.D. 2):

Representatives Takumi, Evans, co-chairs; Berg, Thielen.

H.B. No. 1608, H.D. 1 (S.D. 2):

Representatives Takumi, Caldwell, Takamine, co-chairs; Ching.

In accordance therewith, the President appointed Senators Kanno, chair; Taniguchi, co-chair; Fukunaga, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1614, H.D. 1 (S.D. 2):

Representatives Caldwell, Takumi, Nakasone, co-chairs; Berg, Pine.

H.B. No. 1640, H.D. 3 (S.D. 2):

Representatives Kanoho, Abinsay, Herkes, Takamine, co-chairs; Nakasone, Yamashita, Halford.

H.B. No. 1641, H.D. 1 (S.D. 2):

Representatives Abinsay, Kanoho, Herkes, Tsuji, co-chairs; Halford.

H.B. No. 1645, H.D. 1 (S.D. 2):

Representatives Souki, Takamine, co-chairs; Lee, Yamane, Fox.

In accordance therewith, the President appointed Senators Taniguchi, chair; Ige, Inouye, co-chairs; Espero, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1657, H.D. 1 (S.D. 1):

Representatives Herkes, Karamatsu, co-chairs; Wakai, Moses.

H.B. No. 1659, H.D. 1 (S.D. 1):

Representatives Kanoho, chair; Schatz, Meyer.

H.B. No. 1668 (S.D. 1):

Representatives Takamine, chair; Kawakami, Marumoto.

In accordance therewith, the President appointed Senators Taniguchi, chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

H.B. No. 1672 (S.D. 1):

Representatives Takamine, chair; Kawakami, Marumoto.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 1709 (S.D. 1):

Representatives B. Oshiro, chair; Luke, Marumoto.

H.B. No. 1713, H.D. 1 (S.D. 2):

Representatives B. Oshiro, Lee, co-chairs; Luke, Fox.

H.B. No. 1728, H.D. 1 (S.D. 2):

Representatives Takumi, Takamine, co-chairs; Berg, Ching.

H.B. No. 1733, H.D. 2 (S.D. 2):

Representatives Luke, Lee, co-chairs; Marumoto.

H.B. No. 1740, H.D. 1 (S.D. 2):

Representatives Luke, Lee, co-chairs; Thielen.

H.B. No. 1745, H.D. 1 (S.D. 2):

Representatives Luke, Magaoay, co-chairs; Thielen.

H.B. No. 1747, H.D. 1 (S.D. 1):

Representatives B. Oshiro, Kawakami, co-chairs; Thielen.

H.B. No. 1749, H.D. 2 (S.D. 2):

Representatives Waters, Luke, co-chairs; Chong, Ching.

H.B. No. 1750 (S.D. 2):

Representatives Ito, Chong, co-chairs; Yamane, Moses.

H.B. No. 1758, H.D. 1 (S.D. 1):

Representatives Caldwell, Nakasone, co-chairs; Fox.

H.B. No. 1763, H.D. 2 (S.D. 2):

Representatives Luke, Lee, co-chairs; Moses.

H.B. No. 1784, H.D. 2 (S.D. 2):

Representatives Hale, Herkes, Wakai, co-chairs; Pine.

Hse. Com. No. 663, informing the Senate that the Speaker on April 18, 2005, 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. 3, S.D. 2 (H.D. 2):

Representatives Arakaki, Sonson, Kawakami, co-chairs; Finnegan.

S.B. No. 27, S.D. 1 (H.D. 1):

Representatives Arakaki, Sonson, Kawakami, co-chairs; Pine.

S.B. No. 55, S.D. 1 (H.D. 2):

Representatives Caldwell, Takamine, co-chairs; Nakasone, Yamashita, Pine.

S.B. No. 76, S.D. 1 (H.D. 1):

Representatives Souki, Luke, Lee, co-chairs; Moses.

S.B. No. 77, S.D. 1 (H.D. 1):

Representatives Souki, Hiraki, Luke, co-chairs; Moses.

S.B. No. 97, S.D. 1 (H.D. 1):

Representatives Takamine, chair; Kawakami, Nakasone, Meyer.

S.B. No. 101 (H.D. 1):

Representatives Takamine, chair; Nakasone, Yamane.

S.B. No. 116, S.D. 2 (H.D. 2):

Representatives Waters, Arakaki, Lee, co-chairs; Finnegan.

S.B. No. 117 (H.D. 2):

Representatives Kahikina, B. Oshiro, Nishimoto, co-chairs; Halford.

S.B. No. 120, S.D. 1 (H.D. 1):

Representatives Hiraki, chair; Caldwell, Schatz, Marumoto.

S.B. No. 121 (H.D. 1):

Representatives Herkes, Hiraki, Luke, co-chairs; Schatz, Ching.

S.B. No. 122, S.D. 1 (H.D. 3):

Representatives Arakaki, Hiraki, Luke, co-chairs; Finnegan.

S.B. No. 212, S.D. 2 (H.D. 2):

Representatives Morita, Kanoho, Chong, co-chairs; Fox.

S.B. No. 244, S.D. 2 (H.D. 1):

Representatives Sonson, Arakaki, Waters, Lee, co-chairs; Shimabukuro, Fox.



- S.B. No. 294, S.D. 3 (H.D. 1):  
Representatives Caldwell, Takamine, co-chairs; Shimabukuro, Fox.
- S.B. No. 433, S.D. 2 (H.D. 1):  
Representatives Luke, Magaoay, co-chairs; Marumoto.
- S.B. No. 440, S.D. 1 (H.D. 1):  
Representatives B. Oshiro, Kawakami, co-chairs; Luke, Fox.
- S.B. No. 459, S.D. 2 (H.D. 1):  
Representatives Arakaki, Nishimoto, co-chairs; Pine.
- S.B. No. 460 (H.D. 1):  
Representatives Karamatsu, chair; Yamane, Yamashita, Moses.
- S.B. No. 467, S.D. 2 (H.D. 2):  
Representatives Ito, B. Oshiro, Tanaka, co-chairs; Lee, Thielen.
- S.B. No. 486, S.D. 2 (H.D. 1):  
Representatives Sonson, Kawakami, co-chairs; Cabanilla, Stonebraker.
- S.B. No. 527, S.D. 2 (H.D. 1):  
Representatives Arakaki, Sonson, Kawakami, co-chairs; Cabanilla, Nishimoto, Finnegan.
- S.B. No. 556, S.D. 2 (H.D. 2):  
Representatives Sonson, Luke, co-chairs; Cabanilla, B. Oshiro, Thielen.
- S.B. No. 561, S.D. 1 (H.D. 1):  
Representatives Arakaki, Sonson, Kawakami, co-chairs; Cabanilla, Fox.
- S.B. No. 575, S.D. 1 (H.D. 1):  
Representatives Chang, Carroll, co-chairs; Karamatsu, Meyer.
- S.B. No. 607, S.D. 1 (H.D. 1):  
Representatives B. Oshiro, chair; Luke, Marumoto.
- S.B. No. 617, S.D. 1 (H.D. 1):  
Representatives Luke, Lee, co-chairs; Moses.
- S.B. No. 637, S.D. 2 (H.D. 1):  
Representatives Ito, Chong, co-chairs; Tanaka, Yamane, Pine.
- S.B. No. 639, S.D. 2 (H.D. 1):  
Representatives Takumi, Kahikina, Nishimoto, co-chairs; Ching.
- S.B. No. 667, S.D. 2 (H.D. 2):  
Representatives Waters, Takumi, co-chairs; Shimabukuro, Ching.
- S.B. No. 669, S.D. 2 (H.D. 1):  
Representatives Abinsay, Tsuji, co-chairs; Meyer.
- S.B. No. 673, S.D. 2 (H.D. 2):  
Representatives Luke, Takamine, co-chairs; Moses.
- S.B. No. 680, S.D. 1 (H.D. 1):  
Representatives Morita, chair; Evans, Waters, Pine.
- S.B. No. 682, S.D. 2 (H.D. 3):  
Representatives Arakaki, B. Oshiro, Kawakami, co-chairs; Green, Yamashita, Finnegan.
- S.B. No. 693, S.D. 1 (H.D. 1):  
Representatives Hiraki, Luke, co-chairs; Stonebraker.
- S.B. No. 700, S.D. 1 (H.D. 1):  
Representatives B. Oshiro, chair; Luke, Thielen.
- S.B. No. 702, S.D. 2 (H.D. 1):  
Representatives Hiraki, Luke, co-chairs; Marumoto.
- S.B. No. 708, S.D. 2 (H.D. 2):  
Representatives B. Oshiro, Takamine, co-chairs; Luke, Moses.
- S.B. No. 738, S.D. 1 (H.D. 1):  
Representatives Caldwell, Luke, Nakasone, co-chairs; Meyer.
- S.B. No. 751, S.D. 2 (H.D. 2):  
Representatives Caldwell, Hiraki, Luke, Takamine, co-chairs; Herkes, Meyer.
- S.B. No. 754, S.D. 1 (H.D. 1):  
Representatives Hiraki, Luke, co-chairs; Herkes, Marumoto.
- S.B. No. 761, S.D. 2 (H.D. 1):  
Representatives Arakaki, Hiraki, co-chairs; Green, Schatz, Finnegan.
- S.B. No. 768, S.D. 1 (H.D. 1):  
Representatives Chang, Luke, co-chairs; Ching.
- S.B. No. 791, S.D. 2 (H.D. 2):  
Representatives Arakaki, Sonson, B. Oshiro, Kawakami, co-chairs; Stonebraker.
- S.B. No. 797, S.D. 1 (H.D. 1):  
Representatives Kahikina, Nishimoto, co-chairs; Moses.
- S.B. No. 801, S.D. 2 (H.D. 1):  
Representatives Kahikina, Nishimoto, co-chairs; Halford.

- S.B. No. 802, S.D. 2 (H.D. 1):  
Representatives Sonson, Arakaki, Takamine, co-chairs; Finnegan.
- S.B. No. 807, S.D. 1 (H.D. 1):  
Representatives Caldwell, Takamine, co-chairs; Shimabukuro, Moses.
- S.B. No. 813, S.D. 2 (H.D. 2):  
Representatives Caldwell, Takamine, co-chairs; Shimabukuro, Meyer.
- S.B. No. 817, S.D. 2 (H.D. 1):  
Representatives Caldwell, Luke, Takamine, co-chairs; Shimabukuro, Pine.
- S.B. No. 819, S.D. 1 (H.D. 1):  
Representatives Kanoho, Luke, Carroll, co-chairs; Meyer.
- S.B. No. 834, S.D. 2 (H.D. 1):  
Representatives Takamine, chair; Kawakami, Marumoto.
- S.B. No. 873, S.D. 2 (H.D. 2):  
Representatives Takumi, Kawakami, co-chairs; Berg, Cabanilla, Ching.
- S.B. No. 935, S.D. 1 (H.D. 1):  
Representatives Herkes, Caldwell, Takamine, co-chairs; Shimabukuro, Halford.
- S.B. No. 956, S.D. 1 (H.D. 1):  
Representatives Abinsay, chair; Tsuji, Stonebraker.
- S.B. No. 959, S.D. 2 (H.D. 1):  
Representatives Hiraki, Chong, co-chairs; Carroll, Meyer.
- S.B. No. 960 (H.D. 1):  
Representatives Ito, Tanaka, co-chairs; Chong, Stonebraker.
- S.B. No. 962, S.D. 2 (H.D. 2):  
Representatives Herkes, Caldwell, Takamine, co-chairs; Shimabukuro, Thielen.
- S.B. No. 971, S.D. 2 (H.D. 1):  
Representatives Chang, Hiraki, co-chairs; Karamatsu, Schatz, Ching.
- S.B. No. 982, S.D. 2 (H.D. 1):  
Representatives Ito, Tanaka, co-chairs; Chong, Stonebraker.
- S.B. No. 1003, S.D. 2 (H.D. 2):  
Representatives Morita, Hiraki, co-chairs; Herkes, Kanoho, Marumoto.
- S.B. No. 1018, S.D. 1 (H.D. 1):  
Representatives Takumi, Sonson, co-chairs; Berg, Cabanilla, Finnegan.
- S.B. No. 1022, S.D. 1 (H.D. 1):  
Representatives Sonson, Arakaki, Kawakami, co-chairs; Finnegan.
- S.B. No. 1038, S.D. 2 (H.D. 1):  
Representatives Herkes, Waters, Magaoay, co-chairs; Shimabukuro, Ching.
- S.B. No. 1065, S.D. 2 (H.D. 1):  
Representatives Abinsay, Waters, Yamashita, co-chairs; Tsuji, Halford.
- S.B. No. 1081, S.D. 2 (H.D. 1):  
Representatives Kanoho, Carroll, co-chairs; Evans, Pine.
- S.B. No. 1100, S.D. 2 (H.D. 1):  
Representatives Luke, Ito, co-chairs; B. Oshiro, Thielen.
- S.B. No. 1114, S.D. 1 (H.D. 1):  
Representatives Morita, Evans, co-chairs; Marumoto.
- S.B. No. 1117, S.D. 1 (H.D. 1):  
Representatives Morita, Evans, co-chairs; Moses.
- S.B. No. 1129, S.D. 2 (H.D. 1):  
Representatives Hiraki, Takamine, co-chairs; Herkes, Wakai, Stonebraker.
- S.B. No. 1132, S.D. 2 (H.D. 1):  
Representatives Hiraki, Takamine, co-chairs; Wakai, Fox.
- S.B. No. 1137, S.D. 1 (H.D. 1):  
Representatives Hiraki, Takamine, co-chairs; Wakai, Fox.
- S.B. No. 1141, S.D. 1 (H.D. 2):  
Representatives Chang, Hiraki, co-chairs; Karamatsu, Schatz, Ching.
- S.B. No. 1170, S.D. 2 (H.D. 1):  
Representatives Hiraki, Luke, co-chairs; Marumoto.
- S.B. No. 1193, S.D. 1 (H.D. 1):  
Representatives Caldwell, Nakasone, co-chairs; Chong, Shimabukuro, Pine.
- S.B. No. 1194, S.D. 1 (H.D. 2):  
Representatives Caldwell, Nakasone, co-chairs; Chong, Shimabukuro, Halford.
- S.B. No. 1201, S.D. 2 (H.D. 3):  
Representatives Arakaki, B. Oshiro, Takamine, co-chairs; Finnegan.

S.B. No. 1221, S.D. 2 (H.D. 1):

Representatives Takumi, Takamine, co-chairs; Berg, Cabanilla, Ching.

S.B. No. 1250, S.D. 2 (H.D. 2):

Representatives Caldwell, Takumi, Takamine, co-chairs; Berg, Shimabukuro, Meyer.

S.B. No. 1253, S.D. 1 (H.D. 1):

Representatives Takumi, chair; Berg, Ching.

S.B. No. 1256 (H.D. 1):

Representatives Waters, B. Oshiro, Nishimoto, co-chairs; Shimabukuro, Pine.

S.B. No. 1257, S.D. 2 (H.D. 2):

Representatives Waters, B. Oshiro, Nishimoto, co-chairs; Shimabukuro, Pine.

S.B. No. 1262, S.D. 1 (H.D. 2):

Representatives Morita, Evans, co-chairs; Carroll, Moses.

S.B. No. 1267, S.D. 2 (H.D. 2):

Representatives Kanoho, Abinsay, Magaoay, co-chairs; Halford.

S.B. No. 1268, S.D. 2 (H.D. 2):

Representatives Abinsay, Kanoho, Magaoay, co-chairs; Halford.

S.B. No. 1285, S.D. 2 (H.D. 1):

Representatives Luke, chair; B. Oshiro, Thielen.

S.B. No. 1336, S.D. 1 (H.D. 1):

Representatives Luke, Hiraki, co-chairs; Schatz, Stonebraker.

S.B. No. 1348, S.D. 1 (H.D. 1):

Representatives Hiraki, chair; Schatz, Stonebraker.

S.B. No. 1349, S.D. 1 (H.D. 1):

Representatives Hiraki, chair; Schatz, Stonebraker.

S.B. No. 1352, S.D. 1 (H.D. 1):

Representatives Caldwell, Arakaki, Takamine, co-chairs; Nakasone, Pine.

S.B. No. 1362, S.D. 1 (H.D. 1):

Representatives Morita, Souki, Lee, co-chairs; Evans, Meyer.

S.B. No. 1378, S.D. 2 (H.D. 1):

Representatives Kanoho, Ito, Yamane, co-chairs; Stonebraker.

S.B. No. 1394, S.D. 2 (H.D. 2):

Representatives Takumi, Waters, Takamine, co-chairs; Ching.

S.B. No. 1410, S.D. 1 (H.D. 1):

Representatives Takamine, chair; Kawakami, Fox.

S.B. No. 1420, S.D. 2 (H.D. 3):

Representatives Arakaki, Sonson, B. Oshiro, Takamine, co-chairs; Green, Pine.

S.B. No. 1427, S.D. 1 (H.D. 2):

Representatives Morita, Evans, co-chairs; Thielen.

S.B. No. 1451, S.D. 2 (H.D. 1):

Representatives Kanoho, Waters, Magaoay, co-chairs; Ching.

S.B. No. 1453, S.D. 2 (H.D. 1):

Representatives Morita, Hiraki, Takamine, co-chairs; Stonebraker.

S.B. No. 1461, S.D. 2 (H.D. 1):

Representatives Kanoho, Waters, Magaoay, co-chairs; Meyer.

S.B. No. 1473, S.D. 1 (H.D. 1):

Representatives Kanoho, Karamatsu, co-chairs; Pine.

S.B. No. 1483, S.D. 1 (H.D. 1):

Representatives Takumi, Evans, co-chairs; Ching.

S.B. No. 1554, S.D. 1 (H.D. 2):

Representatives Morita, Kanoho, Waters, Evans, co-chairs; Shimabukuro, Fox.

S.B. No. 1557, S.D. 2 (H.D. 2):

Representatives Morita, Hiraki, Takamine, co-chairs; Schatz, Moses.

S.B. No. 1592, S.D. 1 (H.D. 2):

Representatives Herkes, Kanoho, Nakasone, co-chairs; Meyer.

S.B. No. 1620, S.D. 2 (H.D. 2):

Representatives Arakaki, Sonson, Caldwell, Takamine, co-chairs; Yamane, Finnegan.

S.B. No. 1636, S.D. 2 (H.D. 1):

Representatives Caldwell, Takumi, Takamine, co-chairs; Shimabukuro, Ching.

S.B. No. 1643, S.D. 2 (H.D. 2):

Representatives Takumi, Caldwell, Takamine, co-chairs; Shimabukuro, Finnegan.

S.B. No. 1650, S.D. 2 (H.D. 1):

Representatives Ito, Chong, co-chairs; Tanaka, Moses.

S.B. No. 1660, S.D. 2 (H.D. 1):

Representatives Takumi, Takamine, co-chairs; Ching.

- S.B. No. 1661, S.D. 2 (H.D. 2):  
Representatives Takumi, Caldwell, Takamine, co-chairs; Yamashita, Finnegan.
- S.B. No. 1685, S.D. 2 (H.D. 1):  
Representatives Takamine, chair; Tanaka, Fox.
- S.B. No. 1695, S.D. 2 (H.D. 2):  
Representatives Herkes, Hiraki, Takamine, co-chairs; Schatz, Wakai, Yamane, Marumoto.
- S.B. No. 1697, S.D. 2 (H.D. 1):  
Representatives Souki, Waters, Takamine, co-chairs; Shimabukuro, Fox.
- S.B. No. 1698, S.D. 2 (H.D. 1):  
Representatives Herkes, Takumi, Takamine, co-chairs; Kawakami, Marumoto.
- S.B. No. 1699, S.D. 1 (H.D. 1):  
Representatives Chang, Karamatsu, co-chairs; Pine.
- S.B. No. 1702, S.D. 1 (H.D. 2):  
Representatives Herkes, Caldwell, B. Oshiro, Nakasone, co-chairs; Fox.
- S.B. No. 1721, S.D. 2 (H.D. 2):  
Representatives Herkes, Nakasone, co-chairs; Abinsay, Meyer.
- S.B. No. 1729, S.D. 2 (H.D. 2):  
Representatives Chang, Takamine, co-chairs; Karamatsu, Marumoto.
- S.B. No. 1732, S.D. 1 (H.D. 1):  
Representatives Kanoho, Ito, Magaoay, co-chairs; Stonebraker.
- S.B. No. 1740, S.D. 1 (H.D. 1):  
Representatives Takamine, chair; Kawakami, Nakasone, Moses.
- S.B. No. 1745, S.D. 1 (H.D. 1):  
Representatives Ito, Nakasone, co-chairs; Chong, Moses.
- S.B. No. 1747, S.D. 2 (H.D. 1):  
Representatives Waters, Takamine, co-chairs; Shimabukuro, Ching.
- S.B. No. 1772, S.D. 1 (H.D. 2):  
Representatives Sonson, B. Oshiro, Takamine, co-chairs; Cabanilla, Finnegan.
- S.B. No. 1778, S.D. 2 (H.D. 1):  
Representatives Hiraki, Takamine, co-chairs; Schatz, Marumoto.
- S.B. No. 1780, S.D. 2 (H.D. 2):  
Representatives Sonson, Magaoay, co-chairs; Cabanilla, Stonebraker.
- S.B. No. 1781 (H.D. 1):  
Representatives Ito, Tanaka, co-chairs; Chong, Meyer.
- S.B. No. 1792, S.D. 1 (H.D. 1):  
Representatives Herkes, Hale, Wakai, co-chairs; Ching.
- S.B. No. 1796, S.D. 1 (H.D. 1):  
Representatives Luke, chair; B. Oshiro, Thielen.
- S.B. No. 1798 (H.D. 1):  
Representatives Hiraki, chair; Schatz, Stonebraker.
- S.B. No. 1814, S.D. 2 (H.D. 2):  
Representatives Takumi, Herkes, Kanoho, Kahikina, Takamine, co-chairs; Evans, Halford.
- S.B. No. 1816, S.D. 2 (H.D. 2):  
Representatives B. Oshiro, Takumi, Kawakami, co-chairs; Thielen.
- S.B. No. 1843, S.D. 1 (H.D. 2):  
Representatives Herkes, Luke, Magaoay, co-chairs; Marumoto.
- S.B. No. 1854, S.D. 1 (H.D. 2):  
Representatives Kahikina, Nishimoto, co-chairs; Halford.
- S.B. No. 1872 (H.D. 1):  
Representatives Kawakami, chair; Nishimoto, Pine.
- S.B. No. 1876, S.D. 2 (H.D. 2):  
Representatives Souki, B. Oshiro, Lee, co-chairs; Fox.
- S.B. No. 1877 (H.D. 1):  
Representatives Herkes, Kanoho, Wakai, co-chairs; Evans, Marumoto.
- S.B. No. 1883, S.D. 2 (H.D. 1):  
Representatives Kanoho, Carroll, co-chairs; Thielen.
- S.B. No. 1891, S.D. 2 (H.D. 2):  
Representatives Kanoho, Takamine, co-chairs; Schatz, Tanaka, Meyer.
- S.B. No. 1893 (H.D. 1):  
Representatives Kanoho, Morita, co-chairs; Evans, Schatz, Thielen.
- S.B. No. 1903, S.D. 1 (H.D. 1):  
Representatives Herkes, Morita, Hiraki, co-chairs; Stonebraker.

Hse. Com. No. 664, informing the Senate that the Speaker on April 18, 2005, made the following change to the conferees on the following bill:

H.B. No. 100, H.D. 1 (S.D. 1):

Appointed Representative Kawakami as a manager.

Hse. Com. No. 665, informing the Senate that the Speaker on April 19, 2005, made the following changes to the conferees on the following bills:

H.B. No. 450, H.D. 2 (S.D. 2):

Discharged Representative Carroll as co-chair.  
Appointed Representative Takamine as co-chair.  
Appointed Representative Carroll as a manager.

H.B. No. 835, H.D. 2 (S.D. 1):

Appointed Representative Karamatsu as a manager.

H.B. No. 841 (S.D. 2):

Appointed Representative Karamatsu as a manager.

H.B. No. 863, H.D. 2 (S.D. 2):

Appointed Representative Karamatsu as a manager.

H.B. No. 864 (S.D. 1):

Appointed Representative Karamatsu as a manager.

H.B. No. 1300, H.D. 2 (S.D. 2):

Appointed Representative Karamatsu as a manager.

H.B. No. 1309, H.D. 2 (S.D. 2):

Appointed Representative Karamatsu as a manager.

H.B. No. 1713, H.D. 1 (S.D. 2):

Appointed Representative Karamatsu as a manager.

H.B. No. 1747, H.D. 1 (S.D. 1):

Appointed Representative Karamatsu as a manager.

S.B. No. 55, S.D. 1 (H.D. 2):

Appointed Representative Karamatsu as a manager.

S.B. No. 212, S.D. 2 (H.D. 2):

Appointed Representative Karamatsu as a manager.

S.B. No. 294, S.D. 3 (H.D. 1):

Appointed Representative Karamatsu as a manager.

S.B. No. 440, S.D. 1 (H.D. 1):

Appointed Representative Karamatsu as a manager.

S.B. No. 682, S.D. 2 (H.D. 3):

Appointed Representative Karamatsu as a manager.

S.B. No. 1081, S.D. 2 (H.D. 1):

Appointed Representative Karamatsu as a manager.

S.B. No. 1378, S.D. 2 (H.D. 1):

Appointed Representative Karamatsu as a manager.

S.B. No. 1695, S.D. 2 (H.D. 2):

Appointed Representatives Karamatsu, Stonebraker as managers.

S.B. No. 1792, S.D. 1 (H.D. 1):

Appointed Representative Karamatsu as a manager.

Hse. Com. No. 666, informing the Senate that the Speaker on April 19, 2005, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 85, H.D. 2 (S.D. 2):

Representatives Souki, Kanoho, Lee, co-chairs; Ito, Fox.

Hse. Com. No. 667, informing the Senate that the Speaker on April 19, 2005, made the following changes to the conferees on the following bills:

H.B. No. 1659, H.D. 1 (S.D. 1):

Appointed Representative Chong as a manager.

H.B. No. 1728, H.D. 1 (S.D. 2):

Appointed Representative Chong as a manager.

H.B. No. 1295, H.D. 2 (S.D. 2):

Discharged Representative Evans as co-chair.  
Appointed Representative Chong as co-chair.  
Appointed Representative Evan as a manager.

S.B. No. 467, S.D. 2 (H.D. 2):

Appointed Representative Chong as a manager.

S.B. No. 1778, S.D. 2 (H.D. 1):

Appointed Representative Chong as a manager.

Hse. Com. No. 668, informing the Senate that the Speaker on April 19, 2005, made the following change to the conferees on the following bill:

H.B. No. 864 (S.D. 1):

Appointed Representative Morita as a manager.

**STANDING COMMITTEE REPORTS**

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1719) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

ORALIE CARTER, in accordance with Gov. Msg. No. 448;

ANN E. COLLINS, in accordance with Gov. Msg. No. 449;  
and

CHARLOTTE K. YOSHIDA, in accordance with Gov. Msg. No. 450.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1719 and Gov. Msg. Nos. 448, 449 and 450 was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1720) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

MARIE E. KIMMEY, in accordance with Gov. Msg. No. 451;

WILLIAM K. KOKI II, in accordance with Gov. Msg. No. 452;

STERLING KRYSLER, in accordance with Gov. Msg. No. 453;

MARK T. OBATAKE, in accordance with Gov. Msg. No. 454; and

NORMAN F. OLESEN, in accordance with Gov. Msg. No. 455.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1720 and Gov. Msg. Nos. 451, 452, 453, 454 and 455 was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1721) recommending that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs of the following:

CAROLYN ARBUCKLE PH.D., in accordance with Gov. Msg. No. 459; and

THOMAS J. MACDONALD, in accordance with Gov. Msg. No. 460.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1721 and Gov. Msg. Nos. 459 and 460 was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1722) recommending that the Senate advise and consent to the nomination of DARREN J. ROSARIO to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 461.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1722 and Gov. Msg. No. 461 was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1723) recommending that the Senate advise and consent to the nominations to the Board of Health of the following:

GENEVIEVE A. KINNEY, in accordance with Gov. Msg. No. 468;

ANN M. KWOCK, in accordance with Gov. Msg. No. 469;

BARRY SHITAMOTO MD, in accordance with Gov. Msg. No. 470;

RICHARD E. SMITH REHS, MPH, in accordance with Gov. Msg. Nos. 471 and 472; and

JEFF J. SOL MD, in accordance with Gov. Msg. No. 473.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1723 and Gov. Msg. Nos. 468, 469, 470, 471, 472 and 473 was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1724) recommending that the Senate advise and consent to the nomination of ANDREA LEHUALANI COSMA to the Board of Directors of the Hawaii Health Systems Corporation, in accordance with Gov. Msg. No. 474.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1724 and Gov. Msg. No. 474 was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1725) recommending that the Senate advise and consent to the nominations to the Radiologic Technology Board of the following:

LORI H. O. KAMIKAWA, in accordance with Gov. Msg. No. 512;

VICTORY KNEISLEY, in accordance with Gov. Msg. No. 513;

MARJORIE M. KUNIYOSHI, in accordance with Gov. Msg. No. 514;

MARK MONIZ, in accordance with Gov. Msg. No. 515; and

STEIN ERIK RAFTO MD, in accordance with Gov. Msg. No. 516.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1725 and Gov. Msg. Nos. 512, 513, 514, 515 and 516 was deferred until Thursday, April 21, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1726) recommending that the Senate advise and consent to the nomination of GORDON J. BRUCE to the Wireless Enhanced 911 Board, in accordance with Gov. Msg. No. 530.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1726 and Gov. Msg. No. 530 was deferred until Thursday, April 21, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1727) recommending that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

JEANETTE OTSUKA CHANG, in accordance with Gov. Msg. No. 397; and

EDWARD MACDOWELL, in accordance with Gov. Msg. No. 398.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1727 and Gov. Msg. Nos. 397 and 398 was deferred until Thursday, April 21, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1728) recommending that the Senate advise and consent to the nominations to the Stadium Authority of the following:

KATHLEEN O. AHINA, in accordance with Gov. Msg. No. 399;

MARCIA J. KLOMPUS, in accordance with Gov. Msg. No. 400; and

NELSON OYADOMARI, in accordance with Gov. Msg. No. 401.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1728 and Gov. Msg. Nos. 399, 400 and 401 was deferred until Thursday, April 21, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1729) recommending that the Senate advise and consent to the nomination of MELISSA TEVES PAVLICEK to the Board of Directors of the Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 432.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1729 and Gov. Msg. No. 432 was deferred until Thursday, April 21, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1730) recommending that the Senate advise and consent to the nomination of STEPHANIE S. H. CRIVELLO to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 443.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1730 and Gov. Msg. No. 443 was deferred until Thursday, April 21, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1731) recommending that S.R. No. 83, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1731 and S.R. No. 83, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE ITS ADMINISTRATIVE RULES REGARDING THE SAFE USE OF COMMERCIAL HARBORS BY LARGE VESSELS, AND TO REQUIRE, AS APPROPRIATE TO THE INDIVIDUAL HARBOR, THE USE OF AT LEAST ONE ASSIST TUG FOR ALL SHIPS SIX HUNDRED FEET IN LENGTH OR MORE," was deferred until Thursday, April 21, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1732) recommending that the Senate advise and consent to the nomination of TODD KIYOSHI INAFUKU to the Drug Product Selection Board, in accordance with Gov. Msg. Nos. 456 and 457.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1732 and Gov. Msg. Nos. 456 and 457 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1733) recommending that the Senate advise and consent to the nomination of ULRIKE WEISS to the Board of Acupuncture, in accordance with Gov. Msg. No. 439.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1733 and Gov. Msg. No. 439 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1734) recommending that the Senate advise and consent to the nominations to the Board of Medical Examiners of the following:

BRIAN E. CODY, in accordance with Gov. Msg. No. 484; and

H ROGER NETZER MD, in accordance with Gov. Msg. No. 485.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1734 and Gov. Msg. Nos. 484 and 485 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1735) recommending that the Senate advise and consent to the nomination of WAYNE K. DE LUZ to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 486.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1735 and Gov. Msg. No. 486 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1736) recommending that the Senate advise and consent to the nomination of RANDAL M. MORIFUJI to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 487.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1736 and Gov. Msg. No. 487 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1737) recommending that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

STEPHEN E. CALLO, in accordance with Gov. Msg. No. 437; and

HOWARD S. TODO, in accordance with Gov. Msg. No. 438.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1737 and Gov. Msg. Nos. 437 and 438 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1738) recommending that the Senate advise and consent to the nomination of WARREN J. FERREIRA MA CPP to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 510.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1738 and Gov. Msg. No. 510 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1739) recommending that the Senate advise and consent to the nominations to the Board of Professional Engineers,

Architects, Surveyors, and Landscape Architects of the following:

MICHAEL S. CHU, in accordance with Gov. Msg. No. 463;

SHELLI A. MCCELVEY, in accordance with Gov. Msg. No. 464;

ROSS S. OKUDA PE, in accordance with Gov. Msg. No. 465; and

KEN OTA, in accordance with Gov. Msg. No. 466.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1739 and Gov. Msg. Nos. 463, 464, 465 and 466 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing presented a report (Stand. Com. Rep. No. 1740) recommending that the Senate advise and consent to the nominations to the Board of Veterinary Examiners of the following:

ERIC M. F. C. AKO DVM, in accordance with Gov. Msg. No. 527; and

PAM L. SMITH, in accordance with Gov. Msg. No. 528.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1740 and Gov. Msg. Nos. 527 and 528 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1741) recommending that the Senate advise and consent to the nominations to the Contractors License Board of the following:

TADY T. ARISUMI, in accordance with Gov. Msg. No. 444;

JOE S. KINDRICH, in accordance with Gov. Msg. No. 445; and

AUDREY E. J. NG, in accordance with Gov. Msg. No. 446.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1741 and Gov. Msg. Nos. 444, 445 and 446 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1742) recommending that the Senate advise and consent to the nomination of EVELYN H. YANAGIDA to the Board of Psychology, in accordance with Gov. Msg. No. 511.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1742 and Gov. Msg. No. 511 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1743) recommending that the Senate advise and consent to the nomination of LAURIE STEELSMITH to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 497.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1743 and Gov. Msg. No. 497 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1744) recommending that the Senate advise and consent to the nominations to the Board of Speech Pathology and Audiology of the following:

ANA A. GAMBLE, in accordance with Gov. Msg. No. 518;

MONA S. TAKUMI, in accordance with Gov. Msg. No. 519;

LENHANH P. TRAN MD, in accordance with Gov. Msg. No. 520; and

MARGARET K. WADA, in accordance with Gov. Msg. No. 521.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1744 and Gov. Msg. Nos. 518, 519, 520 and 521 was deferred until Thursday, April 21, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1745) recommending that the Senate advise and consent to the nominations to the State Board of Nursing of the following:

KATHARYN FROST DAUB RN, in accordance with Gov. Msg. No. 502;

DARRYL N. ING, in accordance with Gov. Msg. No. 503;

JILLIAN INOUYE, in accordance with Gov. Msg. No. 504;

PATRICIA A. LANGE-OTSUKA EDD, MSN APRN BC, in accordance with Gov. Msg. No. 505;

BENJAMIN MERCADO, in accordance with Gov. Msg. No. 506;

MARY FRANCES ONEHA, in accordance with Gov. Msg. No. 507; and

BARBARA ANN TANNER RN, in accordance with Gov. Msg. No. 508.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1745 and Gov. Msg. Nos. 502, 503, 504, 505, 506, 507 and 508 was deferred until Thursday, April 21, 2005.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1746) recommending that H.C.R. No. 170 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO APPLY TAX INCREMENT FINANCING TO FINANCE THE DEVELOPMENT OF INFRASTRUCTURE FOR AFFORDABLE HOUSING PROJECTS," 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. 1747) recommending that H.C.R. No. 4, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1747 and H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT



RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE THE ADVISABILITY OF ENTERING INTO INTERSTATE COMPACTS WITH OTHER STATES CONCERNING CERTAIN PERILS AFFECTING THE COST OF PROPERTY AND CASUALTY INSURANCE," was deferred until Thursday, April 21, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1748) recommending that the Senate advise and consent to the nominations to the Land Use Commission of the following:

MICHAEL D. FORMBY, in accordance with Gov. Msg. No. 201; and

LISA M. JUDGE, in accordance with Gov. Msg. No. 202.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1748 and Gov. Msg. Nos. 201 and 202 was deferred until Thursday, April 21, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1749) recommending that the Senate advise and consent to the nomination of LAWRENCE H. MIIKE MD, JD, to the Commission on Water Resource Management, in accordance with Gov. Msg. No. 293.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1749 and Gov. Msg. No. 293 was deferred until Thursday, April 21, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1750) recommending that the Senate advise and consent to the nominations to the Board of Agriculture of the following:

ALAN H. GOTTLIEB, in accordance with Gov. Msg. No. 386; and

CRAIG G. RASMUSSEN, in accordance with Gov. Msg. No. 387.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1750 and Gov. Msg. Nos. 386 and 387 was deferred until Thursday, April 21, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1751) recommending that the Senate advise and consent to the nomination of MICHAEL N. GOSHI to the Hawaii Community Development Authority (HCDA), in accordance with Gov. Msg. No. 390.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1751 and Gov. Msg. No. 390 was deferred until Thursday, April 21, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1752) recommending that the Senate advise and consent to the nominations to the Advisory Board on Veterans' Services of the following:

RONALD J. HAYS USN (RET.), in accordance with Gov. Msg. No. 291; and

LLYOD K. SODETANI, in accordance with Gov. Msg. No. 292.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1752 and Gov. Msg. Nos. 291 and 292 was deferred until Thursday, April 21, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1753) recommending that H.C.R. No. 188, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 188, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE A COST BREAKDOWN OF THE BUDGET AMOUNT ALLOCATED TO THE DEPARTMENT OF EDUCATION," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1754) recommending that H.C.R. No. 282 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1754 and H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO CREATE POLICIES THAT ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL CREDIT TO THE STUDENT MEMBER OF THE BOARD OF EDUCATION," was deferred until Thursday, April 21, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1755) recommending that H.C.R. No. 247, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 247, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII EDUCATIONAL POLICY CENTER TO STUDY THE REPORT BY THE EDUCATION COMMISSION OF THE STATES AND REVIEW AND EVALUATE THE TECHNIQUES AND TESTING OF THE THREE STATES WITH THE HIGHEST PERFORMING SCHOOLS THAT MEET THE NO CHILD LEFT BEHIND ACT OF 2001 STANDARDS AND COMPARE THEM TO THE HAWAII STATE ASSESSMENT TEST ADMINISTERED BY THE DEPARTMENT OF EDUCATION," was referred to the Committee on Ways and Means.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1756) recommending that H.C.R. No. 245, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1756 and H.C.R. No. 245, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NO CHILD LEFT BEHIND ACT OF 2001 ACCORDING TO THE RECOMMENDATIONS OF THE FINAL REPORT OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES' TASK FORCE ON NO CHILD LEFT BEHIND," was deferred until Thursday, April 21, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1757) recommending that H.C.R. No. 249, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1757 and H.C.R. No. 249, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO SUPPORT LEGISLATION CONFERRING VETERANS' BENEFITS ON FILIPINO WORLD WAR II VETERANS," was deferred until Thursday, April 21, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1758) recommending that H.C.R. No. 246, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1758 and H.C.R. No. 246, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES POSTMASTER GENERAL TO ISSUE A USS ARIZONA MEMORIAL STAMP," was deferred until Thursday, April 21, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1759) recommending that H.C.R. No. 208, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1759 and H.C.R. No. 208, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES CONGRESS, AND THE UNITED STATES DEPARTMENT OF EDUCATION TO CONTINUE FUNDING FOR THE EVEN START FAMILY LITERACY PROGRAM," was deferred until Thursday, April 21, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1760) recommending that H.B. No. 555 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1760 and H.B. No. 555, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," was deferred until Friday, April 22, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1761) recommending that the Senate advise and consent to the nomination of RAMON S. DE LA PENA PH.D. to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 289.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1761 and Gov. Msg. No. 289 was deferred until Thursday, April 21, 2005.

Senator Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1762) recommending that the Senate not advise and consent to the nomination of JOHN K. KAI to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 290.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1762 and Gov. Msg. No. 290 was deferred until Thursday, April 21, 2005.

**ORDER OF THE DAY**

**FINAL READING**

S.B. No. 40, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 40, S.D. 1, and S.B. No. 40, S.D. 1, H.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, 23. Noes, none. Excused, 2 (Ihara, Menor).

S.B. No. 621, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 621, and S.B. No. 621, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Menor).

S.B. No. 698, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 698, and S.B. No. 698, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Menor).

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.

**RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 10, H.D. 1	Committee on Health
No. 41 Affairs	Committee on Judiciary and Hawaiian
No. 58	Committee on Human Services
No. 67	Committee on Health
No. 99	Committee on Health
No. 100, H.D. 1	Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology, then to the Committee on Judiciary and Hawaiian Affairs
No. 109	Committee on Health
No. 142	Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs
No. 146, H.D. 1	Committee on Ways and Means

No. 175, H.D. 1	Committee on Human Services
No. 192	Committee on Ways and Means
No. 213	Committee on Ways and Means
No. 222, H.D. 1	Committee on Health
No. 229, H.D. 1	Committee on Health
No. 255, H.D. 2	Committee on Health
No. 262, H.D. 1	Committee on Water, Land, and Agriculture
No. 278	Committee on Human Services

S.B. No. 1170, S.D. 2 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 1170, S.D. 2, seconded by Senator Fukunaga and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1170, S.D. 2, seconded by Senator Fukunaga.

Senator Baker noted:

“Mr. President, this measure helps us combat the electronic crime of phishing and gives us some additional tools in this regard.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1170, S.D. 2, and S.B. No. 1170, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE,” was placed on the calendar for Final Reading on Thursday, April 21, 2005.

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. 10;
- H.C.R. No. 67;
- H.C.R. No. 99;
- H.C.R. No. 109; and
- H.C.R. No. 222.

Senator Baker noted:

“Mr. President, H.C.R. No. 10, H.D. 1, requests the continuation of a temporary interdepartmental emergency contraception information working group within the Department of Health to develop a mechanism to disseminate information on emergency contraception statewide. We heard the Senate concurrent companion.

“H.C.R. No. 67 requests a sunrise review of certified athletic trainers.

“H.C.R. No. 99 urges the designation of all of Hawaii’s airports as smoke-free areas from airplane cabin to airport curb. We heard a bill that was held in the House.

“H.C.R. No. 109 urges the Department of Health to assist in the reestablishment of the child and adolescent mental health unit known as the Molokini Unit at Maui Memorial Medical Center in order to promote a local system of care on the island of Maui based on the Hawaii child and adolescent system program principles and consistent with the mandates of the 1997 Felix Consent Decree. We heard a similar SCR.

“H.C.R. No. 222, H.D. 1, requests the Department of Health to review and strengthen its water quality standards and practices.

“Mr. President, as I indicated, some of these we’ve heard before and others are new, but due to the time constraints of needing to file them for final action and wanting to amend some of these, the waivers were necessary.”

The Chair then granted the waiver.

**RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 680, S.D. 1 (H.D. 1):

Senator English moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 680, S.D. 1, seconded by Senator Baker and carried.

Senator English moved that the Senate agree to the amendments proposed by the House to S.B. No. 680, S.D. 1, seconded by Senator Baker.

Senator English noted:

“Mr. President, this bill helps to streamline the bottle recycling process to allow for the Department of Health to adopt rules for the UPC codes to be given to the recyclers, which will help them to read the bottles as they go through.

“We 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. 680, S.D. 1, and S.B. No. 680, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL,” was placed on the calendar for Final Reading on Thursday, April 21, 2005.

S.B. No. 768, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 7, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 768, S.D. 1, seconded by Senator Hooser and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 768, S.D. 1, seconded by Senator Hooser.

Senator Baker noted:

“Mr. President, this measure updates our no-rules combat ban on events and actually enables this law to be more effectively enforced. This is an administration bill.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 768, S.D. 1, and S.B. No. 768, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS,” was placed on the calendar for Final Reading on Thursday, April 21, 2005.

Senator Hee rose on a point of personal privilege and stated:

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

“Mr. President and colleagues, there is a report on the internet and it has come to my attention that leading up to a fundraiser to pay off a campaign debt on my behalf, regents and proposed regents were solicited.

“Let me state right now that I was unaware of this, and this should not have happened. I take and accept full responsibility for the activities performed on behalf of my volunteers in their zeal to make the event a success. They have been admonished for this behavior and it will not happen again. Moreover, I’ve instructed my committee to return any donation which may have been made by any regent forthwith.

“Mr. President and colleagues, any inference that the sale or lack thereof of a \$25 donation in any way impacted this week’s decisions by the Higher Education Committee regarding pending Board of Regent nominees is without merit and an insult to those committee members and their staffs who have spent so much time and effort in giving not one but two hearings, which is an unprecedented action indeed allotted by my colleagues across the aisle and to the current nominees.

“Thank you, Mr. President.”

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 100.

Senator Baker noted:

“Mr. President, H.C.R. No. 100, H.D. 1, requests the University of Hawaii to establish and lead a task group to conduct a feasibility study, host public forums, and propose recommendations on stem cell research.

“We heard a similar SCR that has multiple referrals in the House and we wanted to hear it this afternoon.”

The Chair then granted the waiver.

Senator Fukunaga, Chair of the Committee on Media, Arts, Science and Technology, requested that the referral of H.C.R. No. 107 to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations be waived.

Senator Fukunaga noted:

“Mr. President, H.C.R. 107, requests a study on the feasibility of installing a wireless fidelity internet network system in the state capitol

“The purpose of this resolution is comparable to one that was previously heard by the two Committees in the Senate and we wanted to give it a chance to move on to the next Committee.”

The Chair then granted the waiver.

At 11:58 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.

## RE-REFERRAL OF A HOUSE CONCURRENT RESOLUTION

At this time, the President made the following announcement:

“Members, H.C.R. No. 107 is re-referred to the Committee on Ways and Means.”

By unanimous consent, H.C.R. No. 107, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM IN THE STATE CAPITOL,” was re-referred to the Committee on Ways and Means.

Senator Hee, Chair of the Committee on Higher Education, requested that the referral of H.C.R. No. 166 to the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs be waived.

Senator Hee noted:

“Mr. President, H.C.R. No. 166, H.D. 1, requests the center for smart building and community design to develop energy efficient design and performance standards for new construction, renovation, and retrofitting of buildings throughout the University of Hawaii system.

“Mr. President, the reason for the waiver is in concurrence with the Chair of the Committee on Energy, Environment, and International Affairs. There was not sufficient time to conduct a hearing, so therefore a waiver is being requested.”

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Thursday, April 21, 2005:

H.C.R. No. 166, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR SMART BUILDING AND COMMUNITY DESIGN TO DEVELOP ENERGY EFFICIENT DESIGN AND PERFORMANCE STANDARDS FOR NEW CONSTRUCTION, RENOVATION, AND RETROFITTING OF BUILDINGS THROUGHOUT THE UNIVERSITY OF HAWAII SYSTEM.”

Senator English, Chair of the Committee on Energy, Environment, and International Affairs, requested that the referral of H.C.R. No. 195 to the Committee on Energy, Environment, and International Affairs be waived.

Senator English noted:

“Mr. President, H.C.R. No. 195, H.D. 1, adopts the United Nations Declaration on the rights of indigenous people. The reason for the waiver, Mr. President, is that we simply ran out of time to hear the measure and it is important to the House.

“Thank you.”

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Thursday, April 21, 2005:

H.C.R. No. 195, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ADOPTING THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES."

Senator Hogue rose on a point of personal privilege as follows:

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

"Colleagues, yesterday we had a very nice hearing on some governors messages in what we call and what is affectionately known as the MATS Committee: Media, Arts, Technology and Science. There were three members that were going forward on advise and consent. I bring this up because two of the three came forward and they frankly stated that they had fears, they were fearful. And we kind of joked about it and tried to allay those fears. Apparently they had watched a hearing on advise and consent the day before on television.

"And so it made me think about what we do here, about the fact that our sacred duty is that we have a very tough job and we have to ask some very tough questions. That's part of our job. But part of our job in asking those tough questions is not crossing the line of what, frankly, is just common human decency. At what point do we sometimes cross the line where we aren't asking tough questions but we are badgering? At what point are we crossing the line and we are bullying? At what point do we think we're just asking tough questions but the perception is that we are badgering or bullying?"

"I think we need to remember that when we conduct these kinds of hearings and when we ask these tough questions, how we look and how we are perceived reflects upon us all. And I would hope that we think about that as we go forward in this process and that we treat everyone with kindness and respect and full rights of courtesy, because sometimes in our zeal we go over the line.

"Thank you, Mr. President."

#### APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 97, 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. 97, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 101 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 101, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 117 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 117, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Baker, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 460 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 460, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 802, S.D. 2 (H.D. 1):

The President appointed Senator Slom as an additional 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. 802, S.D. 2.

S.B. No. 834, 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. 834, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 944, S.D. 1 (H.D. 1):

The President discharged Senator Taniguchi as a manager and appointed him 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. 944, S.D. 1.

S.B. No. 945, S.D. 1 (H.D. 1):

The President discharged Senator Taniguchi as a manager and appointed him 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. 945, S.D. 1.

S.B. No. 1453, S.D. 2 (H.D. 1):

The President discharged Senator Hogue 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. 1453, S.D. 2.

S.B. No. 1740, 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. 1740, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 1745, 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. 1745, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 1808, 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. 1808, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Menor, Taniguchi, co-chairs; Tsutsui as managers on the part of the Senate at such conference.

S.B. No. 1889, 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. 1889, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Hee, Menor, co-chairs, as managers on the part of the Senate at such conference.

H.B. No. 505, H.D. 1 (S.D. 2):

The President discharged Senator Trimble as a manager and appointed Senator Hemmings 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. 505, H.D. 1.

#### ADJOURNMENT

At 12:04 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 21, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-SECOND DAY

Thursday, April 21, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Mark Sugimoto, Superintendent, Hanalani Schools, Mililani, after which the Roll was called showing all Senators present.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 804 to 828) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 804, advising the Senate of the withdrawal of the nominations of:

MOHINDER S. MAAN to the Pest Control Board, under Gov. Msg. No. 648, dated April 11, 2005; and

BRIAN J. FORREST to the Real Estate Commission, under Gov. Msg. No. 650, dated April 11, 2005,

was placed on file.

In compliance with Gov. Msg. No. 804, the nominations listed under Gov. Msg. Nos. 648 and 650 were returned.

Gov. Msg. No. 805, dated April 19, 2005, transmitting the Foreign-Trade Zone No. 9's Annual Report to the Foreign-Trade Zones Board for Federal Fiscal Year Ending September 30, 2004, was placed on file.

Gov. Msg. No. 806, informing the Senate that on April 20, 2005, she signed into law House Bill No. 313 as Act 17, entitled: "RELATING TO 911 EMERGENCY SERVICE," was placed on file.

Gov. Msg. No. 807, informing the Senate that on April 20, 2005, she signed into law House Bill No. 496 as Act 18, entitled: "RELATING TO PETTY MISDEMEANORS," was placed on file.

Gov. Msg. No. 808, informing the Senate that on April 20, 2005, she signed into law Senate Bill No. 1249 as Act 19, entitled: "RELATING TO EDUCATION," was placed on file.

Gov. Msg. No. 809, informing the Senate that on April 20, 2005, she signed into law Senate Bill No. 1210 as Act 20, entitled: "RELATING TO FAMILY CHILD CARE," was placed on file.

Gov. Msg. No. 810, informing the Senate that on April 20, 2005, she signed into law House Bill No. 8 as Act 21, entitled: "RELATING TO MILITARY SERVICE," was placed on file.

Gov. Msg. No. 811, informing the Senate that on April 20, 2005, she signed into law House Bill No. 1221 as Act 22, 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. 812, advising the Senate of the withdrawal of the nomination of NICHOLAS W. TEVES JR. to the Land Use Commission, under Gov. Msg. No. 632, dated April 11, 2005, was placed on file.

In compliance with Gov. Msg. No. 812, the nomination listed under Gov. Msg. No. 632 was returned.

Gov. Msg. No. 813, advising the Senate of the withdrawal of the nomination of EDWARD HALEALOHA AYAU to the Island Burial Council, Island of Molokai, under Gov. Msg. No. 596, dated April 11, 2005, was placed on file.

In compliance with Gov. Msg. No. 813, the nomination listed under Gov. Msg. No. 596 was returned.

Gov. Msg. No. 814, advising the Senate of the withdrawal of the nominations of:

RITO SANIATAN to the Civil Rights Commission, under Gov. Msg. No. 389, dated March 9, 2005; and

EDWINA H. CACOULIDIS to the Island Burial Council, Island of Molokai, under Gov. Msg. No. 597, dated April 11, 2005,

was placed on file.

In compliance with Gov. Msg. No. 814, the nominations listed under Gov. Msg. Nos. 389 and 597 were returned.

Gov. Msg. No. 815, advising the Senate of the withdrawal of the nomination of LESLIE J. KRENK RPH, CDE to the Hawaii Medical Education Council, under Gov. Msg. No. 635, dated April 11, 2005, was placed on file.

In compliance with Gov. Msg. No. 815, the nomination listed under Gov. Msg. No. 635 was returned.

Gov. Msg. No. 816, submitting for consideration and confirmation to the Cable Advisory Committee, the nomination of KEITH ROLLMAN, term to expire June 30, 2008, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 817, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of VENKATARAMAN BALARAMAN, term to expire June 30, 2005, was referred to the Committee on Health.

Gov. Msg. No. 818, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of VENKATARAMAN BALARAMAN, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 819, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nomination of RILEY WILLIAM SMITH PE, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 820, submitting for consideration and confirmation to the Health Planning Council, Hawaii County

Subarea, the nomination of DUANE M. ILSTRUP, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 821, submitting for consideration and confirmation to the Health Planning Council, Maui County Subarea, the nomination of VALERIE L. SIMONSEN, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 822, submitting for consideration and confirmation to the Health Planning Council, West Oahu Subarea, the nomination of FREDERICK SHAW, term to expire June 30, 2009, was referred to the Committee on Health.

Gov. Msg. No. 823, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of WILLIAM G. OBANA MD, term to expire June 30, 2006, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 824, submitting for consideration and confirmation to the Tax Review Commission, the nomination of CHRISTOPHER GRANDY, term to expire Adjournment Sine Die 2007, was referred to the Committee on Ways and Means.

Gov. Msg. No. 825, submitting for consideration and confirmation to the Commission on Transportation, the nomination of EVAN R. RUBENSTEIN, term to expire June 30, 2006, was referred to the Committee on Transportation and Government Operations.

Gov. Msg. No. 826, submitting for consideration and confirmation to the Board of Regents of the University of Hawaii, the nomination of DYLAN W.J. NONAKA, term to expire June 30, 2007, was referred to the Committee on Higher Education.

Gov. Msg. No. 827, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of LAURA W. SCHULTZ DVM, term to expire June 30, 2009, was referred to the Committee on Commerce, Consumer Protection and Housing.

Gov. Msg. No. 828, submitting for consideration and confirmation to the Interstate Insurance Product Regulation Commission, the nomination of SHELLEY K. SANTO, term to expire N/A, was referred to the Committee on Commerce, Consumer Protection and Housing.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 669 to 682) were read by the Clerk and were place on file:

Hse. Com. No. 669, informing the Senate that the House reconsidered its action taken on March 30, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 98, H.D. 2 (S.D. 1).

Hse. Com. No. 670, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 447, H.D. 1 (S.D. 1).

Hse. Com. No. 671, informing the Senate that the House reconsidered its action taken on March 30, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 515 (S.D. 1).

Hse. Com. No. 672, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing

to the amendments proposed by the Senate to H.B. No. 556 (S.D. 1).

Hse. Com. No. 673, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 919, H.D. 1 (S.D. 2).

Hse. Com. No. 674, informing the Senate that the House reconsidered its action taken on April 5, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1450, H.D. 2 (S.D. 1).

Hse. Com. No. 675, informing the Senate that the House reconsidered its action taken on April 5, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1453, H.D. 1 (S.D. 1).

Hse. Com. No. 676, informing the Senate that the House reconsidered its action taken on April 5, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1712, H.D. 1 (S.D. 1).

Hse. Com. No. 677, informing the Senate that the House reconsidered its action taken on April 5, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1715, H.D. 1 (S.D. 1).

Hse. Com. No. 678, informing the Senate that the Speaker on April 20, 2005, made the following changes to the conferees on the following bill:

H.B. No. 1749, H.D. 2 (S.D. 2):

Discharged Representative Chong as a manager.

Appointed Representative Chong as co-chair.

Hse. Com. No. 679, informing the Senate that the Speaker on April 20, 2005, 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. 118, S.D. 2 (H.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Green, Herkes, Schatz, Finnegan.

S.B. No. 179, S.D. 2 (H.D. 2):

Representatives Kahikina, Nakasone, co-chairs; Nishimoto, Meyer.

S.B. No. 1897, S.D. 2 (H.D. 2):

Representatives Kanoho, Karamatsu, co-chairs; Carroll, Magaoy, Schatz, Wakai, Pine.

Hse. Com. No. 680, informing the Senate that the Speaker on April 20, 2005, made the following change to the conferees on the following bill:

S.B. No. 1592, S.D. 1 (H.D. 2):

Appointed Representative Berg as a manager.

Hse. Com. No. 681, informing the Senate that the Speaker on April 20, 2005, made the following changes to the conferees on the following bill:



H.B. No. 1308, H.D. 1 (S.D. 1):

Appointed Representatives Magaoay, Wakai as a managers.

Hse. Com. No. 682, informing the Senate that the Speaker on April 20, 2005, 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. 109, H.D. 1 (S.D. 2):

Representatives Kanoho, Abinsay, Herkes, Takamine, co-chairs; Yamashita, Meyer.

H.B. No. 325 (S.D. 2):

Representatives Caldwell, Takamine, co-chairs; Nakasone, Pine.

H.B. No. 332, H.D. 1 (S.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Green, Finnegan.

H.B. No. 1331, H.D. 1 (S.D. 2):

Representatives Morita, Takamine, co-chairs; Evans, Meyer.

#### STANDING COMMITTEE REPORTS

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1763) recommending that the Senate advise and consent to the nomination of DAVID FUERTES to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 564.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1763 and Gov. Msg. No. 564 was deferred until Friday, April 22, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1764) recommending that the Senate advise and consent to the nomination of SHARON L. PANG to the Small Business Regulatory Review Board, in accordance with Gov. Msg. Nos. 656 and 657.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1764 and Gov. Msg. Nos. 656 and 657 was deferred until Friday, April 22, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1765) recommending that the Senate advise and consent to the nominations to the Hawaii Teacher Standards Board of the following:

JONATHAN GILLENLINE, in accordance with Gov. Msg. No. 280;

CAROL SEIELSTAD, in accordance with Gov. Msg. No. 281; and

JULIE K. TOMOMITSU, in accordance with Gov. Msg. No. 282.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1765 and Gov. Msg. Nos. 280, 281 and 282 was deferred until Friday, April 22, 2005.

Senators Sakamoto and Ige, for the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1766) recommending that S.R. No. 33, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1766 and S.R. No. 33, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REEVALUATE THE DEPARTMENT OF DEFENSE ENLISTMENT POLICY FOR HOMESCHOOLERS," was deferred until Friday, April 22, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1767) recommending that the Senate advise and consent to the nominations to the Board of Electricians and Plumbers of the following:

DEAN D. CHOY, in accordance with Gov. Msg. No. 574; and

MAURICE F. TORIGOE, in accordance with Gov. Msg. No. 575.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1767 and Gov. Msg. Nos. 574 and 575 was deferred until Friday, April 22, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1768) recommending that the Senate advise and consent to the nomination of GARY S. FUKUROKU to the Credit Union Advisory Board, in accordance with Gov. Msg. No. 565.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1768 and Gov. Msg. No. 565 was deferred until Friday, April 22, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1769) recommending that the Senate advise and consent to the nomination of NARIYOSHI HIRAOKA to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 561.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1769 and Gov. Msg. No. 561 was deferred until Friday, April 22, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1770) recommending that the Senate advise and consent to the nominations to the Board of Dental Examiners of the following:

DANIEL F. FUJII DDS, MPH, in accordance with Gov. Msg. No. 569;

MARIAN J. GREY, in accordance with Gov. Msg. No. 570; and

CHERYL M. NAKAGAWA, in accordance with Gov. Msg. No. 571.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1770 and Gov. Msg. Nos. 569, 570 and 571 was deferred until Friday, April 22, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1771) recommending that the Senate advise and consent to the nomination of CHARLES A. STED to the Board of Directors of the Housing and Community Development Corporation of Hawaii (HCDCH), in accordance with Gov. Msg. No. 583.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1771 and Gov. Msg. No. 583 was deferred until Friday, April 22, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1772) recommending that H.C.R. No. 113 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1772 and H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE EFFECTIVENESS OF THE HAWAII INSURANCE BUREAU'S FIRE RATING PROGRAM," was deferred until Friday, April 22, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1773) recommending that H.C.R. No. 273, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1773 and H.C.R. No. 273, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM FOR VOLUNTEERS IN EACH SCHOOL DISTRICT AND ACROSS THE STATE," was deferred until Friday, April 22, 2005.

## ORDER OF THE DAY

### FINAL READING

S.B. No. 680, S.D. 1, H.D. 1:

On motion by Senator English, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 680, S.D. 1, and S.B. No. 680, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chun Oakland, Menor, Taniguchi, Tsutsui).

S.B. No. 768, S.D. 1, H.D. 1:

Senator Baker moved that S.B. No. 768, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Espero.

Senator Slom rose to speak in opposition and stated:

"Mr. President, I rise in opposition to this bill.

"When the original bill and law were discussed several years ago, I rose in opposition to that. I questioned the bill itself, how it was written, how it was to be interpreted, and I understand that what this latest version does is to completely repeal the law because it was found to be unworkable and unenforceable. In looking at the present draft, I find the same thing. It is

unworkable, unenforceable. It also has a fee attached to this current version.

"And as one of our staff people said, it's very interesting to talk about rules that we're proposing for 'no rules combat,' so I'll be voting '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. 768, S.D. 1, and S.B. No. 768, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Slom, Trimble). Excused, 3 (Menor, Taniguchi, Tsutsui).

S.B. No. 1170, S.D. 2, H.D. 1:

On motion by Senator Baker, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1170, S.D. 2, and S.B. No. 1170, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

At 11:51 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.

### ADVISE AND CONSENT

Stand. Com. Rep. No. 1719 (Gov. Msg. Nos. 448, 449 and 450):

Senator Baker moved that Stand. Com. Rep. No. 1719 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:

ORALIE CARTER, term to expire September 20, 2008 (Gov. Msg. No. 448);

ANN E. COLLINS, term to expire September 20, 2008 (Gov. Msg. No. 449); and

CHARLOTTE K. YOSHIDA, term to expire June 30, 2007 (Gov. Msg. No. 450),

seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1720 (Gov. Msg. Nos. 451, 452, 453, 454 and 455):

Senator Baker moved that Stand. Com. Rep. No. 1720 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:

MARIE E. KIMMEY, term to expire June 30, 2009 (Gov. Msg. No. 451);

WILLIAM K. KOKI II, term to expire June 30, 2009 (Gov. Msg. No. 452);

STERLING KRYSLER, term to expire June 30, 2009 (Gov. Msg. No. 453);

MARK T. OBATAKE, term to expire June 30, 2007 (Gov. Msg. No. 454); and

NORMAN F. OLESEN, term to expire June 30, 2009 (Gov. Msg. No. 455),

seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1721 (Gov. Msg. Nos. 459 and 460):

Senator Baker moved that Stand. Com. Rep. No. 1721 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 Policy Advisory Board for Elder Affairs of the following:

CAROLYN ARBUCKLE PH.D., term to expire June 30, 2009 (Gov. Msg. No. 459); and

THOMAS J. MACDONALD, term to expire June 30, 2009 (Gov. Msg. No. 460),

seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1722 (Gov. Msg. No. 461):

Senator Baker moved that Stand. Com. Rep. No. 1722 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 DARREN J. ROSARIO to the Emergency Medical Services 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, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1723 (Gov. Msg. Nos. 468, 469, 470, 471, 472 and 473):

Senator Baker moved that Stand. Com. Rep. No. 1723 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 Board of Health of the following:

GENEVIEVE A. KINNEY, term to expire June 30, 2008 (Gov. Msg. No. 468);

ANN M. KWOCK, term to expire June 30, 2008 (Gov. Msg. No. 469);

BARRY SHITAMOTO MD, term to expire June 30, 2008 (Gov. Msg. No. 470);

RICHARD E. SMITH REHS, MPH, terms to expire June 30, 2005, and June 30, 2009 (Gov. Msg. Nos. 471 and 472); and

JEFF J. SOL MD, term to expire June 30, 2008 (Gov. Msg. No. 473),

seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1724 (Gov. Msg. No. 474):

Senator Baker moved that Stand. Com. Rep. No. 1724 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 ANDREA LEHUALANI COSMA to the Board of Directors of the Hawaii Health Systems Corporation, term to expire June 30, 2009, seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1725 (Gov. Msg. Nos. 512, 513, 514, 515 and 516):

Senator Baker moved that Stand. Com. Rep. No. 1725 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 Radiologic Technology Board of the following:

LORI H. O. KAMIKAWA, term to expire June 30, 2009 (Gov. Msg. No. 512);

VICTORY KNEISLEY, term to expire June 30, 2009 (Gov. Msg. No. 513);

MARJORIE M. KUNIYOSHI, term to expire June 30, 2008 (Gov. Msg. No. 514);

MARK MONIZ, term to expire June 30, 2009 (Gov. Msg. No. 515); and

STEIN ERIK RAFTO MD, term to expire June 30, 2009 (Gov. Msg. No. 516),

seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1726 (Gov. Msg. No. 530):

Senator Inouye moved that Stand. Com. Rep. No. 1726 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 GORDON J. BRUCE to the Wireless Enhanced 911 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, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1727 (Gov. Msg. Nos. 397 and 398):

Senator Espero moved that Stand. Com. Rep. No. 1727 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Small Business Regulatory Review Board of the following:

JEANETTE OTSUKA CHANG, term to expire June 30, 2009 (Gov. Msg. No. 397); and

EDWARD MACDOWELL, term to expire June 30, 2009 (Gov. Msg. No. 398),

seconded by Senator Fukunaga.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1728 (Gov. Msg. Nos. 399, 400 and 401):

Senator Espero moved that Stand. Com. Rep. No. 1728 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nominations to the Stadium Authority of the following:

KATHLEEN O. AHINA, term to expire June 30, 2009 (Gov. Msg. No. 399);

MARCIA J. KLOMPUS, term to expire June 30, 2009 (Gov. Msg. No. 400); and

NELSON OYADOMARI, term to expire June 30, 2009 (Gov. Msg. No. 401),

seconded by Senator Fukunaga.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1729 (Gov. Msg. No. 432):

Senator Espero moved that Stand. Com. Rep. No. 1729 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of MELISSA TEVES PAVLICEK to the Board of Directors of the Aloha Tower Development Corporation, term to expire June 30, 2008, seconded by Senator Fukunaga.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1730 (Gov. Msg. No. 443):

Senator Espero moved that Stand. Com. Rep. No. 1730 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of STEPHANIE S. H. CRIVELLO to the Community-Based Economic Development Advisory Council, term to expire June 30, 2009, seconded by Senator Fukunaga.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1732 (Gov. Msg. No. 456 and 457):

Senator Baker moved that Stand. Com. Rep. No. 1732 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 TODD KIYOSHI INAFUKU to the Drug Product Selection Board, terms to expire June 30, 2005, and June 30, 2009, seconded by Senator Chun Oakland.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1733 (Gov. Msg. No. 439):

Senator Baker moved that Stand. Com. Rep. No. 1733 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ULRIKE WEISS to the Board of Acupuncture, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1734 (Gov. Msg. Nos. 484 and 485):

Senator Baker moved that Stand. Com. Rep. No. 1734 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Medical Examiners of the following:

BRIAN E. CODY, term to expire June 30, 2009 (Gov. Msg. No. 484); and

H ROGER NETZER MD, term to expire June 30, 2009 (Gov. Msg. No. 485),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1735 (Gov. Msg. No. 486):

Senator Baker moved that Stand. Com. Rep. No. 1735 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of WAYNE K. DE LUZ to the Motor Vehicle Industry Licensing Board, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1736 (Gov. Msg. No. 487):

Senator Baker moved that Stand. Com. Rep. No. 1736 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of RANDAL M. MORIFUJI to the Motor Vehicle Repair Industry Board, term to expire June 30, 2008, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1737 (Gov. Msg. Nos. 437 and 438):

Senator Baker moved that Stand. Com. Rep. No. 1737 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the State Board of Public Accountancy of the following:

STEPHEN E. CALLO, term to expire June 30, 2009 (Gov. Msg. No. 437); and

HOWARD S. TODO, term to expire June 30, 2009 (Gov. Msg. No. 438),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1738 (Gov. Msg. No. 510):

Senator Baker moved that Stand. Com. Rep. No. 1738 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of WARREN J. FERREIRA MA CPP to the Board of Private Detectives and Guards, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1739 (Gov. Msg. Nos. 463, 464, 465 and 466):

Senator Baker moved that Stand. Com. Rep. No. 1739 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker 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:

MICHAEL S. CHU, term to expire June 30, 2008 (Gov. Msg. No. 463);

SHELLI A. MCCELVEY, term to expire June 30, 2009 (Gov. Msg. No. 464);

ROSS S. OKUDA PE, term to expire June 30, 2008 (Gov. Msg. No. 465); and

KEN OTA, term to expire June 30, 2009 (Gov. Msg. No. 466),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1740 (Gov. Msg. Nos. 527 and 528):

Senator Baker moved that Stand. Com. Rep. No. 1740 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Veterinary Examiners of the following:

ERIC M. F. C. AKO DVM, term to expire June 30, 2008 (Gov. Msg. No. 527); and

PAM L. SMITH, term to expire June 30, 2009 (Gov. Msg. No. 528),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1741 (Gov. Msg. Nos. 444, 445 and 446):

Senator Baker moved that Stand. Com. Rep. No. 1741 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Contractors License Board of the following:

TADY T. ARISUMI, term to expire June 30, 2009 (Gov. Msg. No. 444);

JOE S. KINDRICH, term to expire June 30, 2009 (Gov. Msg. No. 445); and

AUDREY E. J. NG, term to expire June 30, 2009 (Gov. Msg. No. 446),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1742 (Gov. Msg. No. 511):

Senator Baker moved that Stand. Com. Rep. No. 1742 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of EVELYN H. YANAGIDA to the Board of Psychology, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1743 (Gov. Msg. No. 497):

Senator Baker moved that Stand. Com. Rep. No. 1743 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of LAURIE STEELSMITH to the Board of Examiners in Naturopathy, term to expire June 30, 2008, seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1744 (Gov. Msg. Nos. 518, 519, 520 and 521):

Senator Baker moved that Stand. Com. Rep. No. 1744 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Speech Pathology and Audiology of the following:

ANA A. GAMBLE, term to expire June 30, 2008 (Gov. Msg. No. 518);

MONA S. TAKUMI, term to expire June 30, 2008 (Gov. Msg. No. 519);

LENHANH P. TRAN MD, term to expire June 30, 2008 (Gov. Msg. No. 520); and

MARGARET K. WADA, term to expire June 30, 2008 (Gov. Msg. No. 521),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1745 (Gov. Msg. Nos. 502, 503, 504, 505, 506, 507 and 508):

Senator Baker moved that Stand. Com. Rep. No. 1745 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the State Board of Nursing of the following:

KATHARYN FROST DAUB RN, term to expire June 30, 2007 (Gov. Msg. No. 502);

DARRYL N. ING, term to expire June 30, 2007 (Gov. Msg. No. 503);

JILLIAN INOUYE, term to expire June 30, 2007 (Gov. Msg. No. 504);

PATRICIA A. LANGE-OTSUKA EDD, MSN APRN BC, term to expire June 30, 2008 (Gov. Msg. No. 505);

BENJAMIN MERCADO, term to expire June 30, 2009 (Gov. Msg. No. 506);

MARY FRANCES ONEHA, term to expire June 30, 2008 (Gov. Msg. No. 507); and

BARBARA ANN TANNER RN, term to expire June 30, 2008 (Gov. Msg. No. 508),

seconded by Senator Espero.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1748 (Gov. Msg. Nos. 201 and 202):

Senator Kokubun moved that Stand. Com. Rep. No. 1748 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Land Use Commission of the following:

MICHAEL D. FORMBY, term to expire June 30, 2008 (Gov. Msg. No. 201); and

LISA M. JUDGE, term to expire June 30, 2008 (Gov. Msg. No. 202),

seconded by Senator Hooser.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1749 (Gov. Msg. No. 293):

Senator Kokubun moved that Stand. Com. Rep. No. 1749 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of LAWRENCE H. MIIKE MD, JD to the Commission on Water Resource Management, term to expire June 30, 2008, seconded by Senator Hooser.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1750 (Gov. Msg. Nos. 386 and 387):

Senator Kokubun moved that Stand. Com. Rep. No. 1750 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Board of Agriculture of the following:

ALAN H. GOTTLIEB, term to expire June 30, 2009 (Gov. Msg. No. 386); and

CRAIG G. RASMUSSEN, term to expire June 30, 2009 (Gov. Msg. No. 387),

seconded by Senator Hooser.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1751 (Gov. Msg. No. 390):

Senator Kokubun moved that Stand. Com. Rep. No. 1751 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of MICHAEL N. GOSHI to the Hawaii Community Development Authority (HCDA), term to expire October 12, 2007, seconded by Senator Hooser.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

Stand. Com. Rep. No. 1752 (Gov. Msg. Nos. 291 and 292):

Senator Sakamoto moved that Stand. Com. Rep. No. 1752 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 Advisory Board on Veterans' Services of the following:

RONALD J. HAYS USN (RET.), term to expire June 30, 2008 (Gov. Msg. No. 291); and

LLYOD K. SODETANI, term to expire June 30, 2008 (Gov. Msg. No. 292),

seconded by Senator Hooser.

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

Ayes, 23. Noes, none. Excused, 2 (Menor, Taniguchi).

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

Stand. Com. Rep. No. 1761 (Gov. Msg. No. 289):

Senator Hee moved that Stand. Com. Rep. No. 1761 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of RAMON S. DE LA PENA PH.D. to the Board of Regents of the University of Hawaii, term to expire June 30, 2008, seconded by Senator Inouye.

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

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

Stand. Com. Rep. No. 1762 (Gov. Msg. No. 290):

Senator Slom rose and said:

"Mr. President, can we have a Roll Call vote please?"

The Chair so ordered.

At 11:57 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.

By unanimous consent, Stand. Com. Rep. No. 1762 was received and placed on file.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of JOHN K. KAI to the Board of Regents of the University of Hawaii, term to expire June 30, 2007, seconded by Senator Trimble.

Senator Hogue rose to speak in support of the nominee and stated:

"Mr. President, I rise in support of the nominee, who is sitting upstairs watching the proceedings here and he's probably

wondering why there has been all this controversy and yet the vote was going to slide by there.

"First of all, the nominee is a very good man. He comes from a very good family. I know his family. They work hard in the State of Hawaii and John Kai is a tremendous businessman, community member and individual, and I think the University of Hawaii Board of Regents is proud to have him as an interim member.

"In fact, there was all positive testimony about John Kai, including some from current Board of Regent members. Here is one: 'John has been an outstanding member of the Board of Regents during the months he has served on an interim basis. He brings a high level of expertise in areas that are pertinent to the work of the regents and is always well prepared and active as a policymaker and steward. John's expertise in the areas of financial investment management has been extremely valuable to the board as we exercise our financial and fiduciary responsibilities.' That one was signed by Kitty Lagareta. There is another one here. This one is from Byron Bender: 'I'm writing you in support of the appointment of John Kai to the UH Board of Regents. In the months that he's already been serving, I've come to know him as someone who is dedicated to public service, who brings to this assignment expertise in the areas of finance. Although he might be expected to pay special attention to Big Island issues, he has shown that he understands that as a member of the Board of Regents, he has a duty to take a statewide perspective. He is bright,' and this is really kind of interesting, 'and relatively young and a fast learner. I believe that he has the potential for establishing a record of sustained, top quality service. I urge you to vote for this confirmation.'

"I'm not going to go through and read all of the testimony, but all of it is positive. All of the testimony was positive – all of the testimony was positive. It comes from former members of the Board of Regents. It comes from the University of Hawaii at Hilo people, including the Chancellor there. It comes from people who know him on the Big Island, individuals everywhere, people standing up for John Kai as an outstanding man.

"Now, I read some comment made and I actually saw it on television when this was on Olelo. There was a comment that John Kai might not rise to the level of some other potential members of the Board of Regents because he is a small businessman, because other people who have been nominated to the Board of Regents apparently are top corporate executives, and therefore John Kai, being a small businessman, apparently doesn't rise to the bar. Well, that should come as a startling surprise to members of the small business community.

"Do you realize that we probably have more small businesspeople in the state than any other category, and John Kai represents them and represents them extremely well. He has founded a business that is extremely successful. Do you realize how difficult that is? Small businesses fail every day because of a variety of reasons – mismanagement, over regulation, taxes, etc. – and yet, John Kai's management has led to having a very successful small business. Why shouldn't we have this kind of voice on the Board of Regents?

"Not every single person that comes forward on the Board of Regents is going to be as great a speaker as the other person, as great a writer as the other person, have the same items on their resume. John Kai, being a very successful small businessman, brings diversity to the board. I think his voice should be heard. More than anything else, John Kai is a very, very good man who's been put forward in a very difficult situation. I think he has come through like a gentleman, like a true gentleman. I'm

very proud to support John Kai and I urge my colleagues to do likewise.

"Thank you."

Senator Trimble rose in favor of the nominee as follows:

"Mr. President, I rise to speak in favor of the nominee.

"First I'd like to acknowledge the Chairman of the Higher Education Committee, and I want to acknowledge his staff.

"Several things, and I think they're really important things for our society, happened. One, Mr. President, I believe that the Chairman of the Higher Education Committee raised the expectation, raised the bars, raised what was expected to be on the Board of Regents. There was lively discussion at the committee hearings. I want to publicly acknowledge the Chairman of the Higher Education Committee for holding a second hearing, because quite frankly, after the first one, I had grave reservations. I also liked, at the second hearing, to be able to watch the interaction between John Kai and the Chairman, and while perhaps I reached a different conclusion, I want to share with you why my level of reservations diminished.

"First of all, what I want to see on the Board of Regents is not only diverse in terms of ethnicity and in terms of geographic location, but in terms of how the regent perceives or the potential regent perceives what he adds to the board. John Kai was very humble when he said that he thought he represented the 'average Joe.'

"The second thing that the confrontation brought out to me is that John Kai was willing and able to take confrontation, to stand up under duress, and to articulate his position. So I believe that John Kai will not only add diversity and independence to the Board of Regents, but will also be able to, when important issues are discussed and emotions rise to the surface, be able to articulate and hold fast to those beliefs that he holds dear.

"The final thing that I would like to say is that I think that John Kai will be an important advocate for the university system on the Big Island, and he recognizes the importance of both the community colleges as well as UH Hilo, but he will do this in terms of the broader perspective of the university, and I think that is also positive.

"So, colleagues, I urge you to vote in support of John Kai. Thank you."

Senator Sakamoto rose to speak in opposition to the nomination and said:

"Mr. President, I rise in opposition to the motion as well in response to our Senator from Kaneohe.

"Mr. President, if people believed everything they read, we'd be in 'la-la' land. The comments in regard to what perhaps attributed to me as regarding small business are taken clearly out of context. As you well know, I am a small businessperson and very supportive of small businesses and nowhere in the conversation with Mr. Kai was there a conversation about small businesspeople, small businesspersons, the good of small businesspeople. The context was that Mr. Kai said, not in these exact words but to the effect that, the primary reason he felt he would be an asset to the board was because of his financial investment background and his ability to shape a financial investment monitoring policy for the University of Hawaii.



"In the line of questions, it was in regards to what is his background and what kind of accounts does he have? And perhaps that's where the small business part came in. And yes, I did say, there is Mr. Migita from the Bank of Hawaii, and City Bank, and ISL, and it's now Central Pacific Bank; there's Mr. Landon who traveled across the country as an auditor with Ernst & Young and now he's the head of Bank of Hawaii. So in those regards, part of the questioning related to, for Mr. Kai, in light of those other two nominees who perhaps may be appointed, that his financial investment background as related to these two top bank professionals, if perhaps, what were his comments. If they were equal, he said he could work with them. I think my comment was in comparison to people who deal with not just millions, not just five million, not just a hundred million, but in the order of the magnitude of billions. In my mind their capability in financial matters, financial investment matters, looking at fund managers who are managers of hundreds of billions of dollars, I felt that in that comparison, they compared to Mr. Kai saying that was his number one strength, he could accomplish those functions. And I questioned whether he rose to the level they rose to, not in regard to being a small businessperson, but in regard to his professed expertise of being a financial investment manager for the University of Hawaii."

Senator Slom rose to speak in support of the nominee and stated:

"Mr. President, I rise in support of Gov. Msg. No. 290 for the confirmation of Mr. Kai.

"First of all, colleagues, we have an awesome responsibility when we exercise this power of advise and consent, and I know that we all take this extremely seriously. I think the hearing process is very important, and I, too, would like to thank the Chairman of Higher Education for having the second hearing, which I attended from gavel to gavel.

"I think that it is important that we examine the credentials of anyone that is before us for any board or commission or position. And I think we also should strive for the best and the brightest for any board or commission. Having said that, however, let me add a few other remarks. First and foremost, I am a graduate, a proud graduate of the University of Hawaii, Manoa. This is my school. This is my university, and so I'm very concerned. I give money to it. I try to give volunteer efforts to it, and I'm very concerned about who is involved both with the faculty and with the administration.

"My perspective is this – as was said previously in some of the remarks by the Minority Floor Leader, the community of which Mr. Kai resides was totally supportive of this individual, and they know him best. They know him better than we do and they know him better than any single or even dual hearing because he lives there; he works there; he makes contributions to the community there.

"Could there be someone better and brighter than Mr. Kai? Perhaps, but this is not a competition for a limited number of seats. If, for example, we were saying that there were only one or two positions available for the Board of Regents and we had three or four or five candidates, I would be the first to agree, let's rank them in order of priority, let's rank them on how at ease they were with the questioning of the Chairman and the sometimes obtuse issues that were brought up and all of that, and that's fair enough. But that is not the issue here. We're not talking about one or two seats. There are enough seats to go around.

"The issue that the Minority Floor Leader brought up about diversity and independence is extremely important. I don't

think we would want all high profile business or labor union leaders to make up a board of regents because that's not how our communities are made up; that's not how this Senate Body is made up.

"So basically, what we're looking for when we examine these candidates – we certainly want to see their demeanor, their temperament; we want to see how they answer questions; we want to look very carefully at their background. And there was nothing – there was nothing negative that was brought to this Committee or to this Senate Body, not even an anonymous e-mail, which we're used to here. Nothing came in the negative about this gentleman other than he should have known more about certain subjects that the Committee asked him about. And that may be true, but I found him to be honest and forthcoming. And even though the Chairman said on several occasions he doesn't mind what the position is even if the nominee disagrees with him, I don't know, some people might think he did mind, it did matter, because there were a number of areas of disagreement.

"For example, the one that has generated the most discussion, I guess, is the matter of whether or not the University of Hawaii's Hilo Campus should have degree programs, Ph.D. degree programs. I thought Mr. Kai was very direct and forthcoming. He supported it. The issue then was, if Manoa is a research campus, then all the Ph.D. programs should reside on Oahu and in Manoa. Why? Why should it? I think you can make arguments pro and con both ways, but if I were living on the Big Island and I wanted to pursue a Ph.D., the argument that Manoa is the research campus of our system and so we can't allow any Ph.D. programs here, that would resound with a dull thud with me. And I think it does with Mr. Kai's neighbors, friends, and associates.

"The other thing that is often overlooked is, if we're examining and having a hearing about someone who is about to get a large salary and a lot of perks and benefits, believe me, I'd be at the front of the line to ask really difficult questions as to whether or not this person really deserved that compensation, those fees, those benefits and all of that when the rest of the 'average Joes' in fact are struggling.

"In fact, last week we voted ourselves an additional office allowance increase. We voted ourselves additional travel allowances. We had the compensation commission give us all pay raises at the beginning of this year. Nobody got to discuss that. Our constituents didn't get to question us or to ask about that.

"The point here, though, is Mr. Kai is an unpaid volunteer. He's a volunteer. He heard the call that the University of Hawaii needs people on the Board of Regents to set policies and also to make sure that we never have a Dobbelle situation again. Because that's the responsibility of the regents – to make sure that no matter how glib a person is, no matter how his background and experience shines above all others, that first and foremost he be honest and that there be integrity and that we really do a due diligence to find out if there are any negative possibilities about that gentleman. But we're talking about an unpaid volunteer, and further we're talking about somebody who understands and committed to giving up time with his family, with his business, with his recreational pursuits, if he has any time to do that, in his own community to serve our university. That is what he wants to do.

"So, I believe that some of the criticism about him or he being compared to other people . . . and by the way, I went to the hearing this morning with the two aforementioned gentlemen – both bankers, both experts, both well trained – and I'm sure they're going to sail through here on their

confirmation, which is fine. They bring a part, also, to the Board of Regents that's necessary.

"And to my good friend, the Senator from Moanalua, let me offer this as a small business owner and a small business representative, an advocate also, I think that the perception was, in the line of questioning, that there was a diminishing of importance because this individual only deals with smaller businesses, smaller budgets and individuals, rather than large corporate clients and investment giants and union trust funds and all that. But let me tell you something, as it was said, small business, as the good Senator knows, makes up 95 percent of this State and there are more small businesses and more small individuals who need the kind of help that this nominee has given them, because otherwise they would have complained. They would have said, 'I got a raw deal. The guy doesn't know what he is talking about. He wasn't able to help me. He wasn't available. He didn't do things.' But no, they said the opposite – he has been helpful; he's been there; he's done that.

"And so, we would sit in judgement of a man like this and a community like that and from some elitist position say, 'He's just not bright enough. He's just not experienced enough. He's just not big enough. He just doesn't have the right clients. And he just doesn't know all the answers to all the questions that we possibly could think of to ask him.' I don't think that's right.

"I think that if there were reasons of lack of judgement, or lack of temperament, or moral turpitude, or anything in this gentleman's past . . . and by the way, that's why so many people don't volunteer. They don't volunteer for boards and commissions. They don't come forward because they see it as a grilling. They see it as a TV drama. They see it as having to answer every little question about themselves, their family, their business, and have a range of knowledge that I dare say many of us in this room do not possess.

"Is he willing and able to learn about these things? Yes. It is a crime to say we shouldn't allow him to be on the board and to learn then? If you're paying a person, I would say the answer is yes. But to learn on the job, to be willing to do more, to be willing to find out about more things, I think that's a positive.

"Is he independent? You bet he is. That's probably one of his faults – he's so independent, he's not well connected. He didn't have the lifelines to call upon that maybe some of the more well known nominees for different boards and commissions have. He's just a man, a father, a husband, a businessman who wanted to help our state university, and we're in a position to say he's not good enough. It's kind of like saying, 'Hey, we really like the contestants in the Ms. Kakaako contest, but have you seen the ones in Ms. Universe? Boy, are they something.'

"Let's stay focused on what we are doing. We're looking at this gentleman's character, his background, and his experience. And to me, he passed the test. To me, he's qualified. And besides, besides talking about a non-paid volunteer position, it's a two-year term. We're not putting him in for life. We're not putting him in for 10 years. We're not putting him in for . . . it's two years! Now, at the end of that time, if he has not done the things that he said that he will do, can do, and all of that, then by all means let's hold him responsible. But to deny him and deny the university community and to deny the people of the Big Island that support this gentleman, for us, I think, is wrong.

"And one final comment, Mr. President, I note that on the official committee report on page 5, I read the following: quote, 'Mr. Kai's subsequent comments as quoted in the media regarding the Committee's "loaded questions" and his

comments about establishing doctoral programs on Maui and Kauai showed a complete ignorance of board policy, fiscal responsibility, and practicality. Above all, his post-hearing behavior displayed inappropriate temperament for the position of a regent,' unquote. As I said, I was there from gavel to gavel. I saw Mr. Kai leave that hearing. He never said a word in that hearing. There was nothing to lead anybody to believe his temperament was wrong or improper or below the level of us in the Senate.

"In terms of comments that he made to the media, he answered questions and that's his belief, and that's his feeling. And now, when we were debating this whole year about free speech, we find out that free speech isn't free and that people are condemned because of their opinions and because of what they say. But did he say anything wrong about the Committee? It was his opinion that some of the questions were loaded, and I can tell you he didn't get the same kind of questions that the two nominees got this morning, which is beside the point. It should be beside the point. He didn't say anything or do anything inappropriate to show that he had a bad temperament. I think that idea is in the eyes of the beholder.

"So, I would urge my colleagues to think about all of these things, to review, to understand how important this advise and consent process is and what it's about and not to diminish the support for an individual that comes from his or her community.

"Thank you, Mr. President."

Senator Baker rose in opposition to the nomination and said:

"Mr. President, I rise in opposition to the motion.

"Mr. President, as I was listening to my colleague from East Honolulu, I was reminded of the phrase, 'damning by faint praise' because I think some of the testimonial that our colleague just provided does that for this nominee.

"This nominee has served on the Board of Regents in an interim capacity for 10 months. It should have been a sufficient learning curve. We expect new people coming in to need to be brought up to speed, but he's been on the job for 10 months.

"It's not just an unpaid volunteer status. That demeans the entire Board of Regents. No, they don't get a salary, but their authority, their policymaking, the tone that they set for the university, the guidance that they're going to give that enormous institution with its thousands of employees and millions and millions of dollars, their responsibility is enormous. We've entrusted the Board of Regents at the university with the shaping of much of our economy because the products that they turned out and their ability to attract faculty and grants really mean whether we're going to have a viable education industry in our State. So, the job of a regent is very, very important and we need to be looking for the best and the brightest, not somebody who's just merely 'okay.'

"When we questioned this nominee, yes, he was willing to learn; yes, he had some other fine attributes. But when we got down to the core issues of how he was going to be making decisions, what he had learned over the 10 months, we were told he had this financial experience and he had out-of-the-box thinking, but when we talked to him about how are you going help with making sure that there are resources at the university, it went back to the tried and true – we're going to raise tuition. There's nothing out-of-the-box about that. When we asked him, what's that going to mean for access for our kids here, for people who want to get an education or want to better themselves, he said, 'well, it's still a bargain.' That, to me, Mr.

President, was very telling in terms of what I thought were problems with this particular nominee.

"I don't doubt that he's a fine man, that he has wonderful attributes, that he's a good father, good husband, good provider, that he does things in the community, but when it came to his breadth of understanding the role of the regents and what they should be doing, it didn't seem to rise to the occasion.

"And so, it is with reluctance, because I think he is a nice man, that I will be voting 'no' on his confirmation."

Senator Chun Oakland rose to speak in support of the nominee and stated:

"Mr. President, I speak in support of this motion.

"Unlike the Senator from Hawaii Kai, I do not share the same sentiments about how our colleagues arrive at their decision, and I very much respect everyone for their decision today.

"I also wanted to thank the Chair of Higher Education. I think he was very fair in terms of allowing us another opportunity for both Board of Regent candidates to be able to speak again before the Committee.

"What I am supportive of with Mr. Kai is I feel that he would be a strong advocate for the community college system. With the individual discussions that I've had with him and the hearing process that I was able to participate in, that was my sense about him.

"I also feel it's very important that we have a perspective of people that are working, that are going back to school and trying to make themselves better, improve their skills, and their knowledge so that they can be very productive and be able to support their families.

"Hearing from Mr. Kai about how he went to school and then had to work and went to school again, I think that reminds us and could be a reminder on the Board of Regents of who we are serving.

"So, that is why I am supportive of Mr. Kai. I think when I met with him, even his investment expertise to me is important. I know we have to have our institution be accountable. I think the Board of Regents that we are considering for confirmation soon will also lend that very important expertise.

"But again, I would like to thank the Committee for the opportunity that was given to both candidates and urge support of this nominee. Thank you."

Senator Kanno rose in opposition to the nomination and said:

"Mr. President, I rise to speak in opposition.

"Mr. President, I have a philosophical disagreement with Mr. Kai's nomination. I believe that all members of the Board of Regents, with the exception of the student member, should have at least a Bachelor's degree from an accredited university.

"When former Governor George Ariyoshi opposed gambling in Hawaii, he raised the concern about what message we're sending to the young people in our State. Where we encouraged our keiki to study hard and to work hard to attain their goals, gambling sends the opposite message that you don't have to study hard or work hard to win at gambling.

"The Board of Regents governs our state's degree granting university. I ask what message is being sent by approving regents without a Bachelor's degree?"

"I urge my colleagues to vote 'no.' Thank you."

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

"Mr. President, I rise to speak in favor of the nominee John K. Kai for the Board of Regents of the University of Hawaii.

"Mr. President, I think I have to play my remarks like a Stradivarius in order to not polarize this issue politically. I will first remind all of us that our shining moments in this Legislature was when we voted our conscience and voted on the merits of the issue and not strictly along political or ideological lines.

"In my remarks I'll remind all of us that we had a wonderful debate several years ago on physician assisted suicide and never once did petty politics or labels on people's backs, Democrat or Republican, enter into the debate. We had similarly a debate on Hawaii Rx, where we did work together and came up with a wonderful piece of legislation that's going to benefit the people of Hawaii.

"Just this year, to our credit, not to our shame, we brought to the Floor a bill for prescriptive rights for physiologists, and it was debated on this Floor like healthy democracies do. And I can honestly look each one of my colleagues in the eye and say we all voted our conscience rather than our political labels, and that particular bill came out with a tie vote and failed.

"What do we know? We had a hearing process, and I don't believe there was any testimony against the nomination. I think people came down here from the Board of Regents, from different walks of life in our community and testified in favor of Mr. Kai. So, where is the resistance coming from? Is it coming from particular politicians who have an issue that they want to make or a point they want to make? I don't know, but it seems that the voting in Committee was a pretty close vote. As I recall, it was 3 to 2 not to advise and consent. So that tells me that the Majority Party has mixed feelings about this nominee. There is no testimony against him. So I want all of us to dig into our conscience and ask ourselves, where is the resistance and why? I think that in looking at that, we'll come to the conclusion that this has to do more with politics rather than good policy in advice and consenting on good people that put their names forward for public service.

"Mr. Kai is a good man. Mr. Kai has stepped forward to serve the people of the State of Hawaii with no compensation and brings to the Board of Regents a well-rounded opinion on how to run the university.

"A previous speaker mentioned that the Mr. Kai didn't have a college degree in a certain area. Well I would tell you, Mr. President, some of the greatest leaders in the history of our country have not had college degrees. In fact, I think one of our previous Governors didn't have a college degree. So I think it's not relevant to the debate here on the Floor today.

"What I do think is relevant is politics. I'm hoping, Mr. President and colleagues, that as we have done in the past and on several occasions with issues like physician assisted suicide, Hawaii Rx, psychologist's prescriptive rights, that each one of us can vote without political party considerations or without personal agendas and do what's best for the University of Hawaii and what's fair to a man who received unanimous support from every testifier at the committee hearing. I'm sure

if we do that, we will vote to advise and consent and approve Mr. John K. Kai for the Board of Regents, and I urge my colleagues to do so.

“Thank you, Mr. President.”

Senator Hee rose in opposition to the nominee and stated:

“Mr. President, before I begin, I want to thank the Committee on Higher Education for their hard work and their staff. I want to thank Senator Hogue for his nice remarks regarding the Committee, Senator Chun Oakland, and all others who have expressed some gratitude in having two committee meetings on these nominees.

“Mr. President and colleagues, John Kai is a good man. I don’t know if he’s a good father; I assume he is. I don’t know if he is a good husband; I assume he is. John Kai is a good man. He is a graduate of Honokaa High School. He’s a country boy like many of us here. He’s a local boy and he’s proud of it. His opening statement to the Committee at the first hearing was, ‘I’m a local boy.’ That means a lot to me, and I suspect it means a lot to others.

“John Kai was very honest in his disclosures. He disclosed he didn’t have a BA. He should be commended for that. He disclosed he was arrested as a college student or while in college. He disclosed that. He disclosed that as a money manager, he was fined by the FCC. That speaks to honesty. I want to ask of the members here, and Mr. Kai, who I understand is above us, that during the preceding there was a clear expectation of the Committee, and properly so, that any interim appointee should have a higher standard of sensitivity with regard to the university – a billion-dollar institution that services 80,000 students and is one of the biggest employers, that if it was a private company would be the fifth largest in the State, that is on each island with 10 campuses. This is our university for the local boys and the local girls and all others.

“It is because of that expectation and the language, upon which he has agreed to serve for the last 10 months, in our constitutional which states: ‘The board shall also have exclusive jurisdiction over the internal structure, the management, and the operation of the university,’ (article 10, section 6) that the Committee properly raised its level of expectations in responses.

“Let me clarify for the speaker from Hawaii Kai that the question with regard to the policy of the University of Hawaii at Manoa being a research institution is very different than whether or not Ph.D. programs should be on all islands. That, in itself, is an oxymoron. A research university by policy is a Cal Berkeley. It isn’t a San Luis Obispo. The administration of Manoa has grave concerns about two Ph.D. programs in Hilo. It has no concern whatsoever on the desire, but rather the policy. Myself, let me state for the record, I support the Ph.D. program in Hawaiian language at Hilo. It should be no secret to anyone on this Floor. But that question and that support is different from the policy that Manoa should be the research engine, because if that is so, Ph.D. programs would be housed at Manoa, and that Hilo and West Oahu College should be a state university and that the community colleges shall remain as community colleges in a three-tiered policy approach.

“The fact that Mr. Kai defended the Ph.D. program at Hilo warmed my heart because I agree with him in deference to the policy. The only difference is I am not a regent. Mr. Kai is the regent. So when asked to explain the policy, it gave him an opportunity to distinguish the difference between a research university and a state university, regardless whether we may agree or disagree.

“Mr. Kai said in both hearings that Hilo is fine. I disagree, but that doesn’t mean I’m right and he’s wrong – it means we disagree. Mr. Kai said that the CIP in clarification is fine, not the operational budget. I disagree, but that doesn’t make me right; it makes me different.

“This is a toilet at Hawaii Community College. (Senator Hee displays several pictures.) I don’t want to sit on this toilet. This is a toilet. This is a rotted roof at Hawaii Community College. These are rusted gutters at the community college. This is a downspout that does not connect to the gutters at the community college. These are foundation beams that don’t touch the ground at the community college. So, I disagree with the regent that Hawaii Community College is fine. That doesn’t make me right; that makes me different. But if these are examples of what is fine from the position of a regent, in deference to the regent, I disagree.

“Members, one of the most difficult jobs in the Senate is advice and consent. There have been over 200 nominees this year that we have advised and consented upon. I have voted for every one of them except one. Most of the time, those that don’t meet the standard of the Chair asks that the name be withdrawn, and most of the time it is. This morning in the Committee on Judiciary, two names were withdrawn at the request of the Chair. Unfortunately, one was withdrawn only after the Committee voted not to confirm. Subsequently, it was withdrawn.

“The chief of staff for the Governor called me on a matter subsequent to the Committee’s unfavorable rating on the nominee. They had chosen not to withdraw. I asked the chief of staff to the Governor to ask the nominee to withdraw. I respect the Governor and the nominee’s desire to put it to the Floor.

“Given all that has gone on, given the opportunities extended to both Dr. de la Pena and Mr. Kai, and given the patience and understanding of the members of the Committee on Higher Education, and indeed even you, Mr. President, it is with regret but, nonetheless, with full conviction that I will vote ‘no,’ and I ask that all of you consider the same.

“Thank you, Mr. President.”

Senator Trimble rose in rebuttal as follows:

“Mr. President, I rise in brief rebuttal.

“Colleagues, these are the committee reports that came out of the hearing. I was at the hearing and I do not believe that they accurately reflect what transpired. Fortunately, the proceedings were televised and perhaps if you can’t see a copy of it before you vote, at least review the differences between the committee report and what actually transpired, because the media has had ample opportunity to compare the two.

“Three things are worth mentioning. At one point in the dialogue between the Chair of Higher Education and John Kai, there was an assertion that during John Kai’s watch, he approved the sabbatical of certain people at the University of Hawaii. John Kai asked the Chair directly, ‘Are you talking about teachers or administrators?’ No direct answer to that question was given.

“Second, relating to whether the University of Hawaii, Manoa, is the research engine for the system does not preclude having a Ph.D. program in a particular area at UH Hilo. The assertion that it would be money foolish to do so fails to recognize how the world has changed in the last 30 years. No

one will assert that you should duplicate engineering or physical science programs at the neighbor island, but the cost structure for physical sciences and liberal arts are very different. And now that we have the Internet as a method of communicating all over the world and as a way of doing research, there is no longer the same necessity to have access to a major library.

“The third thing worth noting is that we want individuals who are able to think independently. I do not view John Kai’s disagreement with the board of regents’ policy as an inconsistency. I viewed it as an open expression of his beliefs that perhaps is a little bit ahead of his time.

“Thank you, Mr. President.”

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, 10. Noes, 15 (Baker, Bunda, English, Fukunaga, Hanabusa, Hee, Hooser, Ige, Kanno, Kim, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui).

At 12:54 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o’clock p.m.

#### **ADOPTION OF RESOLUTIONS**

##### **MATTERS DEFERRED FROM WEDNESDAY, APRIL 20, 2005**

Stand. Com. Rep. No. 1731 (S.R. No. 83, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 83, S.D. 1, entitled: “SENATE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE ITS ADMINISTRATIVE RULES REGARDING THE SAFE USE OF COMMERCIAL HARBORS BY LARGE VESSELS, AND TO REQUIRE, AS APPROPRIATE TO THE INDIVIDUAL HARBOR, THE USE OF AT LEAST ONE ASSIST TUG FOR ALL SHIPS SIX HUNDRED FEET IN LENGTH OR MORE,” was adopted.

Stand. Com. Rep. No. 1747 (H.C.R. No. 4, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 4, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE THE ADVISABILITY OF ENTERING INTO INTERSTATE COMPACTS WITH OTHER STATES CONCERNING CERTAIN PERILS AFFECTING THE COST OF PROPERTY AND CASUALTY INSURANCE,” was adopted.

Stand. Com. Rep. No. 1754 (H.C.R. No. 282):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 282, entitled: “HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO CREATE POLICIES THAT ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL CREDIT TO THE STUDENT MEMBER OF THE BOARD OF EDUCATION,” was adopted.

Stand. Com. Rep. No. 1756 (H.C.R. No. 245, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 245, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NO CHILD LEFT BEHIND ACT OF 2001 ACCORDING TO THE RECOMMENDATIONS OF THE FINAL REPORT OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES’ TASK FORCE ON NO CHILD LEFT BEHIND,” was adopted.

Stand. Com. Rep. No. 1757 (H.C.R. No. 249, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 249, S.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO SUPPORT LEGISLATION CONFERRING VETERANS’ BENEFITS ON FILIPINO WORLD WAR II VETERANS,” was adopted.

Stand. Com. Rep. No. 1758 (H.C.R. No. 246, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 246, S.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES POSTMASTER GENERAL TO ISSUE A USS ARIZONA MEMORIAL STAMP,” was adopted.

Stand. Com. Rep. No. 1759 (H.C.R. No. 208, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 208, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES CONGRESS, AND THE UNITED STATES DEPARTMENT OF EDUCATION TO CONTINUE FUNDING FOR THE EVEN START FAMILY LITERACY PROGRAM,” was adopted.

#### **ADOPTION OF RESOLUTIONS**

H.C.R. No. 166, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 166, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR SMART BUILDING AND COMMUNITY DESIGN TO DEVELOP ENERGY EFFICIENT DESIGN AND PERFORMANCE STANDARDS FOR NEW CONSTRUCTION, RENOVATION, AND RETROFITTING OF BUILDINGS THROUGHOUT THE UNIVERSITY OF HAWAII SYSTEM,” was adopted.

H.C.R. No. 195, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 195, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION ADOPTING THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES,” was adopted with Senator Slom voting “No.”

#### **RE-REFERRAL OF GOVERNOR’S MESSAGES**

The Chair re-referred the following governor’s messages that were received:

Governor's Message Referred to:  
 No. 673 Committee on Energy, Environment, and International Affairs  
 No. 674 Committee on Energy, Environment, and International Affairs  
 No. 675 Committee on Energy, Environment, and International Affairs  
 No. 676 Committee on Energy, Environment, and International Affairs  
 No. 677 Committee on Energy, Environment, and International Affairs

"His professional expertise and community dedication has garnered Dr. de la Pena broad support for his appointment to this position:

The University of Hawaii Professional Assembly writes that Dr. de la Pena can add 'important elements to the diversity of the Board of Regents,' because he both brings 'an academic perspective as a result of his long tenure as a member of the UH faculty,' and also 'conducted his research in Agronomy on the Island of Kauai.'

Former Kauai Planning Director Dee Crowell praised Dr. de la Pena's abilities and service on the Kauai Planning Commission.

Dr. Arnulfo Diaz, president of the Wilcox Hospital Medical Staff, characterizes Dr. de la Pena as 'a man of accomplishments, admirable, honest, diligent, dependable, self-motivated and proficient.'

The Kauai Filipino Chamber of Commerce reports that Dr. de la Pena has 'served the community of Kauai with a passion of commitment.'

Kauai County Council member Mel Rapozo says that Dr. de la Pena 'is a figure of inspiration for many of us here on Kauai.'

"To all those voices, and the many others who have testified in favor of Dr. Ramon de la Pena to the University of Hawaii Board of Regents, I add my own wholehearted support."

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. Nos. 265 and 270.

Senator Kanno noted:

"Mr. President, H.C.R. No. 265, H.D. 1, requests the Department of Human Resources Development to reinstate the social worker series in its classification and compensation plan.

"H.C.R. No. 270, H.D. 1, requests a report on civil service exempt positions in each employing state jurisdiction."

The Chair then granted the waiver.

**RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION**

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

House Concurrent Resolution Referred to:  
 No. 40, H.D. 1 Jointly to the Committee on Health and the Committee on Human Services

Senator Hooser rose at this time and stated:

"Mr. President, I was moving a little slow on the vote on Gov. Msg. No. 289 and it went by faster than I had hoped. I wonder if I could have a belated approval to insert comments into the Journal in support?"

The Chair having so ordered, Senator Hooser's remarks read as follows:

"Mr. President, I wish to speak on Gov. Msg. No. 289, nominating Ramon S. de la Pena, Ph.D. to the University of Hawaii Board of Regents. As the Senator who represents District 7, Kauai and Niihau, it is a great pleasure for me to speak in support of this nomination.

"Dr. de la Pena was born in the Philippines. He received his Bachelor of Science degree from the University of the Philippines, and his Master's and Ph.D. from the University of Hawaii at Manoa.

"Dr. de la Pena has spent his entire professional career—more than 40 years—in public service, both as a faculty member at UH-Manoa and researcher in Agronomy on Kauai, and as a former Director of Economic Development for the County of Kauai. As an agronomist, Dr. de la Pena has devoted himself to improving farmers' productivity, particularly in taro production. In a letter of endorsement, Kauai's Office of Hawaiian Affairs Trustee, Donald Cataluna, described Dr. de la Pena as 'the foremost expert in taro culture.'

"Dr. de la Pena is also one of Kauai's foremost citizens, dedicated to community service. He currently serves on the Wilcox Memorial Hospital Board of Directors, the Kauai County Charter Review Commission, the Kauai Filipino Chamber of Commerce Board of Directors, and the Lihue Airport Gateway Project.

**APPOINTMENT OF CONFEREES**

S.B. No. 118, 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. 118, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, co-chair; Chun Oakland, Ige, Whalen as managers on the part of the Senate at such conference.

S.B. No. 440, S.D. 1 (H.D. 1):

The President appointed Senator Taniguchi as an additional 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. 440, S.D. 1.

S.B. No. 667, 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. 667, S.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Hee, chair; Taniguchi, Slom as managers on the part of the Senate at such conference.

Respectfully submitted,

S.B. No. 751, S.D. 2 (H.D. 2):

The President appointed Senator Kanno as an additional 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. 751, S.D. 2.

Clerk of the Senate

S.B. No. 1257, 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. 1257, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Hanabusa, co-chair; Baker, Hooser, Sakamoto, Whalen as managers on the part of the Senate at such conference.

Approved:

President of the Senate

S.B. No. 1747, 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. 1747, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hee, chair; Taniguchi, co-chair; Trimble as managers on the part of the Senate at such conference.

H.B. No. 320, 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. 320, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; English, Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 806, 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. 806, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Hee, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1465 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1465, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Taniguchi, co-chair; Inouye as managers on the part of the Senate at such conference.

H.B. No. 1747, H.D. 1 (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. 1747, H.D. 1.

**ADJOURNMENT**

At 12:57 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 22, 2005.

## FIFTY-THIRD DAY

Friday, April 22, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:46 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 Fifty-Second Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 829, advising the Senate of the withdrawal of the nomination of CLARENCE DE LUDE to the Island Burial Council, Island of Oahu, under Gov. Msg. No. 603, dated April 11, 2005, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 829, the nomination listed under Gov. Msg. No. 603 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 683 to 686) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 683, returning S.C.R. No. 20, which was adopted by the House of Representatives on April 21, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 20 and requested a conference on the subject matter thereof.

Hse. Com. No. 684, returning S.C.R. No. 196, which was adopted by the House of Representatives on April 21, 2005, was placed on file.

Hse. Com. No. 685, informing the Senate that the Speaker on April 21, 2005, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 1666, H.D. 1 (S.D. 1):

Representatives Takamine, Caldwell, Ito, Arakaki, co-chairs; Nakasone,

was placed on file.

Hse. Com. No. 686, informing the Senate that the Speaker on April 22, 2005, 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. 1888, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs.

S.B. No. 1889, S.D. 1 (H.D. 2):

Representatives Caldwell, Takamine, co-chairs; Halford,

was placed on file.

## JUDICIARY COMMUNICATION

Jud. Com. No. 2, submitting for consideration and consent, the nomination of JENNIFER L. CHING 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 read by the Clerk and was referred to the Committee on Judiciary and Hawaiian Affairs.

## STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1774) recommending that the Senate advise and consent to the nomination of RICHARD M. MERSCHDORF to the State Highway Safety Council, in accordance with Gov. Msg. No. 582.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1774 and Gov. Msg. No. 582 was deferred until Monday, April 25, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1775) recommending that the Senate advise and consent to the nomination of JAMES S. GUEQUIERRE to the Hawaii Historic Places Review Board, in accordance with Gov. Msg. No. 476.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1775 and Gov. Msg. No. 476 was deferred until Monday, April 25, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1776) recommending that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

SANDRA ALBANO, in accordance with Gov. Msg. No. 391; and

BINA MOSSMAN CHUN, in accordance with Gov. Msg. No. 447.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1776 and Gov. Msg. Nos. 391 and 447 was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1777) recommending that the Senate advise and consent to the nomination of JONATHAN WAI YUN LAI to the Hawaii Community Development Authority (HCDA), in accordance with Gov. Msg. No. 138.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1777 and Gov. Msg. No. 138 was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1778) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:



YUKIO KITAGAWA, in accordance with Gov. Msg. No. 555;

WAYNE K. KATAYAMA, in accordance with Gov. Msg. No. 556;

ROBERT V. OSGOOD, in accordance with Gov. Msg. No. 557;

TEENA M. RASMUSSEN, in accordance with Gov. Msg. No. 558;

ROBERT S. SUTHERLAND, in accordance with Gov. Msg. No. 559; and

ERIC D. WEINERT, in accordance with Gov. Msg. No. 560.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1778 and Gov. Msg. Nos. 555, 556, 557, 558, 559 and 560 was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1779) recommending that the Senate advise and consent to the nomination of ROBERT D. HAUFF to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 649.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1779 and Gov. Msg. No. 649 was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1780) recommending that H.C.R. No. 88, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1780 and H.C.R. No. 88, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONSIDER IMPOSING RESTRICTIONS ON PUBLIC ACCESS TO THE AHIHI-KINAU NATURAL AREA RESERVE," was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1781) recommending that H.C.R. No. 267, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1781 and H.C.R. No. 267, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES AND THE SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE, TOGETHER WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO CONDUCT COMMUNITY MEETINGS THROUGHOUT THE STATE TO SEEK PUBLIC PARTICIPATION TOWARDS ENSURING THE VIABILITY OF HAWAII'S MARINE RESOURCES NOW AND FOR FUTURE GENERATIONS," was deferred until Monday, April 25, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1782) recommending that H.C.R. No. 10, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1782 and H.C.R. No. 10, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMERGENCY CONTRACEPTION INTERAGENCY WORK GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY

DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE," was deferred until Monday, April 25, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1783) recommending that H.C.R. No. 67, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1783 and H.C.R. No. 67, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF ATHLETIC HEALTH CARE TRAINERS," was deferred until Monday, April 25, 2005.

Senators Baker and Fukunaga, for the Committee on Health and the Committee on Media, Arts, Science and Technology, presented a joint report (Stand. Com. Rep. No. 1784) recommending that H.C.R. No. 100, H.D. 1, as amended in S.D. 1, be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 100, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1785) recommending that H.C.R. No. 109, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1785 and H.C.R. No. 109, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH URGENT CHILD AND ADOLESCENT PSYCHIATRIC SERVICES AT MAUI MEMORIAL MEDICAL CENTER IN THE FORM OF CRISIS STABILIZATION SERVICES," was deferred until Monday, April 25, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1786) recommending that H.C.R. No. 222, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1786 and H.C.R. No. 222, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ACTIVELY WORK WITH THE RESIDENTS IN UPCOUNTRY MAUI TO ADDRESS THEIR CONCERNS AND TO REVIEW THE DEPARTMENT'S WATER QUALITY STANDARDS AND PRACTICES IN LIGHT OF CONTINUING CONCERNS REGARDING DETERIORATING WATER QUALITY IN UPCOUNTRY MAUI," was deferred until Monday, April 25, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1787) recommending that H.C.R. No. 229, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1787 and H.C.R. No. 229, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COORDINATE STUDIES, WITH THE ASSISTANCE OF THE DEPARTMENT OF HEALTH, TO EVALUATE THE IMPACT OF THE PHYSICIAN 'ON-CALL' CRISIS ON THE

QUEEN'S MEDICAL CENTER TRAUMA CENTER TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII, AND TO RECOMMEND ANY APPROPRIATE GOVERNMENT AND PRIVATE SECTOR RESPONSES TO THE ON-CALL CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE," was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1788) recommending that the Senate advise and consent to the nomination of SARA BANKS to the Civil Rights Commission, in accordance with Gov. Msg. No. 433.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1788 and Gov. Msg. No. 433 was deferred until Monday, April 25, 2005.

Senators Hanabusa and Kokubun, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 1789) recommending that the Senate advise and consent to the nominations to the Kahoolawe Island Reserve Commission of the following:

NOA EMMETT ALULI, in accordance with Gov. Msg. No. 478;

MILTON M. ARAKAWA, in accordance with Gov. Msg. No. 479; and

JOHN D. WAIHEE IV, in accordance with Gov. Msg. No. 480.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1789 and Gov. Msg. Nos. 478, 479 and 480 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1790) recommending that the Senate advise and consent to the nomination of LANI LIU EWART to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 522.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1790 and Gov. Msg. No. 522 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1791) recommending that the Senate advise and consent to the nominations to the Commission to Promote Uniform Legislation of the following:

PETER J. HAMASAKI, in accordance with Gov. Msg. No. 523; and

KEVIN P. H. SUMIDA, in accordance with Gov. Msg. No. 524.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1791 and Gov. Msg. Nos. 523 and 524 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1792) recommending that the Senate advise and consent to the nominations to the Commission on the Status of Women of the following:

MONA M. CHANG VIERRA ED.D., in accordance with Gov. Msg. No. 531; and

CAROL ANNE PHILIPS, in accordance with Gov. Msg. No. 532.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1792 and Gov. Msg. Nos. 531 and 532 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1793) recommending that the Senate advise and consent to the nominations to the Crime Victim Compensation Commission of the following:

JANET K. KUWAHARA, in accordance with Gov. Msg. No. 566; and

REBECCA S. WARD, in accordance with Gov. Msg. No. 567.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1793 and Gov. Msg. Nos. 566 and 567 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1794) recommending that the Senate advise and consent to the nomination of STUART K. HANCHETT to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 576.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1794 and Gov. Msg. No. 576 was deferred until Monday, April 25, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1795) recommending that the Senate advise and consent to the nomination of DAVID R. MARSHALL to the Commission on Transportation, in accordance with Gov. Msg. No. 669.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1795 and Gov. Msg. No. 669 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1796) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Kauai and Niihau of the following:

MARK S. HUBBARD SPHR, in accordance with Gov. Msg. No. 612;

D. LA FRANCE KAPAKA-ARBOLEDA, in accordance with Gov. Msg. No. 613;

JOHN A. P. KRUSE, in accordance with Gov. Msg. No. 614;

SANDRA P. QUINSAAT, in accordance with Gov. Msg. No. 615;

LEIANA P. ROBINSON, in accordance with Gov. Msg. No. 616; and

PRESLEY V. WANN, in accordance with Gov. Msg. No. 617.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1796 and Gov. Msg. Nos. 612, 613, 614, 615, 616 and 617 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1797) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Maui and Lanai of the following:

SCOTT FISHER, in accordance with Gov. Msg. No. 618;

WILLIAM C. FRAMPTON, in accordance with Gov. Msg. No. 619;

DANA MOMILANI NAONE HALL, in accordance with Gov. Msg. No. 620;

EDWARD HOAPILII KAAHUI, in accordance with Gov. Msg. No. 621;

KEMA L. KANAKAOLE, in accordance with Gov. Msg. No. 622;

KEEAMOKU J. KAPU, in accordance with Gov. Msg. No. 623;

LESLIE A. KULOLOIO, in accordance with Gov. Msg. No. 624; and

CLOTHILDA PUALANI PAOA, in accordance with Gov. Msg. No. 625.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1797 and Gov. Msg. Nos. 618, 619, 620, 621, 622, 623, 624 and 625 was deferred until Monday, April 25, 2005.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1798) recommending that the Senate advise and consent to the nomination of LEON D. YOSHIDA to the Board of Directors of the Hawaii Tourism Authority, in accordance with Gov. Msg. No. 550.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1798 and Gov. Msg. No. 550 was deferred until Monday, April 25, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1799) recommending that the Senate advise and consent to the nomination of VIT U. PATEL MD to the Medical Advisory Board, in accordance with Gov. Msg. No. 633.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1799 and Gov. Msg. No. 633 was deferred until Monday, April 25, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1800) recommending that the Senate advise and consent to the nomination of THOMAS I. NAKAMA to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 639.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1800 and Gov. Msg. No. 639 was deferred until Monday, April 25, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1801) recommending that the Senate advise and consent to

the nomination of BARRY F. LUTERMAN PH.D. to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 658.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1801 and Gov. Msg. No. 658 was deferred until Monday, April 25, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1802) recommending that the Senate advise and consent to the nomination of DANTE P. BUERANO JR. to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 647.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1802 and Gov. Msg. No. 647 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1803) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Island of Molokai of the following:

LANCE M. DUNBAR, in accordance with Gov. Msg. No. 598;

PEARL A. HODGINS, in accordance with Gov. Msg. No. 599;

WILLIAM K. MALO, in accordance with Gov. Msg. No. 601; and

GEORGE 'KEOKI' E. PESCAIA, in accordance with Gov. Msg. No. 602.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1803 and Gov. Msg. Nos. 598, 599, 601 and 602 was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1804) recommending that the Senate advise and consent to the nominations to the Hawaii Community Development Authority (HCDA) of the following:

KAY M. MUKAIGAWA, in accordance with Gov. Msg. No. 442; and

GRADY L. CHUN, in accordance with Gov. Msg. No. 562.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1804 and Gov. Msg. Nos. 442 and 562 was deferred until Monday, April 25, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1805) recommending that H.C.R. No. 5, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1805 and H.C.R. No. 5, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' DIVISION OF STATE PARKS TO ESTABLISH A SOUTH KONA-KA'U COASTAL CONSERVATION TASK FORCE," was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No.

1806) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Island of Hawaii of the following:

ANNA CARIAGA, in accordance with Gov. Msg. No. 585;

RONALD N. M. DELA CRUZ, in accordance with Gov. Msg. No. 586;

LENINGRAD ELARIONOFF, in accordance with Gov. Msg. No. 587;

ROY HELBUSH, in accordance with Gov. Msg. No. 589;

JACQUI L. HOOVER, in accordance with Gov. Msg. No. 590;

KU KAHAKALAU PHD, in accordance with Gov. Msg. No. 591;

MELVYN KALEO KUALII, in accordance with Gov. Msg. No. 592;

CYNTHIA NAZARA, in accordance with Gov. Msg. No. 593;

DUTCHIE K. SAFFREY, in accordance with Gov. Msg. No. 594; and

CHARLES KUI HIN YOUNG, in accordance with Gov. Msg. No. 595.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1806 and Gov. Msg. Nos. 585, 586, 587, 589, 590, 591, 592, 593, 594 and 595 was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1807) recommending that H.C.R. No. 294, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1807 and H.C.R. No. 294, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF EXISTING STUDIES AND STATISTICS ON THE CAUSAL RELATIONSHIP BETWEEN WIRELESS TELEPHONE USE WHILE OPERATING A MOTOR VEHICLE AND INCREASED MOTOR VEHICLE-RELATED ACCIDENTS," was deferred until Monday, April 25, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1808) recommending that H.C.R. No. 56, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1808 and H.C.R. No. 56, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING PASSAGE OF THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT (THE 'AKAKA BILL')," was deferred until Monday, April 25, 2005.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 1763 (Gov. Msg. No. 564):

Senator Espero moved that Stand. Com. Rep. No. 1763 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of DAVID FUERTES to the Community-Based Economic Development Advisory Council, term to expire June 30, 2009, seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1764 (Gov. Msg. Nos. 656 and 657):

Senator Espero moved that Stand. Com. Rep. No. 1764 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of SHARON L. PANG to the Small Business Regulatory Review Board, terms to expire June 30, 2005 and June 30, 2009, seconded by Senator Fukunaga.

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

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

Stand. Com. Rep. No. 1765 (Gov. Msg. Nos. 280, 281 and 282):

Senator Sakamoto moved that Stand. Com. Rep. No. 1765 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 Hawaii Teacher Standards Board of the following:

JONATHAN GILLENLINE, term to expire June 30, 2007 (Gov. Msg. No. 280);

CAROL SEIELSTAD, term to expire June 30, 2007 (Gov. Msg. No. 281); and

JULIE K. TOMOMITSU, term to expire June 30, 2007 (Gov. Msg. No. 282),

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 (Taniguchi).

Stand. Com. Rep. No. 1767 (Gov. Msg. Nos. 574 and 575):

Senator Menor moved that Stand. Com. Rep. No. 1767 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 Electricians and Plumbers of the following:

DEAN D. CHOY, term to expire June 30, 2009 (Gov. Msg. No. 574); and

MAURICE F. TORIGOE, term to expire June 30, 2009 (Gov. Msg. No. 575),

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 (Taniguchi).

Stand. Com. Rep. No. 1768 (Gov. Msg. No. 565):

Senator Menor moved that Stand. Com. Rep. No. 1768 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 GARY S. FUKUROKU to the Credit Union Advisory Board, term to expire June 30, 2009, 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 (Taniguchi).

Stand. Com. Rep. No. 1769 (Gov. Msg. No. 561):

Senator Menor moved that Stand. Com. Rep. No. 1769 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 NARIYOSHI HIRAOKA to the State Board of Chiropractic Examiners, term to expire June 30, 2009, 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 (Taniguchi).

Stand. Com. Rep. No. 1770 (Gov. Msg. Nos. 569, 570 and 571):

Senator Menor moved that Stand. Com. Rep. No. 1770 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 Dental Examiners of the following:

DANIEL F. FUJII DDS, MPH, term to expire June 30, 2009 (Gov. Msg. No. 569);

MARIAN J. GREY, term to expire June 30, 2009 (Gov. Msg. No. 570); and

CHERYL M. NAKAGAWA, term to expire June 30, 2009 (Gov. Msg. No. 571),

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 (Taniguchi).

Stand. Com. Rep. No. 1771 (Gov. Msg. No. 583):

By unanimous consent, action on Stand. Com. Rep. No. 1771 and Gov. Msg. No. 583 was deferred until Monday, April 25, 2005.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

## ADOPTION OF RESOLUTIONS

### MATTERS DEFERRED FROM THURSDAY, APRIL 21, 2005

Stand. Com. Rep. No. 1766 (S.R. No. 33, S.D. 1):

On motion by Senator Hee, 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 HAWAII'S CONGRESSIONAL DELEGATION TO REEVALUATE THE DEPARTMENT OF DEFENSE ENLISTMENT POLICY FOR HOMESCHOOLERS," was adopted.

Stand. Com. Rep. No. 1772 (H.C.R. No. 113):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE EFFECTIVENESS OF THE HAWAII INSURANCE BUREAU'S FIRE RATING PROGRAM," was adopted.

Stand. Com. Rep. No. 1773 (H.C.R. No. 273, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 273, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP AND ESTABLISH A VOLUNTEER RECOGNITION PROGRAM FOR VOLUNTEERS IN EACH SCHOOL DISTRICT AND ACROSS THE STATE," was adopted.

## THIRD READING

Stand. Com. Rep. No. 1760 (H.B. No. 555):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1760 was adopted and H.B. No. 555, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

## RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION

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

House  
Concurrent  
Resolution                      Referred to:  
  
No. 200, H.D. 1              Committee on Water, Land, and  
Agriculture

#### RECONSIDERATION OF ACTION TAKEN

S.B. No. 1256 (H.D. 1):

Senator Hee moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 1256, seconded by Senator Hanabusa and carried.

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.B. No. 1256, seconded by Senator Hanabusa.

Senator Hee noted:

“Mr. President, in discussion with the House, we agreed that substantively the language of the House met the motivation by the Senate on the bill. So, that’s the reason we are agreeing to the House version.

“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. 1256, and S.B. No. 1256, H.D. 1, entitled: “A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS,” was placed on the calendar for Final Reading on Monday, April 25, 2005.

At 12:05 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 Taniguchi, Chair of the Committee on Ways and Means, requested that the referrals of H.C.R. Nos. 146 and 213 to the Committee on Ways and Means be waived.

Senator Taniguchi noted:

“Mr. President, H.C.R. No. 146, H.D. 1, is requesting a study on bioprospecting.

“H.C.R. No. 213, requests a systemwide financial audit of the University of Hawai’i system.

“We are requesting this waiver because of time considerations.”

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolutions were placed on the calendar for Adoption on Monday, April 25, 2005:

H.C.R. No. 146, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON BIOPROSPECTING”; and

H.C.R. No. 213, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING A SYSTEMWIDE

FINANCIAL AUDIT OF THE UNIVERSITY OF HAWAII SYSTEM.”

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested that the referral of H.C.R. No. 100 to the Committee on Judiciary and Hawaiian Affairs be waived.

Senator Hanabusa noted:

“Mr. President, H.C.R. 100, H.D. 1, S.D. 1, is requesting a study and recommendations relating to the feasibility of stem cell research for Hawaii. The reason for the waiver is time considerations.”

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Monday, April 25, 2005:

H.C.R. No. 100, H.D. 1, S.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII.”

Senator Hemmings rose on a point of personal privilege as follows:

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

“Mr. President, I want the record to reflect that I’m speaking on behalf of your Loyal Opposition, the Senate Minority, but before I speak on their behalf, I want to add a personal comment.

“Last year, I voted, along with a few of my colleagues, against ethics training. In the course of that speech, I reiterated that all the training in the world would not necessarily result in ethics and it was an insult to be trained in something like ethics. It’s certainly something that we should have within our own character for the privilege of being elected to this Body.

“We had our ethics training, Mr. President, and since then we’ve had two of the most egregious, in our opinion, episodes of incredibly unethical behavior. One we’ve spoken of already – and that’s a Committee Chairman extorting or attempting to extort a private company with the threat of legislative retaliation if they did not do what the Chairman of the Committee wanted them to do. Now we have the Chairman of the Higher Education Committee having one of his operatives put on the desk of a person having a hearing for advise and consent to the Board of Regents, fundraising tickets.

“Even the Honolulu Star-Bulletin recognized the impropriety of this, and the Senator involved admitted it was wrong and accepts full responsibility for the coercion. But, Mr. President, as the editorial says, unless there is recompense for this, it is all for naught. Your Senate Minority is asking for the resignation of that Chairman from the Higher Education Committee until such time that these issues can be resolved. We think the public deserves better.

“We also want to let the Majority Party know that this reflects on the integrity of the entire Senate. Oftentimes, people don’t make the distinction that the Majority Party or the Minority Party did this or that, it’s that the Legislature did it or the Senators did it.

“For our own protection in the future, Mr. Chairman, I would suggest, since you have jurisdiction of these affairs, that you

look at the Senate Rules and we start doing what one of your colleagues called for us to do quite awhile back – and that is to stop having fundraising events during the Legislative Session. We all tell our constituents how busy we are in the final week or two of the legislative process and yet there's enough time to have a fundraising event. If nothing else, there's the appearance of coercion to buy the tickets.

"There is another practice, and that is having people on loan to work in certain Legislator's offices. How, in good consciousness, can you avoid a conflict or the appearance of conflict if you are the Chairman of the Higher Education Committee and have on loan from the University of Hawaii a very liberal, political activist in the department, the very one that puts the fundraising tickets in front of someone being heard for advise and consent to the Senate.

"Senate President Bunda, I realize you have a caucus full of strong-willed individual people that you have to deal with, but we're talking about more than just the interest of the Majority Party – we're talking about the integrity of the Senate. And to this entire process, in light of the fact that nothing has been done by the Majority Party in our prior request regarding the Chairman of the Labor Committee and then this pops up, we'd like to plead with the Majority Party to address these issues. The people of Hawaii deserve better.

"Thank you, Mr. President."

Senator Hanabusa rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege, which is a very unusual event for me, as you know.

"Mr. President, it is unfortunate, I believe, that your Loyal Minority, as they call themselves, has decided to politicize this and to do what they have done. There are complaints, I guess, that have been filed or threatened to be filed and that has to work its way through the process. But, Mr. President, I do not recall any Democrats, since this has become a partisan issue, any Democrats standing up when the Governor was found to have violated ethics when she ran CARE out of her office because she used state facilities and I also believe did not create the appropriate PAC filings because of the fact that it was there to effect the ballot issue. We had the apologies. We had everyone saying, whatever. But Mr. President, none of us stood up and said, that person should resign from office because they abused that office, but that was the determination by the Ethics Commission.

"What we are talking about here is not something that is determined. We were talking about mere allegations, which may or may not be sustained, Mr. President, but I believe your position has been we'll wait to see what that process determines. And at that point in time, you, Mr. President, and your leadership will decide what would be the next appropriate step to take.

"Mr. President, to stand up now without something determined or a finding actually made I think is completely inappropriate, and that is why I am taking this very unusual step of standing up on a point of personal privilege because even with the Governor, though be it they found her in violation and she of course immediately said she would correct it, we were able to accept that. So, I find it difficult that your Loyal Minority across the way finds that that is also not a process that can be afforded to their colleagues as well. I would assume that is something that if we are able to afford others . . . or maybe there's just a plain dual standard and maybe that's what should

be conceded here, but there is no finding as of yet on those points.

"So, I believe that at best it's premature or possibly it's just absolute and the ultimate form of grandstanding because you have a political issue before you right now. But when we have sat here, waited for the explanation, and waited for the determination, and in essence accepted the appropriate apology at the end, Mr. President, I think that the statement from the prior speaker is inappropriate, but he has an absolute right to do so as I have an absolute right to retort what he has said.

"Thank you, Mr. President."

Senator Hemmings rose again on a point of personal privilege and said:

"Mr. President, point of personal privilege and rebuttal:

"I'm very pleased that the illustrious Senator from Waianae saw fit to attempt to defend the ethics problems in the Majority Party Caucus. I'd like to remind the good Senator, it's not me that's grandstanding this issue, it's the Honolulu Star-Bulletin, among others, plus a great number of constituents from around this State, probably including your district, who are fed up with this whole issue.

"I didn't ask anybody to resign from office. I think that's up to the voters of each district to determine who shall serve them and whether or not they're ethical or not. I asked the person to resign from Chairmanship of a Committee that controls the destiny of the University of Hawaii, and in the instance of the other Chairman, the one who controls the destiny of businesses and the labor that works in those businesses for the outright conflict of interest.

"I'd like to suggest to the good Senator from Waianae that the only thing that's been stonewalled and grandstanded around here is the Majority Party's ability to come to grips with these issues.

"We, in good consciousness, have written a letter requesting a copy of the letter that was sent on the NCL issue and have not received a reply. We did not evoke Rule 72 in hoping the Majority Party would recognize our concerns. The good Senator should recognize that when there are accusations and evidence of improprieties, even in the police department and law enforcement agencies, people who have been challenged step aside until it's been rectified. Besides the Majority Party making no attempt that we have seen to rectify these situations that appear to be highly unethical, the people of Hawaii sit by wondering why. Our job is not to be complacent with this type of duty, and I want to thank the good Senator from Waianae for standing up and underscoring our concern. If you want to call it grandstanding, be my guest.

"I was incensed last year when someone on this Floor stood up and said we need ethics training because of the Governor. In fact if you recall, I did attempt to read a very partisan list of people who have been indicted and gone to jail for illegal behavior or have been censured for unethical behavior, but I got gavelled down. So why don't we exercise free speech and why don't we go head to head on this issue – be my guest! I'm ready to get on the grandstand!"

Senator Hanabusa rose again on a point of personal privilege and said:

"Mr. President, I stand on a point of personal privilege also in rebuttal.

“Mr. President, your Loyal Minority has missed a critical point, and maybe it brings to light something that we should consider. If I recall, part of the CARE program has someone who has now been appointed to head the Office of Information Practices. Maybe the loyal Minority should ensure, before they cast their stones, that that person had nothing to do with any of the CARE situation.

“Mr. President, all I’m pointing out is that there is an adjudication on that specific fact. I’m not saying that the Governor should step down. I believe that she is elected like everyone else is elected here and let the constituents decide the final outcome of that fate.

“However, I’m interested to learn if the Loyal Minority had asked for an investigation as a result of that and ensured that proper sanctions were taken for those who had made whatever decision was required to be made to actually facilitate that out of the fifth floor administrative offices.

“Mr. President, whatever we criticize others for is something that I would assume, since they feel so strongly about, that they should be the first to lead the charge for.

“Thank you, Mr. President.”

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

“Mr. President, I rise on a point of personal privilege, as rare as that is and as reluctant as I am. (Laughter.)

“I think we should keep this all in proper perspective. First of all, we are members of the Senate and we’re talking about issues that have occurred in the Senate. We can debate the issue involving the Governor and the CARE program, which was debated actually last year. We can talk about that. We can talk about things that have happened in the House. We can talk about things that happen publicly, but I think it’s a lot easier and a lot more responsible to talk about issues here in the Senate because we are 25 of us representing this Body.

“I do concur with the good Senator from Waianae that in the case where there is a process going on that that process should work its way through. The only problem for the public and for us is that oftentimes these processes take a considerable amount of time and the Legislative Session is pau by then and also the Conference Committee process and everything else. So, I think it’s a legitimate concern and a legitimate issue to be brought up and to be discussed and as the Minority Leader said, we’re talking about freedom of speech and freedom of ideas.

“What a boring place this would be if there were 25 members of the Majority Party. There would be no discussion, no debates, no issues, everything would be 25 to 0 and we wouldn’t even have to come here. But, thank goodness you have at least five of us now to bring this discussion to the Floor, and look at some of the discussions that have been brought to the Floor before when we’ve honestly talked about them. And one of the things was ethics. We discussed it last year – how important it is – and we on this side don’t disagree that ethics is important. What we were saying was that to have legislation, to have the public believe that practices would stop because somebody spent an hour-and-a-half or two hours with the Executive Director of the Ethics Commission was absurd, really, and that people that engage in unethical practices, whatever they are determined to be, are going to do so and have done so and will continue to do so regardless of any specific training.

“So, what we should be doing is looking at things in the bigger picture. And the Minority Leader brought up the issue

which is very dear to my heart and that is the idea of not having fundraising activities during the Legislative Session. I say it’s dear to my heart because more than 15 years ago the organization that I represent on the outside, Small Business Hawaii, had called publicly for all Legislators to not do this because it was bad practice. How can we, as Legislators, as Senators, be debating issues that affect businesses and labor and academic institutions and nonprofits and at the same time send them booklets of tickets to get their money to come to our fundraisers. Why don’t we do it after the Session so that they can say, ‘boy, you guys and gals really did a good job and I want to show my support by buying fundraising tickets.’ I was laughed at 15 years ago because people said, ‘well, that’s not the way it’s done.’ And particularly people from the neighbor islands, they need that captive audience that exists during the Legislative Session, and I think the operative word is captive.

“I don’t think it’s right that we solicit people while we are dealing with their issues. In my younger days, I called it extortion and a grave conflict of interest, but now that I’m older and the senior member of this Body, I would say it’s just bad judgement. And think we should all do that. It should not be a Republican or Democrat issue, and I know that there is bipartisan support to do this, but instead of talking about it, we should do it. We should make sure that the public has a restoration of their faith that when we’re down here debating issues, we are honestly debating the issues – not personalities, not political parties – and that we try to solve these problems. And to me, that’s what the bigger issue is. I always disliked getting involved in personalities because it doesn’t solve the problems and it doesn’t do anything for the public who pay for us and are paying more and more, it seems, every year.

“So, Mr. President and colleagues, let’s let the process go through, but at the same time, let’s make sure that these issues are not swept under the carpet and that we deal with them and that we deal with causes of problems rather than just symptoms.

“Thank you.”

Senator Hee rose on a point of personal privilege and stated:

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

“I would like to make a few remarks on the discussion so far, Mr. President, with your permission. A lot of things have been said, so I hope this Body will engage in some patience in some words contrary to what has been said by the Minority members thus far.

“In no particular order, let me say that when this issue came up a couple days ago on this Floor, I said very clearly that while I had no knowledge of the distribution, I accept full responsibility. Since that time, I’ve had the opportunity to look at exactly what transpired and who engaged in what activity. I didn’t want to get into it publicly, but this might be a good opportunity.

“As far as we can determine at this point, \$50 was contributed to my fundraiser, and I’ve asked that it be returned forthwith. I made that clear a couple of days ago, and I do so publicly again. I spoke to Bob Watada and gave him a copy of my Floor speech in the event that an issue may arise. He took it and he told me that was the right thing to do, and he wanted to give it back to me, but I said ‘no, why don’t you keep it; you may need it.’

“I called Dan Mollway of the Ethics Commission that afternoon and I said to him that he may be getting calls. And in fact he said to me that Mrs. Kai had called and she was upset because an envelope was mailed to her house. Mr. Mollway



said to me that he told her that that was not a breach of the law, that we receive a lot of things in the mail that we don't necessarily appreciate receiving, and that that is not a violation of the statutes governing ethics, from his point of view. And in fact he said he indeed receives fundraiser tickets at his house and he does what he does with them.

"Because I was first elected two decades ago, I said to Mr. Mollway, 'You know, Dan, whenever I thought a potential problem would arise, I've always consulted you,' and he said, 'Yes, that's correct.' And I continue to do so because unlike others who may feel differently, I freely admit that I'm very appreciative of the counsel of the Executive Director of the Ethics Commission, and I freely admit that I seek the counsel of the Campaign Spending Director. I freely admit that. I will do so many times more in the future – freely.

"But I take exception to the statement made by the previous speaker, and I quote, 'Those who engage in unethical behavior will continue to do so.' I don't believe that's a true statement. I don't believe that Governor Lingle will repeat the mistake that she made, and I don't believe that my campaign volunteers will repeat the mistake that they made. I don't think there was anything nefarious involved. I think that a mistake was made and I accept the responsibility of the error.

"You know, friends, Amy Agbayani is an honorable person, and those who would cast dispersions on her, cast them upon themselves. She is the Director of Student Equity, Excellence and Diversity programs at the university. She is the former President of the Filipino Community Center. She is the former Chair of the Judicial Selection Commission and former Chair of the Hawaii Civil Rights Commission. Her M.A. and Ph.D. in political science was earned from the University of Hawaii at Manoa. She has attended summer institutes at the University of Michigan, at Cornell University, and at Harvard University. She is the recipient of the Alan Saunders American Civil Liberties Union Award. She was named by the YWCA as one of the outstanding women. She is a UH Distinguished Alumnus. She is a recipient of the Hawaii East-West Center Alumni Award and the National Association for Student Personnel Administrators Award.

"She serves as a Director of the Hawaii Women's Political Caucus, the Hawaii Community Foundation, the University of the Philippines Hawaii Alumni Chapter, the Interagency Council for Immigrant Services, the Hawaii Aloha United Way, and Leadership, Education for Asian Pacifics. She's an honorable person. She administers the University of Hawaii Women's Center, the Office of Multicultural Student Affairs for underrepresented ethnic groups, the Kua'ana Student Services for Native Hawaiian students, the College of Opportunities Program for disadvantage students, the KOKUA Program for students with disabilities. She is a Presidential and Regent's Merits Scholarships and Senior Visitors Program Administrator.

"Two days ago, she offered her resignation. Two days ago, I accepted it. I didn't come here to grandstand the offer of resignation from an honorable woman. She feels terrible about the error in judgement.

"Mr. President and members, is there anyone who would stand and say that she cannot make a positive contribution as an unpaid, halftime staff person for the Chairman of the Committee on Higher Education? I asked her to join me because of her vast knowledge of representing underrepresented students of which with very few exceptions on this Floor each of us has the koko . . . each of us has the koko. I did so only after asking the permission of University of Hawaii President David McClain, and only after receiving his permission. I did so only after understanding that the Governor herself had a

fulltime – paid by the university – salaried assistant. He is Law Professor Randy Roth. I did so only after understanding that for three years, senior University of Hawaii Vice President Eugene Imai was a special assistant to the Speaker of the House. Amy Agbayani was a halftime employee charged with the duty of helping me construct a budget which represented, to a greater degree, ethnic studies, women studies, labor studies, American studies, and underrepresented students. That was her mission.

"She feels absolutely terrible about her error in judgement. And for \$50, I feel badly for her. But you know, Mr. President, if there is, as the Minority Leader likes to pontificate, a quid pro quo, then let's truly understand the East-West horizon on a quid pro quo.

"Catherine Lagareta, Board of Regent member, University of Hawaii, in calendar year 2002 contributed \$5,500 to the campaign of then candidate Linda Lingle. East-West Board of Director member Roland Lagareta contributed the maximum \$6,000 prior to the election of Governor Linda Lingle. John Kai, interim regent, has contributed \$1,500 to Governor Linda Lingle; Ramon de la Pena, interim regent, contributed \$200; Andres Albano, regent, University of Hawaii, in October of 2002 contributed \$200; regent James J.C. Haynes II contributed \$1,250, and then \$4,750, and then \$1,000, and then finally on June 15<sup>th</sup> of this year another \$1,000. His son, James J.C. Haynes III, on April 11, 2002, contributed \$6,000. Mr. President, I assume that these contributions are lawful. This much we know – these are the contributions; they are regents today. Aventis Pharmaceuticals contributed \$6,000 on October 28<sup>th</sup>, '02; Chevron, USA, contributed \$799.67 on October 11<sup>th</sup> and then Chevron/Texaco Corporation in California contributed in three separate checks \$6,500; Tesoro from July 18, 2001 to March 16, 2004, thus far has contributed \$13,100. Is there a suggestion here that policy may affect these contributions? That's for us to decide.

"Ramon de la Pena sent me a check for \$50 – that check will be returned. I have accepted responsibility. Dr. Agbayani is no longer a member of this staff. We are the poorer for that. We are the losers for that. She is the one who asked to resign. I feel very badly for that and I chose not to make it a public issue.

"Mr. President, I serve at your pleasure. If I don't have your confidence, Mr. President, or the members here, you have my permission – you may have the Committee; you may have my leadership position. I have done my job with the idea that we would do it the best that we could, and I hope to some degree that the members here will at least understand that, if not agree. But I serve at your pleasure, Mr. President, and I serve at the pleasure of all of you here. There is no anchor that I am seated to this bench. You may have it – but not in response to the Bulletin and the honorable Richard Borreca, but because those are the rules that govern this Body.

"And let me end with this – there is a suggestion here that there is some nefarious plot to extort some money. I have, in a statement faxed to the Ethics Commission Executive Director two afternoons ago, said that no state office equipment was used, no personnel was used, none at this Capitol building as far as I am aware. Whatever was mailed was on my campaign committee expenditures to non-state office destinations. That's the law. I have offered my hard drive and I offer it to anyone here who wishes to have the hard drives of my computer – I offer that to you. And I have offered to the Ethics Commission Director that my statement faxed to him shall stand as an affidavit. That's nothing magical, but the idea that it's some isolation to either myself or others on this Floor is in fact grandstanding. When you accept someone's resignation and not tell others, I believe that's proper.

“So, Mr. President and members here, I offer you whatever you wish from my office.

“Thank you, Mr. President.”

**APPOINTMENT OF CONFEREES**

H.B. No. 1462 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1462, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Baker, English, Hanabusa, Trimble as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 12:46 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 25, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-FOURTH DAY

Monday, April 25, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kahu Kordell Kekoa, Kamehameha Schools, after which the Roll was called showing all Senators present.

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. 830 to 833) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 830, informing the Senate that on April 22, 2005, she signed into law Senate Bill No. 842 as Act 23, entitled: "RELATING TO WITHHOLDING OF TAX ON THE DISPOSITION OF REAL PROPERTY BY NONRESIDENT PERSONS," was placed on file.

Gov. Msg. No. 831, informing the Senate that on April 22, 2005, she signed into law House Bill No. 624 as Act 24, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS FOR PUBLIC EMPLOYEES," was placed on file.

Gov. Msg. No. 832, informing the Senate that on April 22, 2005, she signed into law House Bill No. 684 as Act 25, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH EMERGENCY AMBULANCE SERVICE CONTRACTS COLLECTIVE BARGAINING COSTS," was placed on file.

Gov. Msg. No. 833, advising the Senate of the withdrawal of the nomination of ANGELA RABAN to the State Council on Mental Health, under Gov. Msg. No. 761, dated April 15, 2005, was placed on file.

In compliance with Gov. Msg. No. 833, the nomination listed under Gov. Msg. No. 761 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 687 to 697) were read by the Clerk and were placed on file:

Hse. Com. No. 687, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 98, H.D. 2, and H.B. No. 98, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 688, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 447, H.D. 1, and H.B. No. 447, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 689, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 515 and H.B. No. 515, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 690, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 556 and H.B. No. 556, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 691, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 919, H.D. 1, and H.B. No. 919, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 692, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1450, H.D. 2, and H.B. No. 1450, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 693, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1453, H.D. 1, and H.B. No. 1453, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 694, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1712, H.D. 1, and H.B. No. 1712, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 695, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1715, H.D. 1, and H.B. No. 1715, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 2005.

Hse. Com. No. 696, informing the Senate that the Speaker on April 22, 2005, appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bill:

S.B. No. 568, S.D. 1 (H.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Green, Herkes, Schatz, Finnegan.

Hse. Com. No. 697, informing the Senate that the Speaker on April 22, 2005, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bill:

H.B. No. 99, H.D. 1 (S.D. 2):

Representatives Hiraki, Luke, Takamine, co-chairs; Pine.

## STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1809) recommending that the Senate advise and consent to the nominations to the Island Burial Council, Island of Oahu of the following:

CHARLES A. EHRHORN, in accordance with Gov. Msg. No. 604;

ALICE U. GREENWOOD, in accordance with Gov. Msg. No. 605;

ANALU K. JOSEPHIDES, in accordance with Gov. Msg. No. 606;

ANDREW K.T. KELIIOA, in accordance with Gov. Msg. No. 607;

AARON D. MAHI, in accordance with Gov. Msg. No. 608;

MARK KAWIKA MCKEAGUE, in accordance with Gov. Msg. No. 609;

JACE L. MCQUIVEY, in accordance with Gov. Msg. No. 610; and

LINDA PAIK-MATSUURA, in accordance with Gov. Msg. No. 611.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1809 and Gov. Msg. Nos. 604, 605, 606, 607, 608, 609, 610 and 611 was deferred until Tuesday, April 26, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1810) recommending that the Senate advise and consent to the nomination of MARY VERDINE S.O. KONG to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 696.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1810 and Gov. Msg. No. 696 was deferred until Tuesday, April 26, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1811) recommending that the Senate advise and consent to the nomination of LESLIE ALAN UEOKA to the Civil Rights Commission, in accordance with Gov. Msg. No. 693.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1811 and Gov. Msg. No. 693 was deferred until Tuesday, April 26, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1812) recommending that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

ROSEMARIE (BILLIE) I. BACLIG, in accordance with Gov. Msg. No. 707; and

MALIA P. KAMAKA, in accordance with Gov. Msg. No. 708.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1812 and Gov. Msg. Nos. 707 and 708 was deferred until Tuesday, April 26, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1813) recommending that the Senate advise and consent to the nomination of GIL SILVA to the Board of Registration of the Island of Hawaii, in accordance with Gov. Msg. No. 775.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1813 and Gov. Msg. No. 775 was deferred until Tuesday, April 26, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1814) recommending that the Senate advise and consent to the nomination of WINIFRED PELE HANOVA to the Island Burial Council, Island of Hawaii, in accordance with Gov. Msg. No. 750.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1814 and Gov. Msg. No. 750 was deferred until Tuesday, April 26, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1815) recommending that H.C.R. No. 200, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 200, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," was adopted.

At 11:43 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.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

#### MATTER DEFERRED FROM FRIDAY, APRIL 22, 2005

Stand. Com. Rep. No. 1771 (Gov. Msg. No. 583):

By unanimous consent, action on Stand. Com. Rep. No. 1771 and Gov. Msg. No. 583 was deferred until Tuesday, April 26, 2005.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

#### FINAL READING

S.B. No. 1256, H.D. 1:

Senator Hee moved that S.B. No. 1256, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Hooser rose in support of the measure and stated:

"Mr. President, I rise in support of this bill.

"Mr. President, this bill is a good bill. I think if we focus on what is good public policy and in our hearts we close our eyes and think about not whether it's Minority or Majority members being affected but look at the policy of the university, the policy of this bill, I think all of us will recognize that this bill is good for the University of Hawaii.

"This bill represents best practices as promoted by the Association of Governing Boards in Universities and Colleges. I read from a letter written last year that says it's 'a national group for Boards of Trustees and Regents. The Association of Governing Boards in Universities and Colleges has advocated for this approach for nearly two decades and have worked successfully with states to see such committees enacted.'

"Another letter also presented from the Common Wealth of Virginia, Office of the Governor, says, 'As result of this process, we believe we have improved the quality and diversity

of our board appointments.’ This is a similar situation that was put into place by Governor Mark Warner in 2002.

“This is a good piece of legislation, Mr. President, members. It’s good for the university. It perpetuates and supports the vision of autonomy that was put into place by the voters just a few years ago. It will ensure that we have the widest range possible of regent applications. Nothing will ever take politics completely out of the process, Mr. President, but this will assure that there is minimal influence by politics. It’s supported by members of the University of Hawaii Foundation, supported by professors, by students in the past, and it is a good bill. It will make for a better university, and I urge my colleagues to support this bill.

“Thank you.”

Senator Trimble rose in opposition to the measure and said:

“Mr. President, I rise to speak in opposition.

“It is kind of difficult to stand up and talk about something that has been categorized at least 11 times in less than 3 minutes as a good bill, but nevertheless, I will be voting against this bill for two reasons. Number one, when you consider why we pass law, you don’t do it because of one instance, and you don’t amend the Constitution because of one instance. The instance I’m referring to was not the firing of Evan Dobbelle, because, you know, the firing of Evan Dobbelle was a bipartisan action by the Board of Regents and I believe it made the University of Hawaii a stronger institution because of the controversy and the attention that was played on it. The instance I’m referring to was the manner in which he was hired to begin with. I believe when the Senate exercises its Constitutional responsibility of confirming regent nominees, if we do our job properly we will not find ourselves in the situation that occurred several years ago.

“The second reason for voting against it is that I believe that differences of opinion and articulating differences of opinion – i.e., politics is important whether it be in this Body or the University of Hawaii – provides a vehicle for articulating the need for change.

“If you look at the composition of the nominating committee, it is my belief that what you will get are regents that are not advocates of change, and you will get a system where there is no direct accountability to the people when there is a need for change.

“So, I’m voting against this bill, number one, because it is not necessary to enact law to deal with one instance; and two, the mechanism that is suggested, I don’t think will result in nominees on a Board of Regents that is accountable to the people when there is a need for change.

“Thank you, Mr. President.”

Senator Hogue also rose to speak against the measure as follows:

“Mr. President, I rise to speak against this particular measure.

“I appreciate the good intentions of the Senator from Kauai. I understand that this bill is well intended, however, I don’t believe that you can de-politicize the process. If in fact the bottom line was to de-politicize the process, there would not be the Senate companion that runs alongside this particular bill that appoints an 11 member council that is so political. When you take a look at it, for example, these will be those who have been

put on this selection council – one member shall be appointed by the President of the Senate; one by the Speaker of the House; one by the Governor; one by the University of Hawaii’s All Campus Council of Faculty Senate Chairpersons; one member shall be appointed by the University of Hawaii System Student Caucus; one member shall be appointed by the University of Hawaii’s Native Hawaiian Council; one by the University of Hawaii Professional Assembly; one by the HGEA; one by the Hawaii State Bar Association; one member by the University of Hawaii Foundation; and one by the University of Hawaii Alumni Association.

“Well, the first nine that I read off there are obviously extremely political – extremely. So, now we could make a case that we could have an appointment from the University of Hawaii Foundation that was perhaps not political and we could have one that was appointed by the University of Hawaii Alumni Association that was not political. So, two of the eleven would not be political. We could make that argument. Maybe they could be political, too. So, in our effort to de-politicize the process, we have actually over-politicized the process.

“If what we wanted to do was to take away the power of the Governor to appoint whom that Governor of a particular political party wanted to appoint, because of trying to oversee the university’s, say, finances or policies, etc., there would be a possibility that the way this particular council is set up is that people there could all get together and they could make sure that anyone that they put before the Governor, they could make sure that that person, all of them that were put before her, had the opposite point of view.

“The way this particular Constitutional Amendment comes forward and is different from the State of Virginia, I understand, the Governor has to appoint a Board of Regent nominee from that list. In the State of Virginia, I believe, they may appoint from that particular list.

“So, I don’t think there is any way that you can de-politicize the process. In fact we are over-politicizing the process, and for those reasons, I’ll be voting ‘no.’

“Thank you.”

Senator Hee rose and said:

“Mr. President, just one point of clarification.

“The previous speaker spoke about . . .”

The President interjected:

“Are you rising in support, Senator Hee?”

Senator Hee continued:

“I beg your pardon, Mr. President. I rise to support this measure before us.

“As a point of information, the previous speaker spoke about S.B. No. 1257. We are on S.B. No. 1256. S.B. No. 1256 merely puts the question before the people of the State of Hawaii. It does not presume the answer. It’s not a power grab. It’s a question before the people, the voters of the State of Hawaii.

“If the question is turned away by the voters, S.B. No. 1257 is moot. If the voters sustain the proposition that there should be a different process by which regents are selected and then appointed by the Governor, then S.B. No. 1257 becomes an

issue for discussion. And as a point of fact, S.B. No. 1257 is intended to go before a Conference Committee to address some of the very issues raised by the previous speaker.

“The suggestion that S.B. No. 1257 is in concrete is not so. The fact is the measure before this Body is S.B. No. 1256, which asks the people for their advice.

“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. 1256, and S.B. No. 1256, H.D. 1, entitled: “A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1774 (Gov. Msg. No. 582):

Senator Inouye moved that Stand. Com. Rep. No. 1774 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 RICHARD M. MERSCHDORF to the State Highway Safety Council, term to expire June 30, 2009, 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. 1775 (Gov. Msg. No. 476):

Senator Fukunaga moved that Stand. Com. Rep. No. 1775 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of JAMES S. GUEQUIERRE to the Hawaii Historic Places Review Board, term to expire June 30, 2009, seconded by Senator Ige.

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. 1776 (Gov. Msg. Nos. 391 and 447):

Senator Fukunaga moved that Stand. Com. Rep. No. 1776 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

SANDRA ALBANO, term to expire June 30, 2008 (Gov. Msg. No. 391); and

BINA MOSSMAN CHUN, term to expire June 30, 2009 (Gov. Msg. No. 447),

seconded by Senator Ige.

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. 1777 (Gov. Msg. No. 138):

Senator Kokubun moved that Stand. Com. Rep. No. 1777 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of JONATHAN WAI YUN LAI to the Hawaii Community Development Authority (HCDA), term to expire June 30, 2008, 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. 1778 (Gov. Msg. Nos. 555, 556, 557, 558, 559 and 560):

Senator Kokubun moved that Stand. Com. Rep. No. 1778 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

YUKIO KITAGAWA, term to expire June 30, 2006 (Gov. Msg. No. 555);

WAYNE K. KATAYAMA, term to expire June 30, 2009 (Gov. Msg. No. 556);

ROBERT V. OSGOOD, term to expire June 30, 2008 (Gov. Msg. No. 557);

TEENA M. RASMUSSEN, term to expire June 30, 2007 (Gov. Msg. No. 558);

ROBERT S. SUTHERLAND, term to expire June 30, 2009 (Gov. Msg. No. 559); and

ERIC D. WEINERT, term to expire June 30, 2006 (Gov. Msg. No. 560),

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. 1779 (Gov. Msg. No. 649):

Senator Kokubun moved that Stand. Com. Rep. No. 1779 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of ROBERT D. HAUFF to the Advisory Committee on Pesticides, term to expire June 30, 2009, 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. 1788 (Gov. Msg. No. 433):

Senator Hanabusa moved that Stand. Com. Rep. No. 1788 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of SARA BANKS to the Civil Rights Commission, term to expire June 30, 2008, seconded by Senator Hee.

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. 1789 (Gov. Msg. Nos. 478, 479 and 480):

Senator Hanabusa moved that Stand. Com. Rep. No. 1789 be received and placed on file, seconded by Senator Kokubun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Kahoolawe Island Reserve Commission of the following:

NOA EMMETT ALULI, term to expire June 30, 2009 (Gov. Msg. No. 478);

MILTON M. ARAKAWA, term to expire June 30, 2007 (Gov. Msg. No. 479); and

JOHN D. WAIHEE IV, term to expire June 30, 2009 (Gov. Msg. No. 480),

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. 1790 (Gov. Msg. No. 522):

Senator Hanabusa moved that Stand. Com. Rep. No. 1790 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of LANI LIU EWART to the Commission to Promote Uniform Legislation, term to expire June 30, 2009, seconded by Senator Hee.

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. 1791 (Gov. Msg. Nos. 523 and 524):

Senator Hanabusa moved that Stand. Com. Rep. No. 1791 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Commission to Promote Uniform Legislation of the following:

PETER J. HAMASAKI, term to expire June 30, 2008 (Gov. Msg. No. 523); and

KEVIN P. H. SUMIDA, term to expire June 30, 2008 (Gov. Msg. No. 524),

seconded by Senator Hee.

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. 1792 (Gov. Msg. Nos. 531 and 532):

Senator Hanabusa moved that Stand. Com. Rep. No. 1792 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Commission on the Status of Women of the following:

MONA M. CHANG VIERRA ED.D., term to expire June 30, 2009 (Gov. Msg. No. 531); and

CAROL ANNE PHILIPS, term to expire June 30, 2009 (Gov. Msg. No. 532),

seconded by Senator Hee.

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. 1793 (Gov. Msg. Nos. 566 and 567):

Senator Hanabusa moved that Stand. Com. Rep. No. 1793 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Crime Victim Compensation Commission of the following:

JANET K. KUWAHARA, term to expire June 30, 2006 (Gov. Msg. No. 566); and

REBECCA S. WARD, term to expire June 30, 2009 (Gov. Msg. No. 567),

seconded by Senator Hee.

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. 1794 (Gov. Msg. No. 576):

Senator Hanabusa moved that Stand. Com. Rep. No. 1794 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of STUART K. HANCHETT to the

Hawaiian Homes Commission, term to expire June 30, 2009, seconded by Senator Hee.

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. 1795 (Gov. Msg. No. 669):

Senator Inouye moved that Stand. Com. Rep. No. 1795 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 DAVID R. MARSHALL to the Commission on Transportation, 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. 1796 (Gov. Msg. Nos. 612, 613, 614, 615, 616 and 617):

Senator Hanabusa moved that Stand. Com. Rep. No. 1796 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Kauai and Niihau of the following:

MARK S. HUBBARD SPHR, term to expire June 30, 2008 (Gov. Msg. No. 612);

D. LA FRANCE KAPAKA-ARBOLEDA, term to expire June 30, 2008 (Gov. Msg. No. 613);

JOHN A. P. KRUSE, term to expire June 30, 2008 (Gov. Msg. No. 614);

SANDRA P. QUINSAAT, term to expire June 30, 2008 (Gov. Msg. No. 615);

LEIANA P. ROBINSON, term to expire June 30, 2007 (Gov. Msg. No. 616); and

PRESLEY V. WANN, term to expire June 30, 2009 (Gov. Msg. No. 617),

seconded by Senator Hee.

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. 1797 (Gov. Msg. Nos. 618, 619, 620, 621, 622, 623, 624 and 625):

Senator Hanabusa moved that Stand. Com. Rep. No. 1797 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Maui and Lanai of the following:

SCOTT FISHER, term to expire June 30, 2009 (Gov. Msg. No. 618);

WILLIAM C. FRAMPTON, term to expire June 30, 2008 (Gov. Msg. No. 619);

DANA MOMILANI NAONE HALL, term to expire June 30, 2007 (Gov. Msg. No. 620);

EDWARD HOAPILII KAAHUI, term to expire June 30, 2009 (Gov. Msg. No. 621);

KEMA L. KANAKAOLE, term to expire June 30, 2009 (Gov. Msg. No. 622);

KEEAMOKU J. KAPU, term to expire June 30, 2009 (Gov. Msg. No. 623);

LESLIE A. KULOLOIO, term to expire June 30, 2009 (Gov. Msg. No. 624); and

CLOTHILDA PUALANI PAOA, term to expire June 30, 2007 (Gov. Msg. No. 625),

seconded by Senator Hee.

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. 1798 (Gov. Msg. No. 550):

Senator Kim moved that Stand. Com. Rep. No. 1798 be received and placed on file, seconded by Senator Nishihara and carried.

Senator Kim then moved that the Senate advise and consent to the nomination of LEON D. YOSHIDA to the Board of Directors of the Hawaii Tourism Authority, term to expire June 30, 2008, seconded by Senator Nishihara.

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. 1799 (Gov. Msg. No. 633):

Senator Inouye moved that Stand. Com. Rep. No. 1799 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 VIT U. PATEL MD to the Medical Advisory Board, term to expire June 30, 2009, 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. 1800 (Gov. Msg. No. 639):

Senator Menor moved that Stand. Com. Rep. No. 1800 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 I. NAKAMA to the



Motor Vehicle Industry Licensing Board, term to expire June 30, 2008, 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. 1801 (Gov. Msg. No. 658):

Senator Menor moved that Stand. Com. Rep. No. 1801 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 BARRY F. LUTERMAN PH.D. to the Board of Speech Pathology and Audiology, term to expire June 30, 2009, 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. 1802 (Gov. Msg. No. 647):

Senator Menor moved that Stand. Com. Rep. No. 1802 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 DANTE P. BUERANO JR. to the Board of Examiners in Optometry, term to expire June 30, 2009, 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. 1803 (Gov. Msg. Nos. 598, 599, 601 and 602):

Senator Hanabusa moved that Stand. Com. Rep. No. 1803 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Island of Molokai of the following:

LANCE M. DUNBAR, term to expire June 30, 2009 (Gov. Msg. No. 598);

PEARL A. HODGINS, term to expire June 30, 2009 (Gov. Msg. No. 599);

WILLIAM K. MALO, term to expire June 30, 2009 (Gov. Msg. No. 601); and

GEORGE 'KEOKI' E. PESCAIA, term to expire June 30, 2006 (Gov. Msg. No. 602),

seconded by Senator Hee.

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. 1804 (Gov. Msg. Nos. 442 and 562):

Senator Kokubun moved that Stand. Com. Rep. No. 1804 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Hawaii Community Development Authority (HCDA) of the following:

KAY M. MUKAIGAWA, term to expire June 30, 2009 (Gov. Msg. No. 442); and

GRADY L. CHUN, term to expire June 30, 2007 (Gov. Msg. No. 562),

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. 1806 (Gov. Msg. Nos. 585, 586, 587, 589, 590, 591, 592, 593, 594 and 595):

Senator Hanabusa moved that Stand. Com. Rep. No. 1806 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Island of Hawaii of the following:

ANNA CARIAGA, term to expire June 30, 2008 (Gov. Msg. No. 585);

RONALD N. M. DELA CRUZ, term to expire June 30, 2008 (Gov. Msg. No. 586);

LENINGRAD ELARIONOFF, term to expire June 30, 2009 (Gov. Msg. No. 587);

ROY HELBUSH, term to expire June 30, 2008 (Gov. Msg. No. 589);

JACQUI L. HOOVER, term to expire June 30, 2009 (Gov. Msg. No. 590);

KU KAHAKALAU PHD, term to expire June 30, 2008 (Gov. Msg. No. 591);

MELVYN KALEO KUALII, term to expire June 30, 2008 (Gov. Msg. No. 592);

CYNTHIA NAZARA, term to expire June 30, 2007 (Gov. Msg. No. 593);

DUTCHIE K. SAFFREY, term to expire June 30, 2007 (Gov. Msg. No. 594); and

CHARLES KUI HIN YOUNG, term to expire June 30, 2009 (Gov. Msg. No. 595),

seconded by Senator Hee.

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

Ayes, 25. Noes, none.

**ADOPTION OF RESOLUTIONS****MATTERS DEFERRED FROM  
FRIDAY, APRIL 22, 2005**

Stand. Com. Rep. No. 1780 (H.C.R. No. 88, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 88, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONSIDER IMPOSING RESTRICTIONS ON PUBLIC ACCESS TO THE AHIHI-KINAU NATURAL AREA RESERVE," was adopted.

Stand. Com. Rep. No. 1781 (H.C.R. No. 267, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 267, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES AND THE SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE, TOGETHER WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO CONDUCT COMMUNITY MEETINGS THROUGHOUT THE STATE TO SEEK PUBLIC PARTICIPATION TOWARDS ENSURING THE VIABILITY OF HAWAII'S MARINE RESOURCES NOW AND FOR FUTURE GENERATIONS," was adopted.

Stand. Com. Rep. No. 1782 (H.C.R. No. 10, H.D. 1, S.D. 1):

Senator Hee moved that Stand. Com. Rep. No. 1782 and H.C.R. No. 10, H.D. 1, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Whalen rose to speak in opposition to the measure as follows:

"Mr. President, briefly, when we had the initial bill that was going to start pushing the emergency contraceptive pill, I voted 'no' for that because the testimony from the doctors and the medical research showed clearly that although it can prevent conception, it also can basically create a miscarriage, because if the pill is taken after the egg has been fertilized, what happens is that the woman's body rejects it and the egg is unable to implant on the wall of the uterus. So, this emergency contraceptive pill becomes an emergency abortion pill, and I think we continue to play games with the names and promoting something I can't support.

"Thank you."

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I rise to speak in support of Stand. Com. Rep. No. 1782, H.C.R. No. 10.

"This measure is identical to a measure that the Senate has already adopted. We took the HCR and instead of creating a new task force, asked that the existing task force that is already working on the issue to address this matter. The task force was created by legislation passed last year and signed into law to make sure the appropriate information gets out to pharmacists who have the ability to prescribe emergency contraceptives and to the physicians, as well as to women who may be in need of emergency contraceptives.

"So, I would just like to note for the record that an identical measure has already been approved by the Senate. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and H.C.R. No. 10, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMERGENCY CONTRACEPTION INTERAGENCY WORK GROUP TO DEVELOP A MECHANISM TO EFFECTIVELY DISSEMINATE INFORMATION ON THE AVAILABILITY OF OVER-THE-COUNTER EMERGENCY CONTRACEPTION IN THE STATE," was adopted with Senators Slom and Whalen voting "No."

Stand. Com. Rep. No. 1783 (H.C.R. No. 67, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 67, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF ATHLETIC HEALTH CARE TRAINERS," was adopted.

Stand. Com. Rep. No. 1785 (H.C.R. No. 109, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 109, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH URGENT CHILD AND ADOLESCENT PSYCHIATRIC SERVICES AT MAUI MEMORIAL MEDICAL CENTER IN THE FORM OF CRISIS STABILIZATION SERVICES," was adopted.

Stand. Com. Rep. No. 1786 (H.C.R. No. 222, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 222, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ACTIVELY WORK WITH THE RESIDENTS IN UPCOUNTRY MAUI TO ADDRESS THEIR CONCERNS AND TO REVIEW THE DEPARTMENT'S WATER QUALITY STANDARDS AND PRACTICES IN LIGHT OF CONTINUING CONCERNS REGARDING DETERIORATING WATER QUALITY IN UPCOUNTRY MAUI," was adopted.

Stand. Com. Rep. No. 1787 (H.C.R. No. 229, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 229, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COORDINATE STUDIES, WITH THE ASSISTANCE OF THE DEPARTMENT OF HEALTH, TO EVALUATE THE IMPACT OF THE PHYSICIAN 'ON-CALL' CRISIS ON THE QUEEN'S MEDICAL CENTER TRAUMA CENTER TO PROVIDE EMERGENCY MEDICAL SERVICES IN THE STATE OF HAWAII, AND TO RECOMMEND ANY APPROPRIATE GOVERNMENT AND PRIVATE SECTOR RESPONSES TO THE ON-CALL CRISIS TO ENSURE CONTINUED ACCESS TO TRAUMA LEVEL CARE," was adopted with Senator Slom voting "No."

Stand. Com. Rep. No. 1805 (H.C.R. No. 5, H.D. 1, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 5, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

LAND AND NATURAL RESOURCES' DIVISION OF STATE PARKS TO ESTABLISH A SOUTH KONA-KA'U COASTAL CONSERVATION TASK FORCE," was adopted.

Stand. Com. Rep. No. 1807 (H.C.R. No. 294, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 294, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF EXISTING STUDIES AND STATISTICS ON THE CAUSAL RELATIONSHIP BETWEEN WIRELESS TELEPHONE USE WHILE OPERATING A MOTOR VEHICLE AND INCREASED MOTOR VEHICLE-RELATED ACCIDENTS," was adopted.

Stand. Com. Rep. No. 1808 (H.C.R. No. 56, S.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 56, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING PASSAGE OF THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT (THE 'AKAKA BILL')," was adopted with Senator Slom voting "No."

**ADOPTION OF RESOLUTIONS**

H.C.R. No. 100, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 100, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII," was adopted with Senator Slom voting "No."

H.C.R. No. 146, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 146, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON BIOPROSPECTING," was adopted.

H.C.R. No. 213:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SYSTEMWIDE FINANCIAL AUDIT OF THE UNIVERSITY OF HAWAII SYSTEM," was adopted.

**RECONSIDERATION OF ACTION TAKEN**

S.B. No. 527, S.D. 2 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 7, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 527, S.D. 2, seconded by Senator Chun Oakland 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. 527, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Baker, Chun Oakland, Taniguchi, Inouye). Noes, none. Excused, 2 (Fukunaga, Whalen).

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 527, S.D. 2, seconded by Senator Chun Oakland.

Senator Baker noted:

"Mr. President, this is a measure that provides the county executive office on aging, as well as county agencies, the ability to procure using Chapter 103F. This is consistent with the Senate amendments. However, the House bill was more technically correct and that is why we adopted their version."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 527, S.D. 2, and S.B. No. 527, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES," was placed on the calendar for Final Reading on Tuesday, April 26, 2005.

**APPOINTMENT OF CONFEREES**

S.B. No. 179, 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. 179, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Ige, Taniguchi, co-chairs; Espero, Hooser, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 982, 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. 982, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Inouye, Taniguchi, co-chairs; Espero, Tsutsui as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 12:24 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 26, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-FIFTH DAY

**Tuesday, April 26, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:41 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.

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. 834 to 838) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 834, informing the Senate that on April 25, 2005, she signed into law Senate Bill No. 675 as Act 26, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT," was placed on file.

Gov. Msg. No. 835, informing the Senate that on April 25, 2005, she signed into law Senate Bill No. 840 as Act 27, entitled: "RELATING TO INCOME TAX WITHHOLDING," was placed on file

Gov. Msg. No. 836, advising the Senate of the withdrawal of the nomination of LAURA W. SCHULTZ DVM to the Board of Veterinary Examiners, under Gov. Msg. No. 827, dated April 20, 2005, was placed on file.

In compliance with Gov. Msg. No. 836, the nomination listed under Gov. Msg. No. 827 was returned.

Gov. Msg. No. 837, informing the Senate that on April 25, 2005, she signed into law House Bill No. 81 as Act 28, entitled: "RELATING TO MOTOR CARRIERS," was placed on file.

Gov. Msg. No. 838, informing the Senate that on April 25, 2005, she signed into law Senate Bill No. 781 as Act 29, entitled: "RELATING TO ENFORCEMENT OF QUARANTINE," was placed on file.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 698 to 741) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 698, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 155, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 699, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 516, H.D. 2 (S.D. 1), was placed on file.

Hse. Com. No. 700, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 683, H.D. 1 (S.D. 2), was placed on file.

Hse. Com. No. 701, returning S.C.R. No. 7, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 7 and requested a conference on the subject matter thereof.

Hse. Com. No. 702, returning S.C.R. No. 40, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 40, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 703, returning S.C.R. No. 42, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 42, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 704, returning S.C.R. No. 68, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 68, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 705, returning S.C.R. No. 79, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 79, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 706, returning S.C.R. No. 92, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 92, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 707, returning S.C.R. No. 106, S.D. 2, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 106, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 708, returning S.C.R. No. 132, which was adopted by the House of Representatives on April 25, 2005, in an amended form, was placed on file.



Hse. Com. No. 727, returning S.C.R. No. 63, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 728, returning S.C.R. No. 95, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 729, returning S.C.R. No. 96, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 730, returning S.C.R. No. 100, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 731, returning S.C.R. No. 135, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 732, returning S.C.R. No. 141, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 733, returning S.C.R. No. 143, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 734, returning S.C.R. No. 155, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 735, returning S.C.R. No. 174, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 736, returning S.C.R. No. 177, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 737, returning S.C.R. No. 183, S.D. 1, which was adopted by the House of Representatives on April 25, 2005, was placed on file.

Hse. Com. No. 738, informing the Senate that the Speaker on April 25, 2005, made the following change to the conferees on the following bill:

S.B. No. 1352, S.D. 1 (H.D. 1):

Discharged Representative Arakaki as a co-chair,  
was placed on file.

Hse. Com. No. 739, informing the Senate that the Speaker on April 25, 2005, 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. 944, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

S.B. No. 945, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

S.B. No. 1579, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

S.B. No. 1580, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

S.B. No. 1583, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

S.B. No. 1584, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

S.B. No. 1808, S.D. 1 (H.D. 1):

Representatives Caldwell, Takamine, co-chairs,

was placed on file.

Hse. Com. No. 740, informing the Senate that the Speaker on April 25, 2005, 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. 256 (S.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

H.B. No. 260 (S.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

H.B. No. 263 (S.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

H.B. No. 1597 (S.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses.

H.B. No. 1599 (S.D. 1):

Representatives Caldwell, Takamine, co-chairs; Moses,  
was placed on file.

Hse. Com. No. 741, informing the Senate that the Speaker on April 26, 2005, made the following change to the conferees on the following bill:

S.B. No. 1808, S.D. 1 (H.D. 1):

Appointed Representative Shimabukuro as a manager,  
was placed on file.

#### CONFERENCE COMMITTEE REPORTS

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. 1483, S.D. 1, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 1483, 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. 1 and S.B. No. 1483, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL," 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. 77, S.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 77, 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. 2 and S.B. No. 77, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," 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. 459, S.D. 2, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 459, 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. 3 and S.B. No. 459, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1816) recommending that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

JANE KNOX, in accordance with Gov. Msg. No. 651;

LARRY M. LITTLETON, in accordance with Gov. Msg. No. 652; and

KRISTINE K. H. PAGANO, in accordance with Gov. Msg. No. 653.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1816 and Gov. Msg. Nos. 651, 652 and 653 was deferred until Wednesday, April 27, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1817) recommending that the Senate advise and consent to the nominations to the Land Use Commission of the following:

THOMAS CONTRADES, in accordance with Gov. Msg. No. 629;

DUANE KANUHA, in accordance with Gov. Msg. No. 630; and

RANSOM A.K. PILTZ, in accordance with Gov. Msg. No. 631.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1817 and Gov. Msg. Nos. 629, 630 and 631 was deferred until Wednesday, April 27, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1818) recommending that H.C.R. No. 262, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1818 and H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TRAINING PROGRAM IN

CONJUNCTION WITH THE LOCAL REAL ESTATE APPRAISER'S NATIONAL ORGANIZATION AS PART OF THEIR PROFESSIONAL EDUCATIONAL SEMINARS TO TRAIN REAL ESTATE APPRAISERS TO USE THE INCOME CAPITALIZATION APPROACH TO SET LEASE RENT RATES FOR STATE AGRICULTURAL LEASE REOPENING," was deferred until Wednesday, April 27, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1819) recommending that H.C.R. No. 293, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1819 and H.C.R. No. 293, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO FULFILL ITS CONSTITUTIONAL AND STATUTORY MANDATE TO PROTECT PUBLIC TRUST INSTREAM USES," was deferred until Wednesday, April 27, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1820) recommending that H.C.R. No. 40, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1820 and H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was deferred until Wednesday, April 27, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1821) recommending that H.C.R. No. 95 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1821 and H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO RECOGNIZE THE IMPORTANCE OF THE CONTRIBUTIONS OF FAMILY CAREGIVERS AND TO SUPPORT THEM TO THE EXTENT POSSIBLE IN SERVING THE LONG-TERM CARE NEEDS OF THE STATE'S RESIDENTS," was deferred until Wednesday, April 27, 2005.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1822) recommending that H.C.R. No. 96 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1822 and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO DEVELOP METHODS TO SUPPORT FAMILY CAREGIVERS WHO PROVIDE AT-HOME CARE TO QUALIFIED RELATIVES," was deferred until Wednesday, April 27, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1823) recommending that H.C.R. No. 99 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1823 and H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DESIGNATION OF ALL OF HAWAII'S AIRPORTS AS SMOKE-FREE AREAS FROM

AIRPLANE CABIN TO AIRPORT CURB," was deferred until Wednesday, April 27, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1824) recommending that H.C.R. No. 255, H.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1824 and H.C.R. No. 255, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING AN INTERIM TASK FORCE ON THE ACCESSIBILITY OF MENTAL HEALTH CARE TO CONSIDER THE FEASIBILITY OF THE STATE AUTHORIZING TRAINED AND SUPERVISED PSYCHOLOGISTS TO SAFELY PRESCRIBE PSYCHOTROPIC MEDICATIONS FOR THE TREATMENT OF MENTAL ILLNESS," was deferred until Wednesday, April 27, 2005.

At 11:47 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.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

#### MATTER DEFERRED FROM MONDAY, APRIL 25, 2005

Stand. Com. Rep. No. 1771 (Gov. Msg. No. 583):

Senator Menor moved that Stand. Com. Rep. No. 1771 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 CHARLES A. STED to the Board of Directors of the Housing and Community Development Corporation of Hawaii (HCDCH), term to expire June 30, 2009, 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.

#### FINAL READING

S.B. No. 527, S.D. 2, H.D. 1:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 527, S.D. 2, and S.B. No. 527, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1809 (Gov. Msg. Nos. 604, 605, 606, 607, 608, 609, 610 and 611):

Senator Hanabusa moved that Stand. Com. Rep. No. 1809 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Island of Oahu of the following:

CHARLES A. EHRHORN, term to expire June 30, 2007 (Gov. Msg. No. 604);

ALICE U. GREENWOOD, term to expire June 30, 2009 (Gov. Msg. No. 605);

ANALU K. JOSEPHIDES, term to expire June 30, 2008 (Gov. Msg. No. 606);

ANDREW K.T. KELIIOA, term to expire June 30, 2009 (Gov. Msg. No. 607);

AARON D. MAHI, term to expire June 30, 2009 (Gov. Msg. No. 608);

MARK KAWIKA MCKEAGUE, term to expire June 30, 2009 (Gov. Msg. No. 609);

JACE L. MCQUIVEY, term to expire June 30, 2009 (Gov. Msg. No. 610); and

LINDA PAIK-MATSUURA, term to expire June 30, 2008 (Gov. Msg. No. 611),

seconded by Senator Hee.

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. 1810 (Gov. Msg. No. 696):

Senator Hanabusa moved that Stand. Com. Rep. No. 1810 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of MARY VERDINE S.O. KONG to the Correctional Industries Advisory Committee, term to expire June 30, 2008, seconded by Senator Hee.

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. 1811 (Gov. Msg. No. 693):

Senator Hanabusa moved that Stand. Com. Rep. No. 1811 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of LESLIE ALAN UEOKA to the Civil Rights Commission, term to expire June 30, 2008, seconded by Senator Hee.

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. 1812 (Gov. Msg. Nos. 707 and 708):

Senator Hanabusa moved that Stand. Com. Rep. No. 1812 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

ROSEMARIE (BILLIE) I. BACLIG, term to expire June 30, 2009 (Gov. Msg. No. 707); and

MALIA P. KAMAKA, term to expire June 30, 2009 (Gov. Msg. No. 708),

seconded by Senator Hee.

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. 1813 (Gov. Msg. No. 775):

Senator Hanabusa moved that Stand. Com. Rep. No. 1813 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of GIL SILVA to the Board of Registration of the Island of Hawaii, term to expire June 30, 2009, seconded by Senator Hee.

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. 1814 (Gov. Msg. No. 750):

Senator Hanabusa moved that Stand. Com. Rep. No. 1814 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of WINIFRED PELE HANOA to the Island Burial Council, Island of Hawaii, term to expire June 30, 2009, seconded by Senator Hee.

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

Ayes, 25. Noes, none.

**APPOINTMENT AND DISCHARGE  
OF CONFEREES**

S.B. No. 568, 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. 568, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chair; Menor, co-chair; Chun Oakland, Ige, Whalen as managers on the part of the Senate at such conference.

S.B. No. 807, S.D. 1 (H.D. 1):

The President discharged Senator Kanno as chair and Senator Taniguchi as a co-chair and appointed Senator

Taniguchi as 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. 807, S.D. 1.

H.B. No. 1528, H.D. 2 (S.D. 2):

The President discharged Senator Kanno as chair and Senator Taniguchi as a co-chair and appointed Senator Taniguchi as 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. 1528, H.D. 2.

S.C.R. No. 227, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 227, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Baker, co-chair; Fukunaga, Trimble as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 11:49 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 27, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-SIXTH DAY

**Wednesday, April 27, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Dennis Brown, Big Brothers/Big Sisters of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Kim and Sakamoto who were 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. 839 to 847) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 839, informing the Senate that on April 26, 2005, she signed into law House Bill No. 1118 as Act 30, entitled: "RELATING TO NURSES," was placed on file.

Gov. Msg. No. 840, informing the Senate that on April 26, 2005, she signed into law Senate Bill No. 1802 as Act 31, entitled: "RELATING TO CAPTIVE INSURANCE," was placed on file.

Gov. Msg. No. 841, letter dated April 21, 2005, notifying the Senate that the decision of the arbitration panel for Bargaining Units 2, 3, 4, 6, 8, and 13, represented by Hawaii Government Employees Association (HGEA) was received on April 15, 2005, and transmitting a proposed conference draft amending H.B. No. 263 in its entirety to fund the settlement, was placed on file.

Gov. Msg. No. 842, letter dated April 21, 2005, notifying the Senate that the decision of the arbitration panel for Bargaining Unit 9, represented by Hawaii Government Employees Association (HGEA) was received on April 15, 2005, and transmitting a proposed conference draft amending H.B. No. 258 in its entirety to fund the settlement, was placed on file.

Gov. Msg. No. 843, letter dated April 25, 2005, notifying the Senate that the Hawaii State Teachers Association and the employer entered into a tentative agreement concerning Bargaining Unit 5 on April 23, 2005; transmitting summaries of the included and excluded requirements of the settlement for the upcoming fiscal biennium in anticipation of the union ratification to facilitate meeting the legislative timetable; and transmitting a proposed conference draft amending H.B. No. 254 that will become effective July 1, 2005, was placed on file.

Gov. Msg. No. 844, letter dated April 26, 2005, notifying the Senate that the United Public Workers and the employer entered into a tentative agreement concerning Bargaining Units 1 and 10 on April 23, 2005; transmitting summaries of the included and excluded requirements of the settlement for the upcoming fiscal biennium in anticipation of the union ratification to facilitate meeting the legislative timetable; and transmitting a proposed conference draft amending H.B. No. 250 in its entirety to fund the settlement, was placed on file.

Gov. Msg. No. 845, letter dated April 26, 2005, notifying the Senate that the decision of the arbitration panel for Bargaining Units 2, 3, 4, 6, 8, 9, and 13, represented by Hawaii Government Employees Association (HGEA) was received on

April 15, 2005, and transmitting a proposed conference draft amending H.B. No. 1599 in its entirety to fund HEUHBTF costs, was placed on file.

Gov. Msg. No. 846, advising the Senate of the withdrawal of the nominations of:

KARL P. ESPALDON to the Hawaii Commission for National and Community Service, under Gov. Msg. No. 491, dated March 24, 2005; and

ANDREW K. ARCE to the Molokai Irrigation System Water Users Advisory Board, under Gov. Msg. No. 762, dated April 15, 2005,

was placed on file.

In compliance with Gov. Msg. No. 846, the nominations listed under Gov. Msg. Nos. 491 and 762 were returned.

Gov. Msg. No. 847, advising the Senate of the withdrawal of the nominations of:

BERTON HAMAMOTO CRB, CRS to the Board of Land and Natural Resources, under Gov. Msg. No. 627, dated April 11, 2005; and

JAMES M. LOWSON to the Board of Land and Natural Resources, under Gov. Msg. No. 628, dated April 11, 2005,

was placed on file.

In compliance with Gov. Msg. No. 847, the nominations listed under Gov. Msg. Nos. 627 and 628 were returned.

**DEPARTMENTAL COMMUNICATION**

Dept. Com. No. 35, from the State Auditor dated April 26, 2005, transmitting a report, "Audit of the Office of Hawaiian Affairs," (Report No. 05-03), was read by the Clerk and was placed on file.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 742 to 748) were read by the Clerk and were placed on file:

Hse. Com. No. 742, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 155, H.D. 1, and H.B. No. 155, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 26, 2005.

Hse. Com. No. 743, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 516, H.D. 2, and H.B. No. 516, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 26, 2005.

Hse. Com. No. 744, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 683, H.D. 1, and H.B. No. 683, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 26, 2005.

Hse. Com. No. 745, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 685, (S.D. 1).

Hse. Com. No. 746, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 835, H.D. 2 (S.D. 1).

Hse. Com. No. 747, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1015, H.D. 2 (S.D. 1).

Hse. Com. No. 748, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1666, H.D. 1 (S.D. 1).

#### CONFERENCE COMMITTEE REPORTS

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. 1843, S.D. 1, presented a report (Conf. Com. Rep. No. 4) recommending that S.B. No. 1843, 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. 4 and S.B. No. 1843, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," 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. 761, S.D. 2, presented a report (Conf. Com. Rep. No. 5) recommending that S.B. No. 761, 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. 5 and S.B. No. 761, S.D. 2, H.D. 1, 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. 122, S.D. 1, presented a report (Conf. Com. Rep. No. 6) recommending that S.B. No. 122, 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. 6 and S.B. No. 122, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT SAFETY," 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. 1003, S.D. 2, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 1003, 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. 7 and S.B. No. 1003, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1903, S.D. 1, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 1903, 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. 8 and S.B. No. 1903, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," 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. 295, H.D. 2, presented a report (Conf. Com. Rep. No. 51) recommending that H.B. No. 295, 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. 51 and H.B. No. 295, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1320, H.D. 1, presented a report (Conf. Com. Rep. No. 52) recommending that H.B. No. 1320, 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. 52 and H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," 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. 606, H.D. 1, presented a report (Conf. Com. Rep. No. 53) recommending that H.B. No. 606, 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. 53 and H.B. No. 606, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," 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. 712, H.D. 2, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 712, 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. 54 and H.B. No. 712, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 864, presented a report (Conf. Com. Rep. No. 55) recommending that H.B. No. 864, 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. 55 and H.B. No. 864, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred for a period of 48 hours.

## STANDING COMMITTEE REPORTS

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1825) recommending that the Senate advise and consent to the nomination of JAMES J. RODRIGUES to the Environmental Council, in accordance with Gov. Msg. No. 705.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1825 and Gov. Msg. No. 705 was deferred until Thursday, April 28, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1826) recommending that the Senate advise and consent to the nomination of JEFFREY T. PEARSON to the Board of Certification of Public Water System Operators, in accordance with Gov. Msg. No. 790.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1826 and Gov. Msg. No. 790 was deferred until Thursday, April 28, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1827) recommending that H.C.R. No. 165 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1827 and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING ESTATE GROWN HAWAII NONI AND ENCOURAGING CONSUMERS TO PURCHASE AND SUPPORT ESTATE GROWN HAWAII NONI AND THE LOCAL NONI INDUSTRY," was deferred until Thursday, April 28, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1828) recommending that H.C.R. No. 58 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1828 and H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' USE OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS," was deferred until Thursday, April 28, 2005.

Senators Chun Oakland and Ige, for the Committee on Human Services and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1829) recommending that H.C.R. No. 105 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE VARIOUS COUNTY COUNCILS TO PROVIDE RELIEF TO RESIDENTS ON FIXED INCOMES WHO ARE UNABLE TO AFFORD HIGHER PROPERTY TAXES," 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. 1830) recommending that H.C.R. No. 175, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1830 and H.C.R. No. 175, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT

A PILOT PUBLIC-PRIVATE PARTNERSHIP PROGRAM WITH THE HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS AND HAWAII CATHOLIC SCHOOLS DEPARTMENT WITH THE GOAL OF ALLOWING THE HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS AND HAWAII CATHOLIC SCHOOLS DEPARTMENT TO SELF-REGULATE AND MANAGE THEIR PRIVATE PRESCHOOLS," was deferred until Thursday, April 28, 2005.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1831) recommending that H.C.R. No. 277 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1831 and H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES," was deferred until Thursday, April 28, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1832) recommending that H.C.R. No. 278 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1832 and H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO POST TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BUDGET INFORMATION ON ITS WEBSITE FOR PUBLIC REVIEW," was deferred until Thursday, April 28, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1833) recommending that the Senate advise and consent to the nomination of RALPH CUSHNIE to the Hoisting Machine Operators Advisory Board, in accordance with Gov. Msg. No. 477.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1833 and Gov. Msg. No. 477 was deferred until Thursday, April 28, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1834) recommending that H.C.R. No. 270, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1834 and H.C.R. No. 270, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON CIVIL SERVICE EXEMPT POSITIONS IN EACH EMPLOYING STATE JURISDICTION," was deferred until Thursday, April 28, 2005.

Senators Kanno and Chun Oakland, for the Committee on Labor and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 1835) recommending that H.C.R. No. 265, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1835 and H.C.R. No. 265, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO REINSTATE THE SOCIAL WORKER SERIES IN ITS CLASSIFICATION AND COMPENSATION PLAN," was deferred until Thursday, April 28, 2005.

**ORDER OF THE DAY****ADVISE AND CONSENT**

Stand. Com. Rep. No. 1816 (Gov. Msg. Nos. 651, 652 and 653):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1816 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

JANE KNOX, term to expire June 30, 2009 (Gov. Msg. No. 651);

LARRY M. LITTLETON, term to expire June 30, 2009 (Gov. Msg. No. 652); and

KRISTINE K. H. PAGANO, term to expire June 30, 2009 (Gov. Msg. No. 653),

seconded by Senator Fukunaga.

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

Ayes, 20. Noes, none. Excused, 5 (Ihara, Kim, Menor, Sakamoto, Taniguchi).

Stand. Com. Rep. No. 1817 (Gov. Msg. Nos. 629, 630 and 631):

Senator Kokubun moved that Stand. Com. Rep. No. 1817 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Land Use Commission of the following:

THOMAS CONTRADES, term to expire June 30, 2009 (Gov. Msg. No. 629);

DUANE KANUHA, term to expire June 30, 2009 (Gov. Msg. No. 630); and

RANSOM A.K. PILTZ, term to expire June 30, 2006 (Gov. Msg. No. 631),

seconded by Senator Hooser.

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

Ayes, 20. Noes, none. Excused, 5 (Ihara, Kim, Menor, Sakamoto, Taniguchi).

**ADOPTION OF RESOLUTIONS****MATTERS DEFERRED FROM  
TUESDAY, APRIL 26, 2005**

Stand. Com. Rep. No. 1818 (H.C.R. No. 262, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

LAND AND NATURAL RESOURCES TO ESTABLISH A TRAINING PROGRAM IN CONJUNCTION WITH THE LOCAL REAL ESTATE APPRAISER'S NATIONAL ORGANIZATION AS PART OF THEIR PROFESSIONAL EDUCATIONAL SEMINARS TO TRAIN REAL ESTATE APPRAISERS TO USE THE INCOME CAPITALIZATION APPROACH TO SET LEASE RENT RATES FOR STATE AGRICULTURAL LEASE REOPENING," was adopted.

Stand. Com. Rep. No. 1819 (H.C.R. No. 293, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 293, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO FULFILL ITS CONSTITUTIONAL AND STATUTORY MANDATE TO PROTECT PUBLIC TRUST INSTREAM USES," was adopted.

Stand. Com. Rep. No. 1820 (H.C.R. No. 40, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONTINUE TO CONVENE THE RESIDENTIAL SETTINGS TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was adopted.

Stand. Com. Rep. No. 1821 (H.C.R. No. 95):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE TO RECOGNIZE THE IMPORTANCE OF THE CONTRIBUTIONS OF FAMILY CAREGIVERS AND TO SUPPORT THEM TO THE EXTENT POSSIBLE IN SERVING THE LONG-TERM CARE NEEDS OF THE STATE'S RESIDENTS," was adopted.

Stand. Com. Rep. No. 1822 (H.C.R. No. 96):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO DEVELOP METHODS TO SUPPORT FAMILY CAREGIVERS WHO PROVIDE AT-HOME CARE TO QUALIFIED RELATIVES," was adopted.

Stand. Com. Rep. No. 1823 (H.C.R. No. 99):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DESIGNATION OF ALL OF HAWAII'S AIRPORTS AS SMOKE-FREE AREAS FROM AIRPLANE CABIN TO AIRPORT CURB," was adopted.

Stand. Com. Rep. No. 1824 (H.C.R. No. 255, H.D. 2):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 255, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING AN INTERIM TASK

FORCE ON THE ACCESSIBILITY OF MENTAL HEALTH CARE TO CONSIDER THE FEASIBILITY OF THE STATE AUTHORIZING TRAINED AND SUPERVISED PSYCHOLOGISTS TO SAFELY PRESCRIBE PSYCHOTROPIC MEDICATIONS FOR THE TREATMENT OF MENTAL ILLNESS," was adopted.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 667, S.D. 2 (H.D. 2):

Senator Hee moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 667, S.D. 2, seconded by Senator Tsutsui 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. 667, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 2 (Hee, Slom). Noes, none. Excused, 1 (Taniguchi).

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.B. No. 667, S.D. 2, seconded by Senator Tsutsui.

Senator Hee noted:

"Mr. President, the reason we're agreeing to the House draft is because the Chair of the Committee on Ways and Means reviewed the matter from a fiscal point of view and recommended that we agree to the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 667, S.D. 2, and S.B. No. 667, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES," was placed on the calendar for Final Reading on Thursday, April 28, 2005.

S.C.R. No. 7 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 7, 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. 7, seconded by Senator Chun Oakland.

Senator Baker noted:

"Mr. President, the House made only some minor additions in the paragraph that deals with the number of people that will be coming together to come up with the strategic plan and their additions were acceptable to the Senate Committee."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 7 and S.C.R. No. 7, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE STRATEGIC PLAN TO PROMOTE OBESITY PREVENTION AND HEALTHY LIFESTYLES," was placed on the calendar for Final Adoption on Thursday, April 28, 2005.

At 11:47 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 Espero, Chair of the Committee on Business and Economic Development, requested that the referral of H.C.R. No. 111 to the Committee on Business and Economic Development and the Committee on Media, Arts, Science and Technology be waived.

Senator Espero noted:

"Mr. President, H.C.R. No. 111, H.D. 2, urges the Department of Business, Economic Development, and Tourism to establish a permanent state cultural public market within the Hawaii Community Development Authority. The reason for the waiver is time constraints."

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Thursday, April 28, 2005:

H.C.R. No. 111, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

At this time, Senator Slom extended happy birthday wishes to Senator Trimble on behalf of the Senate.

#### APPOINTMENT OF CONFEREES

S.C.R. No. 40, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 40, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Espero, Tsutsui, co-chairs; Nishihara, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.C.R. No. 92, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 92, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.C.R. No. 186, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 186, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, chair; Ige, co-chair; Hooser, Ihara, Inouye, Hogue as managers on the part of the Senate at such conference.

S.C.R. No. 207 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 207, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.C.R. No. 208, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 208, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; English, Espero, co-chairs; Hemmings as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 11:54 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 6:30 o'clock p.m., Thursday, April 28, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-SEVENTH DAY

Thursday, April 28, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 6:41 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. John Whalen, Friends Society Meeting 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-Sixth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 848 to 850) were read by the Clerk and were placed on file:

Gov. Msg. No. 848, informing the Senate that on April 27, 2005, she signed into law House Bill No. 582 as Act 32, entitled: "RELATING TO MISSING CHILD CENTER-HAWAII."

Gov. Msg. No. 849, informing the Senate that on April 27, 2005, she signed into law House Bill No. 437 as Act 33, entitled: "RELATING TO DRIVING UNDER THE INFLUENCE OF AN INTOXICANT."

Gov. Msg. No. 850, informing the Senate that on April 28, 2005, she signed into law House Bill No. 1222 as Act 34, entitled: "RELATING TO PUBLIC EMPLOYEES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 749 to 762) were read by the Clerk and were placed on file:

Hse. Com. No. 749, returning S.C.R. No. 70, S.D. 1, which was adopted by the House of Representatives on April 27, 2005.

Hse. Com. No. 750, returning S.C.R. No. 128, S.D. 1, which was adopted by the House of Representatives on April 27, 2005.

Hse. Com. No. 751, returning S.C.R. No. 192, which was adopted by the House of Representatives on April 27, 2005.

Hse. Com. No. 752, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 685, and H.B. No. 685, S.D. 1, passed Final Reading in the House of Representatives on April 27, 2005.

Hse. Com. No. 753, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 835, H.D. 2, and H.B. No. 835, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 27, 2005.

Hse. Com. No. 754, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1015, H.D. 2, and H.B. No. 1015, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 27, 2005.

Hse. Com. No. 755, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1666, H.D. 1, and H.B. No. 1666, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 27, 2005.

Hse. Com. No. 756, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 99, H.D. 1 (S.D. 2).

Hse. Com. No. 757, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 758, H.D. 2 (S.D. 2).

Hse. Com. No. 758, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1060, H.D. 2 (S.D. 2).

Hse. Com. No. 759, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1146, H.D. 1 (S.D. 2).

Hse. Com. No. 760, informing the Senate that the House reconsidered its action taken on April 12, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1154, H.D. 1 (S.D. 2).

Hse. Com. No. 761, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1318, H.D. 1 (S.D. 1).

Hse. Com. No. 762, informing the Senate that the House reconsidered its action taken on April 5, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1413, H.D. 1 (S.D. 1).

## CONFERENCE COMMITTEE REPORTS

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. 76, S.D. 1, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 76, 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. 9 and S.B. No. 76, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1378, S.D. 2, presented a report (Conf. Com. Rep. No. 10) recommending that S.B. No. 1378, 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. 10 and S.B. No. 1378, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL," 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. 700, S.D. 1, presented a report (Conf. Com. Rep. No. 11) recommending that S.B. No. 700, 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. 11 and S.B. No. 700, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," 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. 673, S.D. 2, presented a report (Conf. Com. Rep. No. 12) recommending that S.B. No. 673, 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. 12 and S.B. No. 673, S.D. 2, H.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 Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1253, S.D. 1, presented a report (Conf. Com. Rep. No. 13) recommending that S.B. No. 1253, 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. 13 and S.B. No. 1253, 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 Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1685, S.D. 2, presented a report (Conf. Com. Rep. No. 14) recommending that S.B. No. 1685, 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. 14 and S.B. No. 1685, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 121, presented a report (Conf. Com. Rep. No. 15) recommending that S.B. No. 121, 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. 15 and S.B. No. 121, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES," 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. 639, S.D. 2, presented a report (Conf. Com. Rep. No. 16) recommending that S.B. No. 639, 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. 16 and S.B. No. 639, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 693, S.D. 1, presented a report (Conf.

Com. Rep. No. 17) recommending that S.B. No. 693, 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. 17 and S.B. No. 693, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," 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. 754, S.D. 1, presented a report (Conf. Com. Rep. No. 18) recommending that S.B. No. 754, 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. 18 and S.B. No. 754, S.D. 1, H.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 Senate to the amendments proposed by the House to S.B. No. 1117, S.D. 1, presented a report (Conf. Com. Rep. No. 19) recommending that S.B. No. 1117, 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. 19 and S.B. No. 1117, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," 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. 1349, S.D. 1, presented a report (Conf. Com. Rep. No. 20) recommending that S.B. No. 1349, 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. 20 and S.B. No. 1349, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," 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. 1453, S.D. 2, presented a report (Conf. Com. Rep. No. 21) recommending that S.B. No. 1453, 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. 21 and S.B. No. 1453, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," 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. 1018, S.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that S.B. No. 1018, 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. 22 and S.B. No. 1018, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN 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. 1772, S.D. 1, presented a report (Conf. Com. Rep. No. 23) recommending that S.B. No. 1772, 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. 23 and S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYERS," 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. 1872, presented a report (Conf. Com. Rep. No. 24) recommending that S.B. No. 1872, 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. 24 and S.B. No. 1872, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES," 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. 1427, S.D. 1, presented a report (Conf. Com. Rep. No. 25) recommending that S.B. No. 1427, 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. 25 and S.B. No. 1427, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1877, presented a report (Conf. Com. Rep. No. 26) recommending that S.B. No. 1877, 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. 26 and S.B. No. 1877, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 956, S.D. 1, presented a report (Conf. Com. Rep. No. 27) recommending that S.B. No. 956, 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. 27 and S.B. No. 956, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," 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. 1798, presented a report (Conf. Com. Rep. No. 28) recommending that S.B. No. 1798, 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. 28 and

S.B. No. 1798, 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 Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1778, S.D. 2, presented a report (Conf. Com. Rep. No. 29) recommending that S.B. No. 1778, 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. 29 and S.B. No. 1778, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," 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. 1348, S.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that S.B. No. 1348, 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. 30 and S.B. No. 1348, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," 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. 1555, H.D. 1, presented a report (Conf. Com. Rep. No. 56) recommending that H.B. No. 1555, 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. 56 and H.B. No. 1555, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," 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. 843, H.D. 1, presented a report (Conf. Com. Rep. No. 57) recommending that H.B. No. 843, 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. 57 and H.B. No. 843, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," 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. 1550, H.D. 1, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 1550, 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. 58 and H.B. No. 1550, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," 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. 150, H.D. 2, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 150, 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. 59 and H.B. No. 150, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1238, H.D. 1, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 1238, 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. 60 and H.B. No. 1238, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," 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. 769, H.D. 3, presented a report (Conf. Com. Rep. No. 61) recommending that H.B. No. 769, 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. 61 and H.B. No. 769, H.D. 3, 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 Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 162, H.D. 2, presented a report (Conf. Com. Rep. No. 62) recommending that H.B. No. 162, 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. 62 and H.B. No. 162, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," 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. 1657, H.D. 1, presented a report (Conf. Com. Rep. No. 63) recommending that H.B. No. 1657, 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. 63 and H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," 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. 502, H.D. 1, presented a report (Conf. Com. Rep. No. 64) recommending that H.B. No. 502, 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. 64 and H.B. No. 502, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 551, H.D. 1, presented a report (Conf. Com. Rep. No. 65) recommending that H.B. No. 551, 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. 65 and H.B. No. 551, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," 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. 553, H.D. 1, presented a report (Conf. Com. Rep. No. 66) recommending that H.B. No. 553, 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. 66 and H.B. No. 553, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," 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. 1709, presented a report (Conf. Com. Rep. No. 67) recommending that H.B. No. 1709, 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. 67 and H.B. No. 1709, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 125, H.D. 2, presented a report (Conf. Com. Rep. No. 68) recommending that H.B. No. 125, 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. 68 and H.B. No. 125, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," 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. 1295, H.D. 2, presented a report (Conf. Com. Rep. No. 69) recommending that H.B. No. 1295, 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. 69 and H.B. No. 1295, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," 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. 332, H.D. 1, presented a report (Conf. Com. Rep. No. 70) recommending that H.B. No. 332, 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. 70 and H.B. No. 332, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO FROZEN FOOD PRODUCTS,” was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1836) recommending that the Senate advise and consent to the nomination of CRAIG K. HIRAI to the Hawaii Simplified Sales and Use Tax Administration Act, in accordance with Gov. Msg. No. 654.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1836 and Gov. Msg. No. 654 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1837) recommending that the Senate advise and consent to the nomination of LOWELL KALAPA to the Hawaii Simplified Sales and Use Tax Administration Act, in accordance with Gov. Msg. No. 655.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1837 and Gov. Msg. No. 655 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1838) recommending that the Senate advise and consent to the nomination of ISAAC W. CHOY to the Tax Review Commission, in accordance with Gov. Msg. No. 659.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1838 and Gov. Msg. No. 659 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1839) recommending that the Senate advise and consent to the nomination of RONALD I. HELLER to the Tax Review Commission, in accordance with Gov. Msg. No. 660.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1839 and Gov. Msg. No. 660 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1840) recommending that the Senate advise and consent to the nomination of LON K. OKADA to the Tax Review Commission, in accordance with Gov. Msg. No. 661.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1840 and Gov. Msg. No. 661 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1841) recommending that the Senate advise and consent to the nomination of JOHN W. ROBERTS to the Tax Review Commission, in accordance with Gov. Msg. No. 662.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1841 and Gov. Msg. No. 662 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1842) recommending that the Senate advise and consent to the nominations to the Hawaii Simplified Sales and Use Tax Administration Act of the following:

MARILYN NIWAO M.S.P.H.,J.D.,CPA, in accordance with Gov. Msg. No. 777;

MIKI OKUMURA, in accordance with Gov. Msg. No. 778; and

CAROL PREGILL, in accordance with Gov. Msg. No. 779.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1842 and Gov. Msg. Nos. 777, 778 and 779 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1843) recommending that the Senate advise and consent to the nominations to the Tax Review Commission of the following:

CAROLYN L. CHING CPA, in accordance with Gov. Msg. No. 780; and

CHRISTOPHER GRANDY, in accordance with Gov. Msg. No. 824.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1843 and Gov. Msg. Nos. 780 and 824 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1844) recommending that the Senate advise and consent to the nominations to the Board of Taxation Review of the following:

MARIA JOAN LOWDER, 1<sup>st</sup> Taxation District (Oahu), in accordance with Gov. Msg. No. 781;

IOANA D. AGASA, 3<sup>rd</sup> Taxation District (Hawaii), in accordance with Gov. Msg. No. 782;

PATRICK L. ING CPA, 2<sup>nd</sup> Taxation District (Maui), in accordance with Gov. Msg. No. 783;

RONALD A. KAWAHARA, 2<sup>nd</sup> Taxation District (Maui), in accordance with Gov. Msg. No. 784; and

LYNDA Q. SHAW, 3<sup>rd</sup> Taxation District (Hawaii), in accordance with Gov. Msg. No. 785.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1844 and Gov. Msg. Nos. 781, 782, 783, 784 and 785 was deferred until Friday, April 29, 2005.

Senators Hee and English, for the Committee on Higher Education and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 1845) recommending that H.C.R. No. 151, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1845 and H.C.R. No. 151, H.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAII GLOBAL YOUTH CENTER,” was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1846) recommending that the Senate advise and consent to the nomination of HAROLD R. DECOSTA to the Board of Directors of the Hawaii Hurricane Relief Fund, in accordance with Gov. Msg. Nos. 584 and 722.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1846 and Gov. Msg. Nos. 584 and 722 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1847) recommending that the Senate advise and consent to the nomination of RONALD L. YOUNG DMD to the Board of Dental Examiners, in accordance with Gov. Msg. No. 698.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1847 and Gov. Msg. No. 698 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1848) recommending that the Senate advise and consent to the nomination of BENJAMIN K. WAIOLAMA to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 764.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1848 and Gov. Msg. No. 764 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1849) recommending that the Senate advise and consent to the nomination of ALTON J. FUJIO to the State Board of Nursing, in accordance with Gov. Msg. No. 768.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1849 and Gov. Msg. No. 768 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1850) recommending that the Senate advise and consent to the nominations to the Board of Pharmacy of the following:

MARK E. BROWN, in accordance with Gov. Msg. No. 770; and

KENT KIKUCHI MD, in accordance with Gov. Msg. No. 771.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1850 and Gov. Msg. Nos. 770 and 771 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1851) recommending that the Senate advise and consent to the nomination of CHARLES AKI to the Board of Physical Therapy, in accordance with Gov. Msg. No. 772.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1851 and Gov. Msg. No. 772 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1852) recommending that the Senate advise and consent to the nomination of STAN KURIYAMA to the Real Estate Commission, in accordance with Gov. Msg. No. 774.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1852 and Gov. Msg. No. 774 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1853) recommending that the Senate advise and consent to the nominations to the State Board of Barbering and Cosmetology of the following:

LEE ANN M. HIGASHI, in accordance with Gov. Msg. No. 687;

BARBARA M. KOKUBUN, in accordance with Gov. Msg. No. 688; and

FLORENTINA SMITH, in accordance with Gov. Msg. No. 689.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1853 and Gov. Msg. Nos. 687, 688 and 689 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1854) recommending that the Senate advise and consent to the nomination of BOBBY LEE to the State Boxing Commission of Hawaii, in accordance with Gov. Msg. No. 690.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1854 and Gov. Msg. No. 690 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1855) recommending that the Senate advise and consent to the nominations to the Contractors License Board of the following:

NEAL ARITA, in accordance with Gov. Msg. No. 694; and

WILLIAM R. BROWN, in accordance with Gov. Msg. No. 695.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1855 and Gov. Msg. Nos. 694 and 695 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1856) recommending that the Senate advise and consent to the nomination of DAVID P. DELEON to the Cable Advisory Committee, in accordance with Gov. Msg. Nos. 691 and 692.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1856 and Gov. Msg. Nos. 691 and 692 was deferred until Friday, April 29, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means presented a report (Stand. Com. Rep. No. 1857) recommending that H.B. No. 180 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1857 and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, May 3, 2005.

Senator Taniguchi, for the Committee on Ways and Means presented a report (Stand. Com. Rep. No. 1858) recommending that H.B. No. 465, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1858 and H.B. No. 465, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," was deferred until Tuesday, May 3, 2005.

Senator Taniguchi, for the majority of the Committee on Ways and Means presented a report (Stand. Com. Rep. No. 1859) recommending that H.B. No. 497, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1859 and H.B. No. 497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," was deferred until Tuesday, May 3, 2005.

Senator Taniguchi, for the Committee on Ways and Means presented a report (Stand. Com. Rep. No. 1860) recommending that H.B. No. 632 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1860 and H.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, May 3, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1861) recommending that the Senate advise and consent to the nominations to the Elevator Mechanics Licensing Board of the following:

RONALD H. NAKAMINE, in accordance with Gov. Msg. No. 700; and

STEVE TSUNEMOTO, in accordance with Gov. Msg. No. 701.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1861 and Gov. Msg. Nos. 700 and 701 was deferred until Friday, April 29, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1862) recommending that the Senate advise and consent to the nomination of CURT S. MORIMOTO to the Health Planning Council, Maui County Subarea, in accordance with Gov. Msg. No. 719.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1862 and Gov. Msg. No. 719 was deferred until Friday, April 29, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1863) recommending that the Senate advise and consent to the nomination of MARDI L. MAIONE to the Mental Health and Substance Abuse, Kauai Service Area Board, in accordance with Gov. Msg. No. 747.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1863 and Gov. Msg. No. 747 was deferred until Friday, April 29, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1864) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Honolulu Subarea, of the following:

WILLIAM BAILEY, in accordance with Gov. Msg. No. 717; and

MARY DIXON, in accordance with Gov. Msg. No. 718.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1864 and Gov. Msg. Nos. 717 and 718 was deferred until Friday, April 29, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1865) recommending that the Senate advise and consent to the nomination of GARY R. KIENBAUM RN to the Center for Nursing Advisory Board, in accordance with Gov. Msg. Nos. 645 and 646.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1865 and Gov. Msg. Nos. 645 and 646 was deferred until Friday, April 29, 2005.

Senator Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1866) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Research Corporation of the University of Hawaii of the following:

GUY ONTAI, in accordance with Gov. Msg. No. 517; and

DAVID EASA MD, in accordance with Gov. Msg. No. 776.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1866 and Gov. Msg. Nos. 517 and 776 was deferred until Friday, April 29, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1867) recommending that the Senate advise and consent to the nominations to the Hawaii Commission for National and Community Service of the following:

ROBERT K. KANOJA JR., in accordance with Gov. Msg. No. 765;

CONCHITA D. STEWART, in accordance with Gov. Msg. No. 766;

MARCIE WONG, in accordance with Gov. Msg. No. 767; and

GWEN HONJO, in accordance with Gov. Msg. No. 640.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1867 and Gov. Msg. Nos. 765, 766, 767 and 640 was deferred until Friday, April 29, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1868) recommending that the Senate advise and consent to the nominations to the Board of Regents of the University of Hawaii of the following:

ALLAN R. LANDON, in accordance with Gov. Msg. No. 670; and

RONALD K. MIGITA, in accordance with Gov. Msg. Nos. 671 and 672.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1868 and Gov. Msg. Nos. 670, 671 and 672 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1869) recommending that the Senate advise and consent to the nomination of TARYN R. SCHUMAN CPA to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 481.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1869 and Gov. Msg. No. 481 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1870) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

ROBERT E. COOPER, in accordance with Gov. Msg. No. 684; and

SUSAN T. HARADA, in accordance with Gov. Msg. No. 685.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1870 and Gov. Msg. Nos. 684 and 685 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1871) recommending that the Senate advise and consent to the nomination of WILLIAM H. SAGER to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 737.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1871 and Gov. Msg. No. 737 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1872) recommending that the Senate advise and consent to the nomination of JAMES A. BOSWELL to the Molokai Irrigation System Water Users Advisory Board, in accordance with Gov. Msg. No. 763.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1872 and Gov. Msg. No. 763 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1873) recommending that the Senate advise and consent to the nomination of JERRY NISHEK to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 769.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1873 and Gov. Msg. No. 769 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1874) recommending that the Senate advise and consent to the nomination of MEREDITH J. CHING to the Commission on Water Resource Management, in accordance with Gov. Msg. No. 788.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1874 and Gov. Msg. No. 788 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1875) recommending that the Senate advise and consent to the nomination of NEAL S. FUJIWARA to the Commission on Water Resource Management, in accordance with Gov. Msg. No. 789.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1875 and Gov. Msg. No. 789 was deferred until Friday, April 29, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1876) recommending that the

Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Maui Service Area Board, of the following:

DEBRA K. SUTTON, in accordance with Gov. Msg. No. 714;

ROBERT D. LANSER JR., in accordance with Gov. Msg. No. 748;

ROYAL RANDOLPH JR., MD, MPH, LLC, in accordance with Gov. Msg. No. 749; and

PAUL S. VARGAS, JR., in accordance with Gov. Msg. No. 751.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1876 and Gov. Msg. Nos. 714, 748, 749 and 751 was deferred until Friday, April 29, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1877) recommending that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Hawaii Service Area Board, of the following:

AMY R. AGUIAR, in accordance with Gov. Msg. No. 744;

GEARY KRUEGER, in accordance with Gov. Msg. No. 745; and

CEVN B. MCGUIRE, in accordance with Gov. Msg. No. 746.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1877 and Gov. Msg. Nos. 744, 745 and 746 was deferred until Friday, April 29, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1878) recommending that the Senate advise and consent to the nomination of HARRY L. ALONSO to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 563.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1878 and Gov. Msg. No. 563 was deferred until Friday, April 29, 2005.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 1879) recommending that the Senate advise and consent to the nomination of NEAL M. OTANI to the Board of Directors of the Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 686.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1879 and Gov. Msg. No. 686 was deferred until Friday, April 29, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1880) recommending that the Senate advise and consent to the nomination of EDWARD FOUNTAIN to the State Post-Secondary Education Commission, in accordance with Gov. Msg. No. 773.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1880 and Gov. Msg. No. 773 was deferred until Friday, April 29, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1881) recommending that the Senate advise and consent to the nominations to the Hawaii Medical Education Council of the following:

CHRISTI L. KELIPIO, in accordance with Gov. Msg. No. 634;

SUSAN REHBERG MERRILL-MURRAY, in accordance with Gov. Msg. No. 636;

GALE S. POLLOCK, in accordance with Gov. Msg. No. 637; and

DEW-ANNE M. NISHIDA LANGCAON FHFMA, CPA, in accordance with Gov. Msg. No. 743.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1881 and Gov. Msg. Nos. 634, 636, 637 and 743 was deferred until Friday, April 29, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1882) recommending that H.C.R. No. 101 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1882 and H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE A COST ANALYSIS ON PROVIDING TRANSPORTATION FOR PUBLIC SCHOOL STUDENTS FOR SUMMER SCHOOL AND EXTRA CURRICULAR ACTIVITIES," was deferred until Friday, April 29, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1883) recommending that H.C.R. No. 199 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1883 and H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF PACIFIC RESOURCES FOR EDUCATION AND LEARNING IN HAWAII AND SUPPORTING ITS DESIGNATION AS AN 'EDUCATIONAL SERVICE AGENCY,'" was deferred until Friday, April 29, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1884) recommending that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

MARIA JO FARINA, in accordance with Gov. Msg. No. 568; and

DAVID HELDER, in accordance with Gov. Msg. No. 697.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1884 and Gov. Msg. Nos. 568 and 697 was deferred until Friday, April 29, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1885) recommending that the Senate advise and consent to the nominations to the Board of Directors of the High Technology Development Corporation of the following:

JAMES D. LACLAIR, in accordance with Gov. Msg. No. 580; and

DAVID LASSNER PHD, in accordance with Gov. Msg. No. 581.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1885 and Gov. Msg. Nos. 580 and 581 was deferred until Friday, April 29, 2005.

Senator Fukunaga, for the Committee on Media, Arts, Science and Technology, presented a report (Stand. Com. Rep. No. 1886) recommending that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

LYLE AULD, in accordance with Gov. Msg. Nos. 738 and 739; and

WHITNEY G. K. SMITH, in accordance with Gov. Msg. No. 740.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1886 and Gov. Msg. Nos. 738, 739 and 740 was deferred until Friday, April 29, 2005.

Senator English, for the Committee on Energy, Environment, and International Affairs, presented a report (Stand. Com. Rep. No. 1887) recommending that the Senate advise and consent to the nominations to the Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

VICTOR D. MORELAND PHD, in accordance with Gov. Msg. No. 673;

CHARLES H. DAWRS, in accordance with Gov. Msg. No. 674;

KENNETH J KNAPP, in accordance with Gov. Msg. Nos. 675 and 676; and

LEWIS CURTIS TINDELL III, in accordance with Gov. Msg. No. 677.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1887 and Gov. Msg. Nos. 673, 674, 675, 676 and 677 was deferred until Friday, April 29, 2005.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1888) recommending that the Senate not advise and consent to the nomination of DYLAN W.J. NONAKA to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 826.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1888 and Gov. Msg. No. 826 was deferred until Friday, April 29, 2005.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 1825 (Gov. Msg. No. 705):

Senator English moved that Stand. Com. Rep. No. 1825 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 JAMES J. RODRIGUES to the Environmental Council, term to expire June 30, 2008, 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. 1826 (Gov. Msg. No. 790):

Senator English moved that Stand. Com. Rep. No. 1826 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 JEFFREY T. PEARSON to the Board of Certification of Public Water System Operators, term to expire June 30, 2009, 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. 1833 (Gov. Msg. No. 477):

Senator Kanno moved that Stand. Com. Rep. No. 1833 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 RALPH CUSHNIE to the Hoisting Machine Operators Advisory Board, term to expire June 30, 2009, 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.

**ADOPTION OF RESOLUTIONS**

**MATTERS DEFERRED FROM WEDNESDAY, APRIL 27, 2005**

Stand. Com. Rep. No. 1827 (H.C.R. No. 165):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING ESTATE GROWN HAWAII NONI AND ENCOURAGING CONSUMERS TO PURCHASE AND SUPPORT ESTATE GROWN HAWAII NONI AND THE LOCAL NONI INDUSTRY," was adopted.

Stand. Com. Rep. No. 1828 (H.C.R. No. 58):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' USE OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS," was adopted.

Stand. Com. Rep. No. 1830 (H.C.R. No. 175, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 175, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A PILOT PUBLIC-PRIVATE PARTNERSHIP PROGRAM WITH THE HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS AND

HAWAII CATHOLIC SCHOOLS DEPARTMENT WITH THE GOAL OF ALLOWING THE HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS AND HAWAII CATHOLIC SCHOOLS DEPARTMENT TO SELF-REGULATE AND MANAGE THEIR PRIVATE PRESCHOOLS," was adopted.

Stand. Com. Rep. No. 1831 (H.C.R. No. 277):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES," was adopted.

Stand. Com. Rep. No. 1832 (H.C.R. No. 278):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO POST TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BUDGET INFORMATION ON ITS WEBSITE FOR PUBLIC REVIEW," was adopted.

Stand. Com. Rep. No. 1834 (H.C.R. No. 270, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 270, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON CIVIL SERVICE EXEMPT POSITIONS IN EACH EMPLOYING STATE JURISDICTION," was adopted.

Stand. Com. Rep. No. 1835 (H.C.R. No. 265, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 265, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO REINSTATE THE SOCIAL WORKER SERIES IN ITS CLASSIFICATION AND COMPENSATION PLAN," was adopted.

**ADOPTION OF RESOLUTION**

H.C.R. No. 111, H.D. 2:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 111, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was adopted.

**FINAL ADOPTION**

S.C.R. No. 7, H.D. 1:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 7 and S.C.R. No. 7, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE STRATEGIC PLAN TO PROMOTE OBESITY

PREVENTION AND HEALTHY LIFESTYLES," was Finally Adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

S.B. No. 667, S.D. 2, H.D. 2:

On motion by Senator Hee, seconded by Senator Tsutsui and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 667, S.D. 2, and S.B. No. 667, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 1 (S.B. No. 1483, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 1 and S.B. No. 1483, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 2 (S.B. No. 77, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 2 and S.B. No. 77, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 3 (S.B. No. 459, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 3 and S.B. No. 459, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, May 3, 2005.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1336, S.D. 1 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 1336, S.D. 1, seconded by Senator Hanabusa and carried.

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1336, S.D. 1, seconded by Senator Hanabusa.

Senator Menor noted:

"Mr. President, basically there are just some technical differences between the House version and the Senate version. So, as such, we're recommending that we move to agree."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1336, S.D. 1, and S.B. No. 1336, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS," was placed on the calendar for Final Reading on Friday, April 29, 2005.

At 6:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:48 o'clock p.m.

S.B. No. 460 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 460, seconded by Senator Tsutsui 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. 460 on the following showing of Ayes and Noes:

Ayes, 2 (Taniguchi, Tsutsui). Noes, none. Excused, 1 (Slom).

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 460, seconded by Senator Tsutsui.

Senator Taniguchi noted:

"Mr. President, the House just made some technical amendments to this bill and we are in agreement with those amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 460 and S.B. No. 460, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX REFUNDS," was placed on the calendar for Final Reading on Friday, April 29, 2005.

S.B. No. 834, S.D. 2 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 14, 2005, in disagreeing to the amendments proposed by the House to S.B. No. 834, S.D. 2, seconded by Senator Tsutsui 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. 834, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 2 (Taniguchi, Tsutsui). Noes, none. Excused, 1 (Trimble).

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 834, S.D. 2, seconded by Senator Tsutsui.

Senator Taniguchi noted:

"Mr. President, again the House just made some technical amendments which 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. 834, S.D. 2, and S.B. No. 834, 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 Friday, April 29, 2005.

S.C.R. No. 79, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the

amendments proposed by the House to S.C.R. No. 79, S.D. 1, seconded by Senator Baker and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 79, S.D. 1, seconded by Senator Baker.

Senator Chun Oakland noted:

“Mr. President, this resolution establishes a taskforce regarding viable naturally occurring retirement communities. The changes were technical in nature.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 79, S.D. 1, and S.C.R. No. 79, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO FACILITATE THE ESTABLISHMENT OF VIABLE NATURALLY OCCURRING RETIREMENT COMMUNITIES,” was placed on the calendar for Final Adoption on Friday, April 29, 2005.

S.C.R. No. 106, S.D. 2 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 106, 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.C.R. No. 106, S.D. 2, seconded by Senator Taniguchi.

Senator Inouye noted:

“Mr. President, the Committees on Transportation and Government Operations and Ways and Means agree with the changes made to S.C.R. No. 106, S.D. 2, by the House Committees on Economic Development and Business Concerns, and Legislative Management. The changes broaden the range of people from which the taskforce to review statutory exemptions to the Hawaii Public Procurement Code could be selected. Other changes were non-substantive.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 106, S.D. 2, and S.C.R. No. 106, S.D. 2, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE HAWAII PUBLIC PROCUREMENT CODE,” was placed on the calendar for Final Adoption on Friday, April 29, 2005.

S.C.R. No. 137 (H.D. 1):

Senator Kokubun moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 137, seconded by Senator Espero and carried.

Senator Kokubun moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 137, seconded by Senator Espero.

Senator Kokubun noted:

“Mr. President, the amendments proposed are technical in nature and I don’t think there’s any problem with agreeing to those.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 137 and S.C.R. No. 137, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN,” was placed on the calendar for Final Adoption on Friday, April 29, 2005.

S.C.R. No. 178, S.D. 1 (H.D. 1):

Senator Kokubun moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 178, S.D. 1, seconded by Senator Menor and carried.

Senator Kokubun moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 178, S.D. 1, seconded by Senator Menor.

Senator Kokubun noted:

“Mr. President, again the amendments proposed were very technical in nature and did not detract from the intent of the resolution.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 178, S.D. 1, and S.C.R. No. 178, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION OPPOSING THE TRANSFER OF THE WAIHAOLE VALLEY AGRICULTURAL PARK AND RESIDENTIAL LOTS SUBDIVISION BY THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO THE DEPARTMENT OF HAWAIIAN HOME LANDS,” was placed on the calendar for Final Adoption on Friday, April 29, 2005.

S.C.R. No. 195, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 195, 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. 195, S.D. 1, seconded by Senator Chun Oakland.

Senator Baker noted:

“Mr. President, the House added some additional ‘whereas’ clauses that further explain the need for the resolution and the Senate Committee was okay with those additions.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 195, S.D. 1, and S.C.R. No. 195, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO IDENTIFY AND EVALUATE THE BARRIERS TO COMMUNITY-BASED ACCESS TO SPECIALTY CARE AND TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO SPECIALTY CARE ON THE NEIGHBOR ISLANDS AND IN RURAL OAHU,” was placed on the calendar for Final Adoption on Friday, April 29, 2005.

At 6:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:57 o'clock p.m.

S.C.R. No. 186, S.D. 1 (H.D. 1):

The President 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 House to S.C.R. No. 186, S.D. 1.

Senator Chun Oakland moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 186, S.D. 1, seconded by Senator Ige and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 186, S.D. 1, seconded by Senator Ige.

Senator Chun Oakland noted:

"Mr. President, this resolution urges federal, state and county governments to work towards more humane alternatives to relocating homeless people from public areas. The House made some technical changes and enhanced the resolution. 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. 186, S.D. 1, and S.C.R. No. 186, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL, STATE, AND COUNTY GOVERNMENTS TO WORK TOWARD MORE HUMANE ALTERNATIVES TO RELOCATING HOMELESS PEOPLE FROM PUBLIC AREAS," was placed on the calendar for Final Adoption on Friday, April 29, 2005.

At 6:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:58 o'clock p.m.

S.C.R. No. 208, S.D. 1 (H.D. 1):

The President 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 House to S.C.R. No. 208, S.D. 1.

Senator Kokubun moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 208, S.D. 1, seconded by Senator Espero and carried.

Senator Kokubun moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 208, S.D. 1, seconded by Senator Espero.

Senator Kokubun noted:

"Mr. President, again, just technical amendments were made to this resolution."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 208, S.D. 1, and S.C.R. No. 208, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL

COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was placed on the calendar for Final Adoption on Friday, April 29, 2005.

S.C.R. No. 221, S.D. 1 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 221, S.D. 1, seconded by Senator Espero and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 221, S.D. 1, seconded by Senator Espero.

Senator Inouye noted:

"Mr. President, the Committee on Transportation and Government Operations agrees with the changes made to S.C.R. No. 221, S.D. 1, by the House Committee on Transportation. The H.D. 1 requests DOT to conduct a study in place of the Office of Planning because the latter expressed concerns that it would not be able to conduct the study. DOT agreed to take on the study. The additional changes were non-substantive and technical in nature."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 221, S.D. 1, and S.C.R. No. 221, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN; ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE; AND CONDUCT A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS," was placed on the calendar for Final Adoption on Friday, April 29, 2005.

S.C.R. No. 227, S.D. 1 (H.D. 1):

The President 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 House to S.C.R. No. 227, S.D. 1.

Senator Chun Oakland moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 227, S.D. 1, seconded by Senator Baker and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 227, S.D. 1, seconded by Senator Baker.

Senator Chun Oakland noted:

"Mr. President, this resolution creates a planning taskforce for the Healthy Start Program. It's to evaluate the program. The House made technical amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 227, S.D. 1, and S.C.R. No. 227, S.D. 1, H.D. 1, entitled:

“SENATE CONCURRENT RESOLUTION CREATING A PLANNING TASK FORCE FOR THE HEALTHY START PROGRAM.” was placed on the calendar for Final Adoption on Friday, April 29, 2005.

#### APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 962, 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. 962, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, chair; Hanabusa, Inouye, Taniguchi, co-chairs, as managers on the part of the Senate at such conference.

S.B. No. 1781 (H.D. 1):

The President discharged Senator Kanno 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. 1781.

H.B. No. 1750 (S.D. 2):

The President discharged Senator Kanno 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. 1750.

S.C.R. No. 20 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 20, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Nishihara, Whalen as managers on the part of the Senate at such conference.

S.C.R. No. 42, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 42, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, chair; Ige, Taniguchi, co-chairs; Nishihara, Slom as managers on the part of the Senate at such conference.

S.C.R. No. 134, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 134, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.C.R. No. 147, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 147, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kokubun, chair; Taniguchi, co-chair; Hemmings as managers on the part of the Senate at such conference.

S.C.R. No. 191 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 191, and the

request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Nishihara, Hogue as managers on the part of the Senate at such conference.

At 7:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:08 o'clock p.m.

#### CONFERENCE COMMITTEE REPORTS STANDING COMMITTEE REPORTS

On motion by Senator Hee, 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. The Clerk was further authorized to receive Standing Committee Reports on Governor's Messages for advise and consent to nominations and on House concurrent resolutions recommending adoption or referral to committee. In consequence thereof, and subsequent to its recessing at 7:08 o'clock p.m., the Senate took the following actions:

#### CONFERENCE COMMITTEE REPORTS

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. 117, presented a report (Conf. Com. Rep. No. 31) recommending that S.B. No. 117, 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. 31 and S.B. No. 117, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1883, S.D. 2, presented a report (Conf. Com. Rep. No. 32) recommending that S.B. No. 1883, 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. 32 and S.B. No. 1883, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILOLI FISHERIES MANAGEMENT AREA," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1891, S.D. 2, presented a report (Conf. Com. Rep. No. 33) recommending that S.B. No. 1891, 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. 33 and S.B. No. 1891, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," 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. 797, S.D. 1, presented a report (Conf. Com. Rep. No. 34) recommending that S.B. No. 797, 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. 34 and S.B. No. 797, S.D. 1, 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 Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1473, S.D. 1, presented a report (Conf. Com. Rep. No. 35) recommending that S.B. No. 1473, 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. 35 and S.B. No. 1473, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," 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. 702, S.D. 2, presented a report (Conf. Com. Rep. No. 36) recommending that S.B. No. 702, 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. 36 and S.B. No. 702, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," was deferred for a period of 48 hours.

Senator Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1721, S.D. 2, presented a report (Conf. Com. Rep. No. 37) recommending that S.B. No. 1721, 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. 37 and S.B. No. 1721, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET," 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. 556, S.D. 2, presented a report (Conf. Com. Rep. No. 38) recommending that S.B. No. 556, 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. 38 and S.B. No. 556, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," 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. 1796, S.D. 1, presented a report (Conf. Com. Rep. No. 39) recommending that S.B. No. 1796, 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. 39 and S.B. No. 1796, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS," 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. 1100, S.D. 2, presented a report (Conf. Com. Rep. No. 40) recommending that S.B. No. 1100, 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. 40 and S.B. No. 1100, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," 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. 118, S.D. 2, presented a report (Conf. Com. Rep. No. 41) recommending that S.B. No. 118, 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. 41 and S.B. No. 118, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS," 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. 568, S.D. 1, presented a report (Conf. Com. Rep. No. 42) recommending that S.B. No. 568, 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. 42 and S.B. No. 568, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," 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. 1285, S.D. 2, presented a report (Conf. Com. Rep. No. 43) recommending that S.B. No. 1285, 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. 43 and S.B. No. 1285, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES," 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. 164, H.D. 1, presented a report (Conf. Com. Rep. No. 71) recommending that H.B. No. 164, 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. 71 and H.B. No. 164, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," 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. 477, H.D. 1, presented a report (Conf. Com. Rep. No. 72) recommending that H.B. No. 477, 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. 72 and H.B. No. 477, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," 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. 785, H.D. 1, presented a report (Conf. Com. Rep. No. 73) recommending that H.B. No. 785, 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. 73 and H.B. No. 785, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1659, H.D. 1, presented a report (Conf. Com. Rep. No. 74) recommending that H.B. No. 1659, 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. 74 and H.B. No. 1659, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," 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. 1430, H.D. 2, presented a report (Conf. Com. Rep. No. 75) recommending that H.B. No. 1430, 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. 75 and H.B. No. 1430, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," 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. 895, H.D. 2, presented a report (Conf. Com. Rep. No. 76) recommending that H.B. No. 895, 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. 76 and H.B. No. 895, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1201, H.D. 2, presented a report (Conf. Com. Rep. No. 77) recommending that H.B. No. 1201, 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. 77 and H.B. No. 1201, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1202, H.D. 2, presented a report (Conf. Com. Rep. No. 78) recommending that H.B. No. 1202, 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. 78 and H.B. No. 1202, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," 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. 320, H.D. 1, presented a report (Conf. Com. Rep. No. 79) recommending that H.B. No. 320, 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. 79 and H.B. No. 320, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," 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. 384, H.D. 2, presented a report (Conf. Com. Rep. No. 80) recommending that H.B. No. 384, 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. 80 and H.B. No. 384, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," 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. 438, H.D. 1, presented a report (Conf. Com. Rep. No. 81) recommending that H.B. No. 438, 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. 81 and H.B. No. 438, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," 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. 806, H.D. 1, presented a report (Conf. Com. Rep. No. 82) recommending that H.B. No. 806, 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. 82 and H.B. No. 806, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1889) recommending that the Senate advise and consent to the nomination of AMELIA E HANLON to the State Highway Safety Council, in accordance with Gov. Msg. No. 720.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1889 and Gov. Msg. No. 720 was deferred until Friday, April 29, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1890) recommending that the Senate advise and consent to the nomination of MELVIN MIYAMOTO to the Commission on Transportation, in accordance with Gov. Msg. No. 786.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1890 and Gov. Msg. No. 786 was deferred until Friday, April 29, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1891) recommending that the Senate advise and consent to the nomination of OWEN MIYAMOTO to the Commission on Transportation, in accordance with Gov. Msg. No. 787.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1891 and Gov. Msg. No. 787 was deferred until Friday, April 29, 2005.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 1892) recommending that the Senate advise and consent to the nomination of EVAN R. RUBENSTEIN to the Commission on Transportation, in accordance with Gov. Msg. No. 825.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1892 and Gov. Msg. No. 825 was deferred until Friday, April 29, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1893) recommending that the Senate advise and consent to the nomination of DALE C. WEBSTER to the Education Commission of the States, in accordance with Gov. Msg. No. 458.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1893 and Gov. Msg. No. 458 was deferred until Friday, April 29, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1894) recommending that the Senate advise and consent to the nomination of ANN R. BOTTICELLI to the Education Commission of the States, in accordance with Gov. Msg. No. 572.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1894 and Gov. Msg. No. 572 was deferred until Friday, April 29, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1895) recommending that the Senate advise and consent to the nominations to the Natural Area Reserve System Commission of the following:

REBECCA R. ALAKAI, in accordance with Gov. Msg. No. 641;

RICHARD P. HOEFLINGER, in accordance with Gov. Msg. No. 642;

SCOTT K. ROWLAND, in accordance with Gov. Msg. No. 643; and

SYLVIANNE C. YEE, in accordance with Gov. Msg. No. 644.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1895 and Gov. Msg. Nos. 641, 642, 643 and 644 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1896) recommending that H.C.R. No. 204 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1896 and H.C.R. No. 204, entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1897) recommending that H.C.R. No. 172, H.D. 1, be referred to the Committee on Ways and Means.

By unanimous consent, action on Stand. Com. Rep. No. 1897 and H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PAYDAY LENDERS AND DEFERRED DEPOSIT CHECK CASHERS," was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1898) recommending that H.C.R. No. 156 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1898 and H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1899) recommending that the Senate advise and consent to the nomination of WENDEE J. WILSON to the Board of Massage Therapy, in accordance with Gov. Msg. Nos. 741 and 742.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1899 and Gov. Msg. Nos. 741 and 742 was deferred until Friday, April 29, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1900) recommending that the Senate advise and consent to the nomination of SHELLEY K. SANTO to the Interstate Insurance Product Regulation Commission, in accordance with Gov. Msg. No. 828.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1900 and Gov. Msg. No. 828 was deferred until Friday, April 29, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1901) recommending that H.C.R. No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1901 and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 29, 2005, AS SAMUEL MANAIKALANI KAMAKAU DAY," was deferred until Friday, April 29, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1902) recommending that H.C.R. No. 8 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1902 and H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH," was deferred until Friday, April 29, 2005.



Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1903) recommending that the Senate advise and consent to the nomination of FREDERICK SHAW to the Health Planning Council, West Oahu Subarea, in accordance with Gov. Msg. No. 822.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1903 and Gov. Msg. No. 822 was deferred until Friday, April 29, 2005.

**ADJOURNMENT**

At 12:00 o'clock midnight, the Senate adjourned until 6:30 o'clock p.m., Friday, April 29, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-EIGHTH DAY

Friday, April 29, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 6:39 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Richard "Rick" Ribuca, Jesus Christ of Nazareth Gospel 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-Seventh Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 851 to 854) were read by the Clerk and were placed on file:

Gov. Msg. No. 851, informing the Senate that on April 28, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1305 as Act 35, entitled: "RELATING TO EQUAL PAY."

"Dear Mr. President and Members of the Senate:

I am allowing the following measure to become law on April 28, 2005, without my signature, pursuant to Section 16 of Article III of the State Constitution.

HB 1305, HD1 A BILL FOR AN ACT RELATING TO EQUAL PAY. (ACT 35)

As my Administration has pointed out, this bill is unnecessary. It simply reiterates policies in current federal laws including the Federal Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, the Pregnancy Discrimination Act of 1978, and the Civil Rights Act of 1991.

Furthermore, Hawaii law currently addresses waged-based discrimination under our Wage and Hour statutes and the Hawaii Discriminatory Practice Law. The Hawaii Civil Rights Commission is already responsible for handling cases brought under these statutes.

This bill establishes a task force on this topic, but fails to appropriate funds or staff for the task force. Additionally the scope of the task force's responsibilities is ambiguous and subject to various interpretations.

On balance, the bill does no good, but does no real harm. It is only a symbolic gesture by the Legislature. As such I will allow this measure to go into law without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 852, informing the Senate that on April 29, 2005, she signed into law Senate Bill No. 1864 as Act 36, entitled: "MAKING AN EMERGENCY APPROPRIATION OUT OF THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND."

Gov. Msg. No. 853, informing the Senate that on April 29, 2005, she signed into law Senate Bill No. 1713 as Act 37, entitled: "RELATING TO KALAUPAPA."

Gov. Msg. No. 854, informing the Senate that on April 29, 2005, she signed into law Senate Bill No. 1140 as Act 38, entitled: "RELATING TO FINANCIAL SERVICE LOAN COMPANIES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 763 to 775) were read by the Clerk and were placed on file:

Hse. Com. No. 763, informing the Senate that the Speaker on April 28, 2005, appointed Representatives Abinsay, Herkes, co-chairs, Halford as managers on the part of the House for the consideration of amendments proposed by the House to S.C.R. No. 208, S.D. 1 (H.D. 1).

Hse. Com. No. 764, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 1749, H.D. 2 (S.D. 2).

Hse. Com. No. 765, informing the Senate that the House reconsidered its action taken on April 5, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 161, H.D. 1 (S.D. 1).

Hse. Com. No. 766, informing the Senate that the House reconsidered its action taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to H.B. No. 20 (S.D. 1).

Hse. Com. No. 767, 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. 100 H.D. 1 (S.D. 1); and  
H.C.R. No. 229 (S.D. 1).

Hse. Com. No. 768, informing the Senate that the Speaker on April 28, 2004, 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. 100, H.D. 1 (S.D. 1):

Representatives Waters, Arakaki, Nishimoto, co-chairs; Ching.

H.C.R. No. 229, H.D. 1 (S.D. 1):

Representatives Arakaki, Nishimoto, co-chairs; Finnegan.

Hse. Com. No. 769, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 758, H.D. 2, and H.B. No. 758, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 28, 2005.

Hse. Com. No. 770, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 99, H.D. 1, and H.B. No. 99, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 28, 2005.

Hse. Com. No. 771, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No.

1060, H.D. 2, and H.B. No. 1060, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 28, 2005.

Hse. Com. No. 772, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1146, H.D. 1, and H.B. No. 1146, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 28, 2005.

Hse. Com. No. 773, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1154, H.D. 1, and H.B. No. 1154, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 28, 2005.

Hse. Com. No. 774, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1318, H.D. 1, and H.B. No. 1318, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 2005.

Hse. Com. No. 775, informing the Senate that the House has agreed to the amendments proposed by the Senate to H.B. No. 1413, H.D. 1, and H.B. No. 1413, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 2005.

#### CONFERENCE COMMITTEE REPORTS

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. 1660, S.D. 2, presented a report (Conf. Com. Rep. No. 44) recommending that S.B. No. 1660, 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. 44 and S.B. No. 1660, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 1699, S.D. 1, presented a report (Conf. Com. Rep. No. 45) recommending that S.B. No. 1699, 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. 45 and S.B. No. 1699, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," 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. 1702, S.D. 1, presented a report (Conf. Com. Rep. No. 46) recommending that S.B. No. 1702, 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. 46 and S.B. No. 1702, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH 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. 1362, S.D. 1, presented a report (Conf. Com. Rep. No. 47) recommending that S.B. No. 1362, 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. 47 and S.B. No. 1362, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO ABANDONED VEHICLES," 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. 1876, S.D. 2, presented a report (Conf. Com. Rep. No. 48) recommending that S.B. No. 1876, 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. 48 and S.B. No. 1876, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1267, S.D. 2, presented a report (Conf. Com. Rep. No. 49) recommending that S.B. No. 1267, 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. 49 and S.B. No. 1267, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK MONITORING," 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. 422, H.D. 2, presented a report (Conf. Com. Rep. No. 83) 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. 83 and H.B. No. 422, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," 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. 1235, H.D. 1, presented a report (Conf. Com. Rep. No. 84) recommending that H.B. No. 1235, 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. 84 and H.B. No. 1235, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES," was deferred for a period of 48 hours.

Senator Taniguchi, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1236, presented a report (Conf. Com. Rep. No. 85) recommending that H.B. No. 1236, 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. 85 and H.B. No. 1236, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," 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. 408, H.D. 2, presented a report (Conf. Com. Rep. No. 86) recommending that H.B. No. 408, 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. 86 and H.B. No. 408, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1904) recommending that the Senate advise and consent to the nominations to the Advisory Board on Veterans' Services of the following:

WILLIAM W. DAVES, in accordance with Gov. Msg. No. 525;

HERRING K. KALUA, in accordance with Gov. Msg. No. 526; and

MARVIN R. KOGA, in accordance with Gov. Msg. No. 533.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1904 and Gov. Msg. Nos. 525, 526 and 533 was deferred until Tuesday, May 3, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1905) recommending that the Senate advise and consent to the nominations to the Hawaii Teacher Standards Board of the following:

WRAY JOSE, in accordance with Gov. Msg. No. 663;

CHARLENE H. MIYASHIRO, in accordance with Gov. Msg. No. 664;

STEVE NAKASATO, in accordance with Gov. Msg. No. 665;

ANNETTE NISHIKAWA, in accordance with Gov. Msg. No. 666;

CATHERINE H. PAYNE, in accordance with Gov. Msg. No. 667; and

FAIRFAX A. REILLY M.ED., in accordance with Gov. Msg. No. 668.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1905 and Gov. Msg. Nos. 663, 664, 665, 666, 667 and 668 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1906) recommending that the Senate advise and consent to the nomination of DUANE M. ILSTRUP to the Health Planning Council, Hawaii County Subarea, in accordance with Gov. Msg. No. 820.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1906 and Gov. Msg. No. 820 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1907) recommending that the Senate advise and consent to the nomination of GARY SIMON to the Policy Advisory Board for Elder Affairs, in accordance with Gov. Msg. No. 573.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1907 and Gov. Msg. No. 573 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1908) recommending that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council of the following:

LILI BRYAN-CONANT, in accordance with Gov. Msg. No. 577;

JOANNE H. KEALOHA, in accordance with Gov. Msg. No. 578; and

VIRGINIA PRESSLER MD, MBA, FACS, in accordance with Gov. Msg. No. 579.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1908 and Gov. Msg. Nos. 577, 578 and 579 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1909) recommending that the Senate advise and consent to the nomination of G.M. MIKE DURANT to the Mental Health and Substance Abuse, Oahu Service Area Board, in accordance with Gov. Msg. No. 752.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1909 and Gov. Msg. No. 752 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1910) recommending that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

GARY L. BLAICH MD, in accordance with Gov. Msg. No. 753;

SUSAN A. COOPER, in accordance with Gov. Msg. No. 754;

LEIALOHA G. K. JENKINS, in accordance with Gov. Msg. No. 755;

ALVA O. KANEAIKALA, in accordance with Gov. Msg. No. 756;

KUULEI A. KILIONA, in accordance with Gov. Msg. No. 757;

COLLEEN KU'ULANI MIYASHIRO, in accordance with Gov. Msg. No. 758;

PAULA T. T. MORELLI PHD, in accordance with Gov. Msg. No. 759; and

PIHANALANI N.E.J. NAPOLEON-GRAMBUSCH, in accordance with Gov. Msg. No. 760.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1910 and Gov. Msg. Nos. 753, 754, 755, 756, 757, 758, 759 and 760 was deferred until Tuesday, May 3, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1911) recommending that the Senate advise and consent to the nomination of KEITH ROLLMAN to the Cable Advisory Committee, in accordance with Gov. Msg. No. 816.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1911 and Gov. Msg. No. 816 was deferred until Tuesday, May 3, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1912) recommending that the Senate advise and consent to the nomination of RILEY WILLIAM SMITH PE to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, in accordance with Gov. Msg. No. 819.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1912 and Gov. Msg. No. 819 was deferred until Tuesday, May 3, 2005.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1913) recommending that the Senate advise and consent to the nomination of WILLIAM G. OBANA MD to the Board of Medical Examiners, in accordance with Gov. Msg. No. 823.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1913 and Gov. Msg. No. 823 was deferred until Tuesday, May 3, 2005.

At 6:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:51 o'clock p.m.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1836 (Gov. Msg. No. 654):

Senator Tsutsui moved that Stand. Com. Rep. No. 1836 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nomination of CRAIG K. HIRAI to the Hawaii Simplified Sales and Use Tax Administration Act, term to expire June 30, 2009, seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1837 (Gov. Msg. No. 655):

Senator Tsutsui moved that Stand. Com. Rep. No. 1837 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nomination of LOWELL KALAPA to the Hawaii Simplified Sales and Use Tax Administration Act, term to expire June 30, 2009, seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1838 (Gov. Msg. No. 659):

Senator Tsutsui moved that Stand. Com. Rep. No. 1838 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nomination of ISAAC W. CHOY to the Tax Review Commission, term to expire Adjournment Sine Die 2007, seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1839 (Gov. Msg. No. 660):

Senator Tsutsui moved that Stand. Com. Rep. No. 1839 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nomination of RONALD I. HELLER to the Tax Review Commission, term to expire Adjournment Sine Die 2007, seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1840 (Gov. Msg. No. 661):

Senator Tsutsui moved that Stand. Com. Rep. No. 1840 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nomination of LON K. OKADA to the Tax Review Commission, term to expire Adjournment Sine Die 2007, seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1841 (Gov. Msg. No. 662):

Senator Tsutsui moved that Stand. Com. Rep. No. 1841 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nomination of JOHN W. ROBERTS to the Tax Review Commission, term to expire Adjournment Sine Die 2007, seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1842 (Gov. Msg. Nos. 777, 778 and 779):

Senator Tsutsui moved that Stand. Com. Rep. No. 1842 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nominations to the Hawaii Simplified Sales and Use Tax Administration Act of the following:

MARILYN NIWAO M.S.P.H.,J.D.,CPA, term to expire June 30, 2009 (Gov. Msg. No. 777);

MIKI OKUMURA, term to expire June 30, 2009 (Gov. Msg. No. 778); and

CAROL PREGILL, term to expire June 30, 2009 (Gov. Msg. No. 779),

seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1843 (Gov. Msg. Nos. 780 and 824):

Senator Tsutsui moved that Stand. Com. Rep. No. 1843 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nominations to the Tax Review Commission of the following:

CAROLYN L. CHING CPA, term to expire Adjournment Sine Die 2007 (Gov. Msg. No. 780); and

CHRISTOPHER GRANDY, term to expire Adjournment Sine Die 2007 (Gov. Msg. No. 824),

seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1844 (Gov. Msg. Nos. 781, 782, 783, 784 and 785):

Senator Tsutsui moved that Stand. Com. Rep. No. 1844 be received and placed on file, seconded by Senator English and carried.

Senator Tsutsui then moved that the Senate advise and consent to the nominations to the Board of Taxation Review of the following:

MARIA JOAN LOWDER, 1<sup>st</sup> Taxation District (Oahu), term to expire June 30, 2009 (Gov. Msg. No. 781);

IOANA D. AGASA, 3<sup>rd</sup> Taxation District (Hawaii), term to expire June 30, 2008 (Gov. Msg. No. 782);

PATRICK L. ING CPA, 2<sup>nd</sup> Taxation District (Maui), term to expire June 30, 2008 (Gov. Msg. No. 783);

RONALD A. KAWAHARA, 2<sup>nd</sup> Taxation District (Maui), term to expire June 30, 2009 (Gov. Msg. No. 784); and

LYNDA Q. SHAW, 3<sup>rd</sup> Taxation District (Hawaii), term to expire June 30, 2009 (Gov. Msg. No. 785),

seconded by Senator English.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1846 (Gov. Msg. Nos. 584 and 722):

Senator Baker moved that Stand. Com. Rep. No. 1846 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of HAROLD R. DECOSTA to the Board of Directors of the Hawaii Hurricane Relief Fund, terms to expire June 30, 2005, and June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1847 (Gov. Msg. No. 698):

Senator Baker moved that Stand. Com. Rep. No. 1847 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of RONALD L. YOUNG DMD to the Board of Dental Examiners, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1848 (Gov. Msg. No. 764):

Senator Baker moved that Stand. Com. Rep. No. 1848 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of BENJAMIN K. WAIOLAMA to the Motor Vehicle Repair Industry Board, term to expire June 30, 2008, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1849 (Gov. Msg. No. 768):

Senator Baker moved that Stand. Com. Rep. No. 1849 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ALTON J. FUJIO to the State Board of

Nursing, term to expire June 30, 2008, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1850 (Gov. Msg. Nos. 770 and 771):

Senator Baker moved that Stand. Com. Rep. No. 1850 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Pharmacy of the following:

MARK E. BROWN, term to expire June 30, 2009 (Gov. Msg. No. 770); and

KENT KIKUCHI MD, term to expire June 30, 2009 (Gov. Msg. No. 771),

seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1851 (Gov. Msg. No. 772):

Senator Baker moved that Stand. Com. Rep. No. 1851 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of CHARLES AKI to the Board of Physical Therapy, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1852 (Gov. Msg. No. 774):

Senator Baker moved that Stand. Com. Rep. No. 1852 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of STAN KURIYAMA to the Real Estate Commission, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1853 (Gov. Msg. Nos. 687, 688 and 689):

Senator Baker moved that Stand. Com. Rep. No. 1853 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the State Board of Barbering and Cosmetology of the following:

LEE ANN M. HIGASHI, term to expire June 30, 2009 (Gov. Msg. No. 687);

BARBARA M. KOKUBUN, term to expire June 30, 2008 (Gov. Msg. No. 688); and

FLORENTINA SMITH, term to expire June 30, 2009 (Gov. Msg. No. 689),

seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1854 (Gov. Msg. No. 690):

Senator Baker moved that Stand. Com. Rep. No. 1854 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of BOBBY LEE to the State Boxing Commission of Hawaii, 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, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1855 (Gov. Msg. Nos. 694 and 695):

Senator Baker moved that Stand. Com. Rep. No. 1855 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Contractors License Board of the following:

NEAL ARITA, term to expire June 30, 2008 (Gov. Msg. No. 694); and

WILLIAM R. BROWN, term to expire June 30, 2009 (Gov. Msg. No. 695),

seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1856 (Gov. Msg. Nos. 691 and 692):

Senator Baker moved that Stand. Com. Rep. No. 1856 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DAVID P. DELEON Cable Advisory Committee, terms to expire June 30, 2005, and June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1861 (Gov. Msg. Nos. 700 and 701):

Senator Baker moved that Stand. Com. Rep. No. 1861 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Elevator Mechanics Licensing Board of the following:

RONALD H. NAKAMINE, term to expire June 30, 2009 (Gov. Msg. No. 700); and

STEVE TSUNEMOTO, term to expire June 30, 2007 (Gov. Msg. No. 701),

seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1862 (Gov. Msg. No. 719):

Senator Baker moved that Stand. Com. Rep. No. 1862 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 CURT S. MORIMOTO to the Health Planning Council, Maui County Subarea, term to expire June 30, 2009, seconded by Senator Chun Oakland.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1863 (Gov. Msg. No. 747):

Senator Baker moved that Stand. Com. Rep. No. 1863 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 MARDI L. MAIONE to the Mental Health and Substance Abuse, Kauai Service Area Board, term to expire June 30, 2008, seconded by Senator Chun Oakland.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1864 (Gov. Msg. Nos. 717 and 718):

Senator Baker moved that Stand. Com. Rep. No. 1864 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:

WILLIAM BAILEY, term to expire June 30, 2009 (Gov. Msg. No. 717); and

MARY DIXON, term to expire June 30, 2009 (Gov. Msg. No. 718),

seconded by Senator Chun Oakland.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1865 (Gov. Msg. Nos. 645 and 646):

Senator Hee moved that Stand. Com. Rep. No. 1865 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of GARY R. KIENBAUM RN to the Center for Nursing Advisory Board, terms to expire June 30, 2005, and June 30, 2009, seconded by Senator Inouye.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1866 (Gov. Msg. Nos. 517 and 776):

Senator Hee moved that Stand. Com. Rep. No. 1866 be received and placed on file, seconded by Senator Baker and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Board of Directors of the Research Corporation of the University of Hawaii of the following:

GUY ONTAI, term to expire June 30, 2009 (Gov. Msg. No. 517); and

DAVID EASA MD, term to expire June 30, 2009 (Gov. Msg. No. 776),

seconded by Senator Baker.

The motion to advise and consent to the nomination of GUY ONTAI was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Chun Oakland, Inouye). Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

The motion to advise and consent to the nomination of DAVID EASA MD was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).



Stand. Com. Rep. No. 1867 (Gov. Msg. Nos. 765, 766, 767 and 640):

Senator Hee moved that Stand. Com. Rep. No. 1867 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Hawaii Commission for National and Community Service of the following:

ROBERT K. KANOA JR., term to expire June 30, 2009 (Gov. Msg. No. 765);

CONCHITA D. STEWART, term to expire June 30, 2009 (Gov. Msg. No. 766);

MARCIE WONG, term to expire June 30, 2009 (Gov. Msg. No. 767); and

GWEN HONJO, term to expire June 30, 2009 (Gov. Msg. No. 640),

seconded by Senator Inouye.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1868 (Gov. Msg. Nos. 670, 671 and 672):

Senator Hee moved that Stand. Com. Rep. No. 1868 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Board of Regents of the University of Hawaii of the following:

ALLAN R. LANDON, term to expire June 30, 2009 (Gov. Msg. No. 670); and

RONALD K. MIGITA, terms to expire June 30, 2005, and June 30, 2009 (Gov. Msg. Nos. 671 and 672),

seconded by Senator Inouye.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1869 (Gov. Msg. No. 481):

Senator Kokubun moved that Stand. Com. Rep. No. 1869 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of TARYN R. SCHUMAN CPA to the Board of Land and Natural Resources, term to expire June 30, 2009, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1870 (Gov. Msg. Nos. 684 and 685):

Senator Kokubun moved that Stand. Com. Rep. No. 1870 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Board of Directors of the Agribusiness Development Corporation of the following:

ROBERT E. COOPER, term to expire June 30, 2009 (Gov. Msg. No. 684); and

SUSAN T. HARADA, term to expire June 30, 2009 (Gov. Msg. No. 685),

seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1871 (Gov. Msg. No. 737):

Senator Kokubun moved that Stand. Com. Rep. No. 1871 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of WILLIAM H. SAGER to the Kaneohe Bay Regional Council, term to expire June 30, 2009, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1872 (Gov. Msg. No. 763):

Senator Kokubun moved that Stand. Com. Rep. No. 1872 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of JAMES A. BOSWELL to the Molokai Irrigation System Water Users Advisory Board, term to expire June 30, 2008, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1873 (Gov. Msg. No. 769):

Senator Kokubun moved that Stand. Com. Rep. No. 1873 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of JERRY NISHEK to the Advisory Committee on Pesticides, term to expire June 30, 2009, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1874 (Gov. Msg. No. 788):

Senator Kokubun moved that Stand. Com. Rep. No. 1874 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of MEREDITH J. CHING to the Commission on Water Resource Management, term to expire June 30, 2009, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1875 (Gov. Msg. No. 789):

Senator Kokubun moved that Stand. Com. Rep. No. 1875 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nomination of NEAL S. FUJIWARA to the Commission on Water Resource Management, term to expire June 30, 2009, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1876 (Gov. Msg. Nos. 714, 748, 749 and 751):

Senator Baker moved that Stand. Com. Rep. No. 1876 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 Mental Health and Substance Abuse, Maui Service Area Board of the following:

DEBRA K. SUTTON, term to expire June 30, 2009 (Gov. Msg. No. 714);

ROBERT D. LANSER JR., term to expire June 30, 2008 (Gov. Msg. No. 748);

ROYAL RANDOLPH JR., MD, MPH, LLC, term to expire June 30, 2008 (Gov. Msg. No. 749); and

PAUL S. VARGAS, JR., term to expire June 30, 2008 (Gov. Msg. No. 751),

seconded by Senator Chun Oakland.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1877 (Gov. Msg. Nos. 744, 745 and 746):

Senator Baker moved that Stand. Com. Rep. No. 1877 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 Mental Health and Substance Abuse, Hawaii Service Area Board of the following:

AMY R. AGUIAR, term to expire June 30, 2008 (Gov. Msg. No. 744);

GEARY KRUEGER, term to expire June 30, 2008 (Gov. Msg. No. 745); and

CEVN B. MCGUIRE, term to expire June 30, 2008 (Gov. Msg. No. 746),

seconded by Senator Chun Oakland.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1878 (Gov. Msg. No. 563):

Senator Espero moved that Stand. Com. Rep. No. 1878 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of HARRY L. ALONSO to the Community-Based Economic Development Advisory Council, term to expire June 30, 2009, seconded by Senator Fukunaga.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1879 (Gov. Msg. No. 686):

Senator Espero moved that Stand. Com. Rep. No. 1879 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Espero then moved that the Senate advise and consent to the nomination of NEAL M. OTANI to the Board of Directors of the Aloha Tower Development Corporation, term to expire June 30, 2009, seconded by Senator Fukunaga.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1880 (Gov. Msg. No. 773):

Senator Hee moved that Stand. Com. Rep. No. 1880 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nomination of EDWARD FOUNTAIN to the State Post-

Secondary Education Commission, term to expire June 30, 2009, seconded by Senator Inouye.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1881 (Gov. Msg. Nos. 634, 636, 637 and 743):

Senator Hee moved that Stand. Com. Rep. No. 1881 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Hawaii Medical Education Council of the following:

CHRISTI L. KELIPIO, term to expire June 30, 2009 (Gov. Msg. No. 634);

SUSAN REHBERG MERRILL-MURRAY, term to expire June 30, 2009 (Gov. Msg. No. 636);

GALE S. POLLOCK, term to expire June 30, 2007 (Gov. Msg. No. 637); and

DEW-ANNE M. NISHIDA LANGCAON FHFMA, CPA, term to expire June 30, 2007 (Gov. Msg. No. 743),

seconded by Senator Inouye.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1884 (Gov. Msg. Nos. 568 and 697):

Senator Fukunaga moved that Stand. Com. Rep. No. 1884 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts Commission of the following:

MARIA JO FARINA, term to expire June 30, 2009 (Gov. Msg. No. 568); and

DAVID HELDER, term to expire June 30, 2009 (Gov. Msg. No. 697),

seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1885 (Gov. Msg. Nos. 580 and 581):

Senator Fukunaga moved that Stand. Com. Rep. No. 1885 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga 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:

JAMES D. LACLAIR, term to expire June 30, 2009 (Gov. Msg. No. 580); and

DAVID LASSNER PHD, term to expire June 30, 2009 (Gov. Msg. No. 581),

seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1886 (Gov. Msg. Nos. 738, 739 and 740):

Senator Fukunaga moved that Stand. Com. Rep. No. 1886 be received and placed on file, seconded by Senator Ige and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

LYLE AULD, terms to expire June 30, 2005, and June 30, 2009 (Gov. Msg. Nos. 738 and 739); and

WHITNEY G. K. SMITH, term to expire June 30, 2009 (Gov. Msg. No. 740),

seconded by Senator Ige.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1887 (Gov. Msg. Nos. 673, 674, 675, 676 and 677):

Senator English moved that Stand. Com. Rep. No. 1887 be received and placed on file, seconded by Senator Kokubun and carried.

Senator English then moved that the Senate advise and consent to the nominations to the Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

VICTOR D. MORELAND PHD, term to expire June 30, 2007 (Gov. Msg. No. 673);

CHARLES H. DAWRS, term to expire June 30, 2008 (Gov. Msg. No. 674);

KENNETH J KNAPP, terms to expire June 30, 2005, and June 30, 2009 (Gov. Msg. Nos. 675 and 676); and

LEWIS CURTIS TINDELL III, term to expire June 30, 2009 (Gov. Msg. No. 677),

seconded by Senator Kokubun.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1889 (Gov. Msg. No. 720):

Senator Inouye moved that Stand. Com. Rep. No. 1889 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 AMELIA E HANLON to the State Highway Safety Council, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1890 (Gov. Msg. No. 786):

Senator Inouye moved that Stand. Com. Rep. No. 1890 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 MELVIN MIYAMOTO to the Commission on Transportation, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1891 (Gov. Msg. No. 787):

Senator Inouye moved that Stand. Com. Rep. No. 1891 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 OWEN MIYAMOTO to the Commission on Transportation, term to expire June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1892 (Gov. Msg. No. 825):

Senator Inouye moved that Stand. Com. Rep. No. 1892 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 EVAN R. RUBENSTEIN to the Commission on Transportation, 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, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1893 (Gov. Msg. No. 458):

Senator Sakamoto moved that Stand. Com. Rep. No. 1893 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 DALE C. WEBSTER to the Education Commission of the States, term to expire June 30, 2009, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1894 (Gov. Msg. No. 572):

Senator Sakamoto moved that Stand. Com. Rep. No. 1894 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 ANN R. BOTTICELLI to the Education Commission of the States, term to expire June 30, 2008, seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1895 (Gov. Msg. Nos. 641, 642, 643 and 644):

Senator Kokubun moved that Stand. Com. Rep. No. 1895 be received and placed on file, seconded by Senator Hooser and carried.

Senator Kokubun then moved that the Senate advise and consent to the nominations to the Natural Area Reserve System Commission of the following:

REBECCA R. ALAKAI, term to expire June 30, 2009 (Gov. Msg. No. 641);

RICHARD P. HOEFLINGER, term to expire June 30, 2009 (Gov. Msg. No. 642);

SCOTT K. ROWLAND, term to expire June 30, 2009 (Gov. Msg. No. 643); and

SYLVIANNE C. YEE, term to expire June 30, 2009 (Gov. Msg. No. 644),

seconded by Senator Hooser.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1899 (Gov. Msg. Nos. 741 and 742):

Senator Baker moved that Stand. Com. Rep. No. 1899 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of WENDEE J. WILSON to the Board of Massage Therapy, terms to expire June 30, 2005, and June 30, 2009, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1900 (Gov. Msg. No. 828):

Senator Baker moved that Stand. Com. Rep. No. 1900 be received and placed on file, seconded by Senator Espero and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of SHELLEY K. SANTO to the Interstate Insurance Product Regulation Commission, term to expire N/A, seconded by Senator Espero.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

Stand. Com. Rep. No. 1903 (Gov. Msg. No. 822):

Senator Baker moved that Stand. Com. Rep. No. 1903 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 FREDERICK SHAW to the Health Planning Council, West Oahu Subarea, term to expire June 30, 2009, seconded by Senator Chun Oakland.

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

Ayes, 21. Noes, none. Excused, 4 (Kanno, Menor, Taniguchi, Whalen).

At 6:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:57 o'clock p.m.

Senator Hogue rose at this time and stated:

"Mr. President, I understand we're going to be moving on to Stand. Com. Rep. No. 1888, Gov. Msg. 826. I have just been handed the committee report, which I understand is incorrect. It is incorrect and I want the record to reflect that the voting was taken incorrectly."

At 6:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:10 o'clock p.m.

Senator Hee rose at this time and said:

"Evidently, colleagues, the vote sheet was incorrect. On the motion not to advise and consent on student nominee Dylan Nonaka, the Vice Chair, in taking the vote, incorrectly registered a 'with reservation' for Senator Trimble and the vote should have been 'no.' To the extent that the Vice Chair made

an error, I apologize for the inadvertent error and would like to correct the record to reflect that Senator Gordon Trimble on the motion not to advise and consent voted 'no.'"

The Chair so ordered.

Senator Hogue then rose and said:

"Mr. President, thank you very much for noting that the committee report was incorrect and that we have corrected that particular error. I'm going to ask, colleagues, if you don't mind, for a very brief recess and I'll tell you the reason why – the nominee whose confirmation we're going to debate in the next few minutes is on his way here. He has flown in from the Big Island and I believe that in deference to him, he deserves to hear those who are going to vote for him and those who are going to vote against him.

"I understand that he is literally just a few minutes away from the State Capitol, and I am asking either that this gets moved to the end of the calendar or that we recess for just a few minutes. Literally, I understand it will be just a few minutes for him to arrive.

"Thank you."

At 7:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:13 o'clock p.m.

Stand. Com. Rep. No. 1888 (Gov. Msg. No. 826):

By unanimous consent, action on Stand. Com. Rep. No. 1888 and Gov. Msg. No. 826 was deferred to the end of the calendar.

#### ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM THURSDAY, APRIL 28, 2005

Stand. Com. Rep. No. 1845 (H.C.R. No. 151, H.D. 1):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 151, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAII GLOBAL YOUTH CENTER," was adopted with Senators Hemmings and Slom voting "No."

Stand. Com. Rep. No. 1882 (H.C.R. No. 101):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE A COST ANALYSIS ON PROVIDING TRANSPORTATION FOR PUBLIC SCHOOL STUDENTS FOR SUMMER SCHOOL AND EXTRA CURRICULAR ACTIVITIES," was adopted.

Stand. Com. Rep. No. 1883 (H.C.R. No. 199):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF PACIFIC RESOURCES FOR EDUCATION AND LEARNING IN HAWAII AND SUPPORTING ITS DESIGNATION AS AN 'EDUCATIONAL SERVICE AGENCY,'" was adopted.

Stand. Com. Rep. No. 1896 (H.C.R. No. 204):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE ANALYSIS OF THE REGULATION OF CONDOMINIUM ASSOCIATION MANAGERS," was adopted.

Stand. Com. Rep. No. 1897 (H.C.R. No. 172, H.D. 1):

On motion by Senator Hee, 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 AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PAYDAY LENDERS AND DEFERRED DEPOSIT CHECK CASHERS," was referred to the Committee on Ways and Means.

Stand. Com. Rep. No. 1898 (H.C.R. No. 156):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR CONCERNING THE REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted.

Stand. Com. Rep. No. 1901 (H.C.R. No. 66):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 29, 2005, AS SAMUEL MANAIKALANI KAMAKAU DAY," was adopted.

Stand. Com. Rep. No. 1902 (H.C.R. No. 8):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE MONTH OF JANUARY AS CERVICAL CANCER AWARENESS MONTH," was adopted.

#### FINAL ADOPTION

S.C.R. No. 79, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 79, S.D. 1, and S.C.R. No. 79, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO FACILITATE THE ESTABLISHMENT OF VIABLE NATURALLY OCCURRING RETIREMENT COMMUNITIES," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 106, 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.C.R. No. 106, S.D. 2, and S.C.R. No. 106, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A JOINT LEGISLATIVE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE HAWAII

PUBLIC PROCUREMENT CODE," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 137, H.D. 1:

On motion by Senator Kokubun, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 137 and S.C.R. No. 137, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COASTAL ZONE MANAGEMENT PROGRAM OF THE OFFICE OF PLANNING TO COORDINATE THE UPDATING AND IMPLEMENTATION OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 178, S.D. 1, H.D. 1:

Senator Kokubun moved that S.C.R. No. 178, S.D. 1, H.D. 1, be Finally Adopted, seconded by Senator Menor.

Senator Hee rose in support of the measure as follows:

"Mr. President, I stand in support of this resolution.

"Colleagues, this is the perfect example why HCDCH needs to be reviewed with regard to its procedures. This is the perfect example why HCDCH, without notice to the Waiahole-Waikane Community Association, engaged with the Department of Hawaiian Home Lands to make an effort to change the culture and resident and complexion of Waiahole Valley.

"Anybody who has been here since the 70s should know that of the valleys on Oahu, Waiahole Valley is an area that has undergone tremendous upheaval in 1973 and its members remain vigilant to the stewardship of the valley. To the extent that the Department of Hawaiian Home Lands and HCDCH never once conferred with the WWCA or its residents should never again occur so that they turn to the Legislature for relief. But for the leadership of the Water, Land, and Agriculture Chair and the Community of Waiahole Valley Association, this would have been rammed down the throats of the residents of Waiahole Valley.

"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. 178, S.D. 1, and S.C.R. No. 178, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE TRANSFER OF THE WAIHOLE VALLEY AGRICULTURAL PARK AND RESIDENTIAL LOTS SUBDIVISION BY THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 186, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Ige and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 186, S.D. 1, and S.C.R. No. 186, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL, STATE, AND

COUNTY GOVERNMENTS TO WORK TOWARD MORE HUMANE ALTERNATIVES TO RELOCATING HOMELESS PEOPLE FROM PUBLIC AREAS," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 195, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 195, S.D. 1, and S.C.R. No. 195, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO IDENTIFY AND EVALUATE THE BARRIERS TO COMMUNITY-BASED ACCESS TO SPECIALTY CARE AND TO MAKE RECOMMENDATIONS TO IMPROVE ACCESS TO SPECIALTY CARE ON THE NEIGHBOR ISLANDS AND IN RURAL OAHU," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 208, S.D. 1, H.D. 1:

On motion by Senator Kokubun, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 208, S.D. 1, and S.C.R. No. 208, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE AND ADMINISTRATION TO SUPPORT AND ENCOURAGE HAWAII'S AGRICULTURAL COMMUNITY'S EFFORTS TOWARD SUCCESSFUL CO-EXISTENCE AMONG ITS SECTORS AND TO RECOGNIZE THE ECONOMIC, HUMAN, AND ENVIRONMENTAL BENEFITS OF SUCH CO-EXISTENCE IN A DIVERSIFIED AGRICULTURE INDUSTRY," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 221, 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.C.R. No. 221, S.D. 1, and S.C.R. No. 221, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UPDATE THE HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN; ESTABLISH A CENTRALIZED STATEWIDE CARGO AND PASSENGER SHIP ARRIVAL AND DEPARTURE SCHEDULING SYSTEM TO COORDINATE AND IMPROVE THE EFFICIENCY OF SHIP MOVEMENTS AMONG THE HARBORS OF THE STATE; AND CONDUCT A COMPREHENSIVE STUDY OF CURRENT AND ANTICIPATED HARBOR USES ON OAHU TO IMPROVE HARBOR EFFICIENCY AND EFFECTIVENESS," was Finally Adopted on the following showing of Ayes and Noes:

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

S.C.R. No. 227, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 227, S.D. 1, and S.C.R. No. 227, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING A PLANNING TASK FORCE

FOR THE HEALTHY START PROGRAM," was Finally Adopted on the following showing of Ayes and Noes:

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

#### FINAL READING

S.B. No. 460, H.D. 1:

By unanimous consent, action on S.B. No. 460, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX REFUNDS," was deferred until Tuesday, May 3, 2005.

S.B. No. 834, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 834, 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 deferred until Tuesday, May 3, 2005.

S.B. No. 1336, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1336, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 4 (S.B. No. 1843, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 4 and S.B. No. 1843, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 5 (S.B. No. 761, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 5 and S.B. No. 761, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 6 (S.B. No. 122, S.D. 1, H.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 6 and S.B. No. 122, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT SAFETY," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 7 (S.B. No. 1003, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 7 and S.B. No. 1003, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 8 (S.B. No. 1903, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 8 and S.B. No. 1903, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 51 (H.B. No. 295, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 51 and H.B. No. 295, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 52 (H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 52 and H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY 911," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 53 (H.B. No. 606, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 53 and H.B. No. 606, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 54 (H.B. No. 712, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 54 and H.B. No. 712, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," was deferred until Tuesday, May 3, 2005.

Conf. Com. Rep. No. 55 (H.B. No. 864, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 55 and H.B. No. 864, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Tuesday, May 3, 2005.

#### RECONSIDERATION OF ACTIONS TAKEN

S.C.R. No. 68, S.D. 1 (H.D. 1):

Senator Hee moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 68, S.D. 1, seconded by Senator Inouye and carried.

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 68, S.D. 1, seconded by Senator Inouye.

Senator Hee noted:

"Mr. President, in our discussions with the House, we came to an agreement with the issues which address Mauna Kea Science Reserve, and both Chairs agree that the House version meets the efforts that each house was after.

"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. 68, S.D. 1, and S.C.R. No. 68, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF AND ADDRESS VARIOUS MATTERS RELATING TO THE ADEQUACY OF THE MAINTENANCE, OPERATION, AND MANAGEMENT OF THE MAUNA KEA SCIENCE RESERVE," was placed on the calendar for Final Adoption on Tuesday, May 3, 2005.

At 7:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:22 o'clock p.m.

S.C.R. No. 134, S.D. 1 (H.D. 1):

The President discharged the managers who were appointed on the part of the Senate at the conference to be held for consideration of amendments proposed by the House to S.C.R. No. 134, S.D. 1.

Senator Kokubun moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 134, S.D. 1, seconded by Senator Taniguchi and carried.

Senator Kokubun moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 134, S.D. 1, seconded by Senator Taniguchi.

Senator Kokubun noted:

"Mr. President, I know there was some concern about having communities potentially affected by this to be informed about what was going on. With this, I believe that commitment has been made, also, that there will be an ongoing process with respect to how this is handled. This is simply an enabling resolution."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 134, S.D. 1, and S.C.R. No. 134, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT KEEHI SMALL BOAT HARBOR FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY HONOLULU MARINE, INC., FOR A COMMERCIAL SHIP REPAIR FACILITY," was placed on the calendar for Final Adoption on Tuesday, May 3, 2005.

S.C.R. No. 140 (H.D. 1):

Senator English moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 140, seconded by Senator Hanabusa and carried.

Senator English moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 140, seconded by Senator Hanabusa.

Senator English noted:

"Mr. President, we simply ran out of time to debate this issue, so we agree to the House amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 140 and S.C.R. No. 140, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL, WITH THE ASSISTANCE OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL AND THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER, TO DEVELOP AND PROMULGATE A GUIDANCE DOCUMENT ON INCLUDING PRINCIPLES OF ENVIRONMENTAL JUSTICE IN ALL PHASES OF ENVIRONMENTAL REVIEW UNDERTAKEN PURSUANT TO CHAPTER 343, HAWAII REVISED STATUTES," was placed on the calendar for Final Adoption on Tuesday, May 3, 2005.

S.C.R. No. 191 (H.D. 1):

The President discharged the managers who were appointed on the part of the Senate at the conference to be held for consideration of amendments proposed by the House to S.C.R. No. 191.



Senator Sakamoto moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 191, seconded by Senator Hooser and carried.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 191, seconded by Senator Hooser.

Senator Sakamoto noted:

“Mr. President, this resolution requests the Department of Education to include performance based incentives when contracting with educational service providers for school restructuring under the No Child Left Behind Act. Many of you have read in this morning’s paper that several contractors were hired. So, we believe that this will encourage the department that the contractors indeed do perform as expected or hopefully better than expected, Mr. President.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 191 and S.C.R. No. 191, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE PERFORMANCE-BASED INCENTIVES WHEN CONTRACTING WITH EDUCATION SERVICE PROVIDERS FOR SCHOOL RESTRUCTURING UNDER THE NO CHILD LEFT BEHIND ACT,” was placed on the calendar for Final Adoption on Tuesday, May 3, 2005.

S.C.R. No. 200, S.D. 1 (H.D. 1):

Senator Hee moved that the Senate reconsider its action taken on April 26, 2005, in disagreeing to the amendments proposed by the House to S.C.R. No. 200, S.D. 1, seconded by Senator Baker and carried.

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 200, S.D. 1, seconded by Senator Baker.

Senator Hee noted:

“Mr. President, the House put the University of Hawaii back into the S.C.R. No. 200, S.D. 1, H.D. 1. In conferring with the Senator in charge . . . Mr. President, a short recess, please.”

At 7:26 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:27 o’clock p.m.

Senator Hee continued:

“Mr. President, in all due respect to the Senator from the 11<sup>th</sup> District who is the Chair of Media and Arts, in discussion with her, she agreed that the University of Hawaii on S.C.R. No. 200, S.D. 1, was perfectly capable of carrying out the instructions of the resolution.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 200, S.D. 1, and S.C.R. No. 200, S.D. 1, H.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII,” was placed on the calendar for Final Adoption on Tuesday, May 3, 2005.

## ADVISE AND CONSENT

### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 1888 (Gov. Msg. No. 826):

By unanimous consent, Stand. Com. Rep. No. 1888 was received and placed on file.

Senator Hemmings then moved that the Senate advise and consent to the nomination of DYLAN W.J. NONAKA to the Board of Regents of the University of Hawaii, term to expire June 30, 2007, seconded by Senator Hogue.

Senator Trimble rose in support of the nominee as follows:

“Mr. President, I rise in support of the nomination for the Board of Regents, Dylan Nonaka.

“Mr. President, colleagues, I want to describe to you what I got out of the confirmation hearing. The first point I’d like to note is that during a previous confirmation hearing, the answers to the questions weren’t particularly liked, so when the Committee made their vote, they made their vote apparently solely on the answers to the questions and not the many letters in support of that nominee.

“In this particular case, the members of the Committee, as far as I could tell, verbally expressed satisfaction with the answers that were given by Dylan Nonaka, and yet in the committee report they cited the fact that there were many e-mails and faxes in opposition.

“If you went to the hearing itself, which was held in the auditorium, which is probably a pretty awesome place to have a confirmation hearing, there were about 10 people that testified – 8 in support, 2 opposed. If you look at the documentation that was sent in opposition, there were 109 Xeroxed copies from students that oppose tuition increases and they were all faxed from the same number in Hilo, I presume, which was 974-7791. During the hearing I commented that I found it strange that all would be faxed from the same number, and I said it might be interesting to find out where that fax number belongs. To date, I have not received confirmation from where it was sent.

“I also noted that many of the e-mails appeared identical, so there weren’t different expressions of opinion but the same opinion expressed over and over again. I’ve made a habit in previous times of trying to respond to e-mail, and on more than one occasion when I got a mass mailing, I got e-mails back saying they had not sent me that e-mail. So, I find it curious that the Committee in its report relied overwhelmingly not on the responses from Dylan Nonaka to the questions, but on mimeographed sheets of paper and identical e-mails.

“I find the vote of the Committee curious. I do not know what prompted it. Is it because of his last name? I don’t know. Is it because he is a student at the University of Hawaii at Hilo and that my colleagues do not think that one of the students from the University of Hawaii at Hilo could be a fitting board member, a fitting trustee for a world-class university? Perhaps. Is it because he was a Marine that served our country in harms way? That is also likely.

“I do not find it curious that, number one, so much testimony was presented against him, and in today’s newspaper there was a large picture and an article describing a protest at the University at Manoa dealing with the proposal for an affiliated research facility at the University of Hawaii. It is more likely that the two have something in common.

“Perhaps, colleagues, the other thing that was a factor was that perhaps many of you received the same e-mail that I did. It is from somebody that is called Caren, C-A-R-E-N, and it read in part, ‘I’m writing to express extreme opposition to the appointment of Dylan Nonaka. If you support this appointment, we will mobilize against all of your seats in the next election. This is not an angry threat but an expression of how serious we are about stopping this. We have allies on all the islands that can target all of the seats that you hold.’ Now, I did not get from this why Caren opposed the nomination. Perhaps Caren is a candidate for a course in anger management, but I do not know why, colleagues, you voted the way you do. And until I know that, I will continue to suspect that this might have played a part in your vote.

“When I think about the answers to the questions, I think that Dylan Nonaka would make an outstanding regent. And from my sense, what you want as a student representative is somebody that’s able to fill in the generation gap, the generation divide between the typical age of the older regents and the student. I do not expect that the student regent would parrot all the views that were held by the student body. If that were the case, we would have an election of a student regent. We do not have that. The other alternative is that we would poll all the students at the various campuses and then tell the board that. And in that case, this Body would not have to confirm a student regent.

“What we want on the Board of Regents are people that are willing to articulate reasonable positions and act independently. I believe Dylan Nonaka will do that. So, I urge you, colleagues, consider carefully your vote and, Mr. President, when the vote comes, please have a Roll Call vote.

“Thank you.”

The Chair so ordered.

Senator Hemmings rose in support of the nominee and said:

“There’s some pretty adroit gamesmanship on this Floor, Mr. President.”

The President replied: “I agree.”

Senator Hemmings continued:

“Mr. President, I rise to speak in favor of the nominee.

“It seems that Senators this year unbelievably sunk into a quagmire of questionable ethics, misrepresentation, and petty politics. I want to focus in on one thing . . . it’s been quite an amount of time going over what has been done in the lynching of this fine young man by the Senate Higher Education Committee, but I want to focus in on one thing. As the previous speaker so clearly pointed out, it seems that the opposition is very well organized and, as the committee report says, over 200 individuals provided testimony in opposition, and we get it all the time. The truth is that we do get boilerplate responses to issues both pro and con that are organized by groups and sent in, but what separates this particular testimony is that some of it, maybe not all of it, but some of it, was gained under false circumstances.

“I, too, have letters from good young people and I’m going to take the time to read where they’re from and some of the things said because it completely invalidates the credibility of this committee report and the statement that 200 individuals provided testimony in opposition. This one is from the student newspaper assistant editor, ‘I’m a freshman here at the

university and the assistant editor of the student newspaper, and on the morning of Tuesday, April 26, 2005, I was deceitfully coaxed into signing a so-called letter in opposition to Mr. Nonaka. I was given false information that portrayed Mr. Nonaka in a negative light.’ So that’s one.

“Here is another one from the student activities council business manager. These are students that are involved in the University at Hilo and young people who are not only going to school but are actually involved in the campus. ‘Upon returning to our office at 5:00 p.m. on Wednesday, April 27<sup>th</sup>, I was made aware that my name was announced via local television broadcast as being one of 217 individuals who were opposed to Mr. Dylan Nonaka’s position as the student member of the Board of Regents. I was flabbergasted not only because my name was among the questionable legitimate opposition, but primarily because I would never in my right mind be one who opposes Dylan’s position on the Board of Regents.’ This isn’t a boilerplate letter, it goes on and on and on.

“This is from the Senator-Elect to the Hawaii Community College, a student, ‘It has come to my attention that the student may have improperly and dishonorably collected signatures on a petition regarding the appointment of Dylan Nonaka to the Board of Regents. I humbly request that the UHNSA body take all measures available to investigate the allegations of unfair, immoral, and dishonorable petition gathering.’

“Here’s one from a young lady who is a student, she is a senior, a Bachelor of Arts in chemistry candidate. Chemistry is a hard subject, and I don’t think she’s getting through college doing basket weaving. She gives her full support to Dylan and has reasons why.

“Here’s a series of others all in one, but let me read a couple, ‘Unfortunately, many students were not aware of what they were signing when presented with the petition form circulated by one of our students. The students were not aware of all the facts and were therefore totally unaware of what they were signing.’

“Here is a young Hawaiian student . . .”

The President interjected:

“Senator Hemmings, I hope you don’t have a hundred of those things. Could you please move on, please.”

Senator Hemmings then said:

“Mr. President, out of respect for you and some of the members of your Majority Party, I will, out of respect for time, but this young man’s good reputation has been besmirched by a lynching, and a dishonest one to boot. How dare the people who did this! And they’re going to stand up and hopefully hide behind someone’s skirt and tell us, well, it was a mistake and some petitions people will stand by. And you know what? I’m sure there are people who are going to stand by the petition, Mr. President, but the point is there are many who are not because they were duped and cajoled into signing something under false pretenses.

“This was a lynching, and quite frankly, I think the people that did it – and it’s not the Legislature that did it, it’s certain people in the Majority Party – should be ashamed of it.

“I received 45 just in the last hour, boilerplate letters, I’ll admit, but they’re all in support of this gentleman.

“What’s being done tonight, if it goes through like I think it will because the wagons have been circled, is just rotten

politics, Mr. President, and I won't be a part of it. This young man is a good young man that was lynched under false circumstances, and if the Majority Party has any integrity at all, they'll vote him in as a member of the Board of Regents rather than taking him down under false pretenses.

"Thank you, Mr. President."

Senator Slom rose to speak in support of the nominee and stated:

"Mr. President, I, too, rise in support of the nominee, Dylan Nonaka.

"I'm a little surprised, however, that we have the sounds of silence here – kind of like the termites that work behind the scenes and you don't see what's going on until the building falls down. I would think that those who oppose Mr. Nonaka would have the guts to stand up and tell us why, to explain why this young man is not qualified, as the Standing Committee Report says – does not have the necessary qualifications. Based on what, members? How could you possibly vote? How do you know what those lack of qualifications are?"

"Certainly Mr. Nonaka probably does have a lack of qualifications, let's see: he's a decorated combat veteran who served his country; he is presently employed in gainful employment, which means he pays taxes; he is a student; he was an elected and is an elected official; and in addition to that, he answered every question, every trick and turn that was presented to him the other day. How do I know? Because I was there, just as I was there at the hearings for the two gentlemen that were approved earlier tonight, and I was there for the gentleman that was not approved last week. I was there when the other gentleman from Hilo was not approved. Gee whiz, Mr. President, let me say a prayer now. Thank God I'm not from the Big Island and from Hilo because this is 0 for 3 – 0 for 3!

"Now, let's see if we can review because I'm confused about what the Senate standards are. The first nominee from the Big Island, let's see, he was turned down because he didn't have the right temperament and Lord knows my colleagues have the right temperament in this Body and particularly behind the scenes where they do a lot of their work. There were a few people that disagreed with him, and they had honest disagreements and that was fine. But overwhelmingly, he had the support of the community on the Big Island. He certainly had the qualifications – as an attorney, as a chief negotiator, and so forth – but that wasn't good enough either for this elitist Body.

"Okay, then we move on to the second gentleman from the Big Island a couple of weeks ago and we were told he didn't have the knowledge. One of our members said he didn't even have a bachelor's degree, he only had an associate's degree. Oh my God that's a horrible thing, let's see, particularly when you're supporting the community college system. As I recall, Mr. President, he didn't have one, not one negative comment, letter, e-mail, anonymous phone call, or anything against him, but that wasn't good enough.

"And so, now we move on to Mr. Nonaka – overwhelming opposition from the same fax number, overwhelming opposition by the people that, thank God, they represent themselves.

"This committee report talks a lot about 'the primary function of the student member of the Board of Regents is to represent the students.' And then it goes on to say, 'The students have one voice to represent their concerns on the Board of Regents.'

"All of us have been elected, Mr. President, to represent the people that vote for us and even those that vote against us. Can any person in this Body say that they represent all the people in their constituency, that they all have one single voice? I don't think so or otherwise we wouldn't have disagreements on different issues, different bills, and different individuals. On one hand, this Body loves diversity, but apparently not when it comes to the speech and the ideas of individuals if it differs from those in power in this Body.

"The nominee already said, when he gave a tremendous performance the other day . . . performance I say because this is high drama; this is all well orchestrated. This is not to have a debate or debate the issues or the individual, it's to get the nominee, to get the people of Hilo, to get the Governor, to get the Minority Party. That's what this is all about, because how else can you explain turning down a qualified individual like Dylan Nonaka, and obviously nobody is trying to explain it; they don't want to explain it. They just want to have the vote and go on, and then mark up another one – one, two, three victories – completely disregarding what the people of the area think, completely disregarding the fact that there are thousands upon thousands of students in the university system. And we heard from one group that have one point of view and apparently that is the prevailing point of view and that point of view is we are anti-military, apparently we're anti-private work, and certainly we are anti-diversification on views.

"Did Mr. Nonaka hide anything? Did he try to change anything? No, although he did explain quite carefully that his comments were taken out of context and were not reported accurately in the newspaper.

"I remember the good Senator from Waikiki asked the only two people that came and testified against him if they had met him. One said, no, he hadn't had a chance yet to meet him. The other one said he thought he had met him on a couple of occasions. The good Senator from Waikiki asked them, did they engage Mr. Nonaka on any other issue, any question other than the question of tuition? Again, one didn't know and the other one said he didn't have time yet. So, it came down to one issue, which was not accurately reported, and for which the nominee said he's just keeping his options open. Isn't that what we're suppose to do? When an issue comes up here, are we supposed to say right away, my mind is made up but we haven't had any public hearing or we don't need it and I don't need anymore information? Or are we supposed to say, let's have the hearing, let's have the thoughts of different voices.

"I can't believe that somebody would really, really believe this – that we want one voice, because who is going to choose that one voice. If we're talking about representation, representation means that you are here, that you answer the questions, that you take the jerk, that you vote for something, and you explain what your vote is all about. And nobody is explaining anything this evening, not at all.

"As a graduate of the University of Hawaii, as a sustaining, supporting, money-giving contributor to the University of Hawaii, I resent what has gone on.

"If we have disagreement with an individual's qualifications, that's one thing and we can point them out and we can discuss them, but why this fear of standing up and telling us what the real reason is or challenging the qualifications of this young man. We talk about witch-hunts. We talk about this and that. We talk about guilt by association, and yet there's nothing that has been put on the record here, not at all.

"I'm sorry I'm boring the Chairman of the Higher Education Committee. He keeps yawning. I'm really sorry about that. But I think that we all owe the public and this nominee an explanation for why you're about to diss him. When we ask people to come forward and volunteer, when we ask them to undergo the scrutiny of examination, it is to provide the public with information. And if certain things are found – either qualifications, or character, or integrity, or anything else – that's fair game. But no one has attacked Mr. Nonaka's integrity. No one has attacked Mr. Nonaka's character. No one has attacked the basic things that he has done. Why? Because you can't, they are a matter of record.

"And so, Mr. President, I find it very strange that we have the sounds of silence now. And maybe, just maybe we'll have some kind of explanation, because we owe it not only to Mr. Nonaka, not only to the University of Hawaii, not only to the Big Island and the people of Hilo, but to the public at large. They want to know what we do here besides raise our own salaries, raise our allowances, and give us more perks and exempt us from the laws that we pass. They want to know, Mr. President. They have a right to know.

"So, I call on those that do not support Mr. Nonaka to stand up and explain to us why he is not qualified. Thank you."

Senator Hogue rose at this time and said:

"Mr. President, in light of the fact that the integrity of the evidence has been called into question, I want to cite Rule 63. I move that we postpone this matter indefinitely."

At 7:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:09 o'clock p.m.

Senator Hogue rose and said:

"Mr. President, in the sports business we have a term that we use – 'after further review.' And after further review, I will withdraw my motion and I hope that we can continue this debate on this particular nominee.

"Thank you very much, Mr. President."

Senator Hemmings rose again and said:

"Mr. President, I would like to take a second time just to add one particular comment regarding this debate.

"I'm truly sorry that certain individuals who orchestrated this – what I consider political lynching in the Majority Party – don't have the integrity or the courage to defend this and their vote.

"Thank you, Mr. President."

Senator Hogue rose to inquire as follows:

"Mr. President, I really don't like a one-sided debate here. I'm trying to be nice about it and that's what I'm trying to do right now. Can I ask the Higher Education Chair a question? Would that be appropriate?"

The President posed the question, and Senator Hee answered:

"No, Mr. President."

Senator Chun Oakland rose in opposition to the nomination and said:

"Mr. President, may I submit my comments in opposition to this nomination into the record."

The Chair having so ordered, Senator Chun Oakland's remarks read as follows:

"I stand in opposition to this nomination for the following reasons: First, the Committee received overwhelming testimony from students of the university system in opposition to Dylan Nonaka's nomination to be the student representative on the Board of Regents. It is clear that there was an overwhelming outcry of no confidence in this nominee to represent them well. To have mobilized such a showing in a matter of a few days, impressed upon me how concerned the student body was about the nominee.

"The student caucuses of the 10 campuses of the University of Hawaii have been working for several years to look at the university's spending patterns and analyzed the programs that are offered to determine where costs could be cut and efficiencies gained. The student caucuses have worked diligently to understand the UH's tuition rate and have compared the tuition of peer institutions – those that offer similar programs and services – and have found that the University of Hawaii's tuition is above the average tuition of other peer institutions. Often, people state that the UH tuition is lower than that of other universities. That is true. But when comparing UH's tuition to its peer institutions, UH's tuition is higher.

"The students felt that the nominee's public statements regarding the issue of tuition increase demonstrated no understanding of the work that the students of the 10 campuses have done. The students are doing their homework to positively impact their university. They expect the same of their student representative on the Board of Regents."

Senator Hee rose to speak against the nominee and stated:

"Mr. President, I rise to speak against the confirmation of the nominee.

"Let me say, first of all, that I found the nominee to be a very nice man. We had an interview and I thought it was very nice. But, Mr. President and colleagues, it's very unusual for any nomination to receive testimony in opposition to any nominee. It's highly unusual to receive 10 comments in writing against the nominee. On judicial nominees this year, I can't think of a single one in writing.

"This particular nomination was very different, because as the previous speakers have indicated there were over 200 that actually took the time in various forms to affix their signature in opposition. And it was quite remarkable for me because it wasn't 10, it wasn't 20, it wasn't 30, it was in excess of 200. During the deliberations to prepare for the confirmation, one of the items I asked my clerk to retrieve was the actual floor speech held on the 60<sup>th</sup> Day of the Session on Conf. Com. Rep. No. 16, H.B. No. 1006, H.D. 1, S.D. 2, C.D. 1, and the speech was given by Representative Mark Takai who introduced the bill. And he said in part, quote:

"The purpose of this bill is to give a voice to students on the UH Board of Regents by adding a member to the board who is a student at the University of Hawaii.

"The main goal for the university community is to have a student on the board working across the table at the same level as the other board members, and most important, participating as equals.

'Some issues that affect students at the university and are heard by the University Board of Regents do not necessarily include student input. Presently, although the students may voice their concerns to the board, they cannot reinforce what they say with a vote.'

'I strongly feel that a voting student member on the Board of Regents would help to insure that students' concerns are heard and acted upon. By allowing a student member to vote as a bona fide board member, we would be ensuring that students have a direct voice and participation in the process that ultimately revolves around the students in the university system.'

'Such a student member would allow access to the wealth of information on the ramifications of the board decisions on students and would provide an essential element not presently available.'

'Mr. President and members, during the past 24 hours or so there has been many, many e-mails that have been sent by some members of the community who have been saying that their names were improperly used. That may be. I don't know, but it may be. This much I do know - I received today by e-mail the following: 'Dear Senators Hee and Inouye, my name is Ryan Deluccio and I am a Senator elect at Hawaii Community College. I am the person most responsible for the petition that was sent up via fax to your offices. I faxed them to your office. These petitions were entered in as testimony against Dylan Nonaka's confirmation as a student regent. We work hard, day and night, to organize resistance to his nomination and to educate others on the issue. We stand by our petition with absolute faith in its integrity and we would not have sent them otherwise.'

'Mr. President and members, many of those who submitted testimony in opposition were letters that reflected a lot of time and effort. I would like to read excerpts of two to share as an example of the effort. 'Aloha mai. As the student government President of the Associated Students of the University of Hawaii at Hawaii Community College, it is my responsibility to stimulate students to engage in purposeful co-curricular and extracurricular activities to promote and promulgate goodwill and above all to make positive contributions to the college and the community at large. I commend Dylan for his four years of service in the United States Marine Corps and his decision to pursue a higher education. As an undergraduate from the Big Island, it is an honor to be nominated as a student Board of Regent. However, most recently, Dylan has made it evident to the student community that he will take a stand as a student representative on an important issue such as the tuition increase without any consensus from the student body he serves. Dylan claims to have the desire to serve others and contribute to the greater good. However, his actions speak loudly in the opposite direction.'

'I will read one other. This is from Jennifer Yoshioka, the chair and treasurer of the ASMCC, which I believe is the Associated Students of Maui Community College Student Governance, Chair of the Board of Student Publications, 'Aloha, I am speaking on behalf of myself, as my fellow students of Maui Community College have not had the opportunity to either meet nor have ample time to receive any information about Mr. Dylan Nonaka. Upon meeting him at the last Board of Regents meeting at Windward Community College on April 21, Mr. Nonaka has shown me in more ways than one that he is not qualified for such an important position as a student representative. I believe Mr. Nonaka to be an inarticulate, incognizant, and a self-seeking individual. With the majority of the campuses within the University of Hawaii

system being against the tuition increase, he was the only individual for the tuition increase. If appointed student representative on the Board of Regents, I believe that he will not listen nor take heed the wants or needs of his fellow students on all ten University of Hawaii campuses. If he is appointed, I believe that he will not live up to the title of student representative, as he does not truly represent the students.'

'Mr. President and members, this issue, to me, has gotten out of control. Yesterday, many of you, like me, received a memo dated April 29<sup>th</sup> faxed from UHH Student Association in Hilo, 933-0445, and it says, 'We are writing to you in hopes to clarify a conflict of what may be a misunderstanding on both our parts and the party involved in corraling signatures in opposition of Mr. Dylan Nonaka. When approached by a fellow student, Kanekoa Crabbe and friends Justin Avery, and Randy Rambo, we were initially asked if we were in opposition to the recent proposal on a tuition hike. Upon agreeing to the opposition of the hike, we were asked to sign a petition that will then be sent to our State Legislators and the current Board of Regents showing student opposition to the proposal. Upon hearing from another student that both our names were called off from a petition this past Wednesday at a testimony for Mr. Dylan Nonaka, nomination to the Board of Regents, in opposition to the seat, we were confused and misunderstood by the reasons of why our names were mentioned. We were falsely informed. And because of what seemed to have been a harmless push to stop an increase in tuition, another student, his efforts, his colleagues, his teachers, and most importantly his family will heed the burden of something someone with no piko, na'au, and soul has guiltlessly comprised with the intent to misinform other students. We are ashamed and disappointed in this matter and are withdrawing our names from this false petition. We will also be taking lawful action to this matter. Please withdraw our names from the petition and help save us from the embarrassment we have caused our families in the process. Mahalo, Ray Santos, La'akea Trask Batty.'

'Mr. President and members, I have a letter from La'akea Trask Batty. Mr. President and members, he is seated there. That is La'akea Trask Batty. Aloha, Senator Hee and members of the Senate, my name is La'akea Trask Batty. I am writing to express my deep concern over fraudulent e-mails and a fax that you received today which misappropriates my name and opinion regarding Dylan Nonaka's nomination as student regent. They are complete frauds and I am concerned that the democratic process is being manipulated and abused. I did not write the e-mails or the fax. The signature on the fax, which came from UHH student association is not my signature. I did not consent to any of these false communications. I do not agree with the e-mails and the fax. I did send an e-mail on Wednesday, April 27, 2005 to Senator Hee. My position remains the same. The e-mail states, quote, 'My name is La'akea Trask Batty and I am a student at the University of Hawaii, Manoa. As a Native Hawaiian college student, I urge you not to support Dylan Nonaka for the position of student regent. His support for tuition increases is a view I, as well as many, many other students do not share. He is not an accurate and respectable voice for the students of the university and he is not someone I want representing me. As my e-mail states, I am currently a student at the University of Hawaii, Manoa. I have been at school and studying for final exams in Manoa all day. It is very troubling for me to learn that some people are misappropriating my name and opinion to the Senate and deceiving its members regarding Dylan Nonaka's nomination as the student regent. I hope you take the truth into account when voting on his nomination tonight.'

'Thank you, Mr. President.'

At 8:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:42 o'clock p.m.

Senator Trimble rose in rebuttal as follows:

"Mr. President, I rise in brief rebuttal.

"There are three points I wish to make. First, the Chairman of Higher Ed talked about the tuition issue. When I was at the hearing, it was my impression that Dylan Nonaka gave a very clear explanation about how he was misquoted and what he believed in terms of tuition increases. And if I remember more or less, the Chairman of Higher Ed had sympathy for Dylan, for apparently sometime in his past, he also has been misquoted.

"Point number two, I asked earlier about a phone number, and in the previous speech by the Chairman of Higher Ed, he read a letter from a student, I believe, at Hawaii Community College. So, if we check the fax number, the fax number 974-7791 should be from Hawaii Community College. I would like verification on that sooner or later.

"The third item is the 109 sheets of mimeographed paper that were all faxed. The Chairman of Higher Ed commented that it is unusual to have so many different people submitting testimony in opposition. The inference was that this was grassroots opposition. I suggest to you, colleagues, that this is not grassroots – this is Astroturf.

"Thank you, Mr. President."

Senator Slom then rose and said:

"Mr. President, I want to thank the Education Chair for his comments.

"A couple things though, I absolutely agree with him when he said this thing is out of control. It certainly is out of control. It's gone beyond the issue of a Board of Regent appointment. It's gone beyond the individual, who is a living, breathing person who appeared before the Committee, who answered all the questions, who is here again tonight.

"I, too, have a copy of the e-mail letter that the good Senator was reading from initially and he neglected to read one part and that part, and I'm quoting, it's the third to the last paragraph, quote, 'We would like to take this time to point out that no specific names are being challenged by Mr. Nonaka and his supporters, and Mr. Nonaka and his supporters have circulated a form letter today that vaguely eludes to the real issue while casting unsubstantiated doubt on our petition. They cannot produce a single instance of impropriety because there is none,' unquote. I recall just a very short hour and 15 minutes ago, the Minority Leader standing up and starting to read letters until he was cut off and not allowed to continue. So, that statement is not true.

"As to the gentleman that's up in the gallery, the student from the University of Hawaii at Manoa, I congratulate him. I thank him for coming, and since several of us in the past have been the victims of people using our names or even our signatures, I have no reason to quarrel with what he said and I think we should investigate as to who did these things allegedly and who did the kinds of petitions that fooled individual students and all of that. So, I think there's much more here below the surface.

"But I also want to get to a point that the good Senator, the head of the Higher Education Committee, mentioned because

he was reading the original statement, as he mentioned, the last speech of a previous Session by State Representative K. Mark Takai who I believe is also a member of the military. And he said that he gave reasons for why there should be an elected voting student member of the Board of Regents and for myself and those of us who have always enthusiastically supported this, we're not denying it now. We're saying absolutely. We should have a student who is representing the student body, who is a student and all of that.

"So, in all of the discussion, again I'm waiting to hear what are the reasons that impugn the qualifications, the background, the experience and the character of Mr. Nonaka. And I've heard nothing. All I hear is a lot of people that wrote these petitions or signed these petitions don't want a tuition increase. I remember when I was a student at the University of Hawaii, Manoa, I didn't want a tuition increase either and I signed petitions and I would do it again today, but that's a separate issue. No one has given us a solid reason for why this individual is not qualified, and then to make the statement that he is inarticulate, quote, unquote, 'inarticulate?' Dylan Nonaka? Did you hear him the other day? Did you see him? Did you hear him speak? Inarticulate? Come on! Come on, let's talk truth if we're going to tonight!

"And the other point about how Mr. Nonaka never sought the consensus of the student body and he doesn't listen to them, obviously he does or there'd be no support whatsoever. What these people and these e-mails and these faxes are saying is they don't listen to us, which is the whole point of the students that at this very moment are occupying the office of the President of the University of Hawaii. Even though he said he hadn't made up his mind on the issue that they are unhappy about, but would keep his options open and discuss it, but that was not good enough. Instead, we want to mug the people that don't agree with us in our speech. If we're going to do that then let's say that we really don't believe in free speech and we don't believe in diversity of expression and differences of opinions, because that's the only thing I can hear here tonight.

"If I'm wrong or if I've left something out, then please, please any member of the Committee that voted 'no,' any member of the Senate Majority Party that wants to vote 'no' please stand up and tell me where I'm wrong – why this young man does not fit the really high standards that we in the Senate have set for certain individuals.

"I support the nomination, and the appointment, and advisory and consent of Mr. Nonaka. Thank you."

Senator Hemmings rose on a point of personal privilege and said:

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

"Mr. President and colleagues, in order to . . ."

Senator Baker interjected:

"Point of order, Mr. President."

Senator Hemmings continued:

"Mr. President, I'm submitting, from the Governor, a letter withdrawing the nomination of Dylan W.J. Nonaka, Gov. Msg. No. 826."

At 8:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:27 o'clock p.m.

Senator Hemmings rose and stated:

“Mr. President, I do want to acknowledge that when we were gaveled into the short recess I did have the Floor and I wish to continue to make my point so it’s clearly understood by the Majority Party. I’ve submitted to the Clerk of the Senate and to you, Mr. President, a letter withdrawing the name of the nomination of Dylan Nonaka.”

Senator Hanabusa rose on a point of order and said:

“Mr. President, I rise on a point of order.

“Mr. President, the point of order to which I rise is, is the point of personal privilege proper under the Senate Rules when we are in debate, especially by a speaker who has already spoken twice on the matter?”

The Chair answered: “No.”

Senator Tsutsui then rose and said:

“Mr. President, I move the previous question.”

Senator Hee stated:

“Mr. President, I second the motion.”

Senator Hogue interjected:

“Mr. President. Mr. President, there is no . . .”

The motion for the previous question was then put by the Chair and carried by not less than three-fifths vote of all the members to which the Senate is entitled.

Senator Hogue continued:

“Mr. President, this motion is illegal! This is illegal!”

President Bunda interjected:

“Senator Hogue, you are out of order.”

Senator Hogue stated:

“You know it is illegal. We are not party to this vote!”

The President then said:

“Mr. Sergeant-at-Arms, please escort Senator Hogue off the Floor.”

At this time, the remaining Senators of the Minority Party left the Senate Floor.

The President then stated:

“The motion has been carried, Roll Call vote has been requested. Mr. Clerk, call the Roll.”

Senator Baker rose and said:

“Mr. President, short recess.”

At 9:29 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:29 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:

Noes, 19 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui.) Excused, 6 (Hemmings, Hogue, Kim, Slom, Trimble, Whalen).

**RECONSIDERATION OF ACTION TAKEN EARLIER ON THE CALENDAR**

H.C.R. No. 66, S.D. 1:

Senator Hanabusa moved that the Senate reconsider its action taken earlier on the calendar in adopting H.C.R. No. 66, S.D. 1, seconded by Senator Hee and carried.

By unanimous consent, H.C.R. No. 66, S.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION DECLARING OCTOBER 29, 2005, AS SAMUEL MANAIKALANI KAMAKAU DAY,” was recommitted to the Committee on Judiciary and Hawaiian Affairs.

**RECOMMITTAL OF A HOUSE BILL**

Conf. Com. Rep. No. 80 (H.B. No. 384, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 80 and H.B. No. 384, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ATTORNEYS’ FEES FOR COURT APPOINTED COUNSEL,” were recommitted to the Committee on Conference.

**CONFERENCE COMMITTEE REPORTS  
STANDING COMMITTEE REPORTS**

On motion by Senator Hee, seconded by Senator Hemmings and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. The Clerk was further authorized to receive Standing Committee Reports on Governor’s Messages for advise and consent to nominations. In consequence thereof, and subsequent to its recessing at 9:33 o’clock p.m., the Senate took the following actions:

**CONFERENCE COMMITTEE REPORTS**

Senator Hee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 116, S.D. 2, presented a report (Conf. Com. Rep. No. 50) recommending that S.B. No. 116, 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. 50 and S.B. No. 116, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NURSES,” 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. 283, H.D. 1, presented a report (Conf. Com. Rep. No. 87) recommending that H.B. No. 283, 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. 87 and H.B. No. 283, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT ESTABLISHING A COMMISSION TO

RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," 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. 1476, H.D. 1, presented a report (Conf. Com. Rep. No. 88) recommending that H.B. No. 1476, 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. 88 and H.B. No. 1476, H.D. 1, 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 Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 931, H.D. 2, presented a report (Conf. Com. Rep. No. 89) recommending that H.B. No. 931, 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. 89 and H.B. No. 931, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," 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. 1750, presented a report (Conf. Com. Rep. No. 90) recommending that H.B. No. 1750, 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. 90 and H.B. No. 1750, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 852, H.D. 2, presented a report (Conf. Com. Rep. No. 91) recommending that H.B. No. 852, 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. 91 and H.B. No. 852, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1276, H.D. 3, presented a report (Conf. Com. Rep. No. 92) recommending that H.B. No. 1276, 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. 92 and H.B. No. 1276, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," 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. 1301, H.D. 1, presented a report (Conf. Com. Rep. No. 93) recommending that H.B. No. 1301, 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. 93 and H.B. No. 1301, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," 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. 1758, H.D. 1, presented a report (Conf. Com. Rep. No. 94) recommending that H.B. No. 1758, 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. 94 and H.B. No. 1758, 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 Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 325, presented a report (Conf. Com. Rep. No. 95) recommending that H.B. No. 325, 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. 95 and H.B. No. 325, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," 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. 140, H.D. 1, presented a report (Conf. Com. Rep. No. 96) recommending that H.B. No. 140, 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. 96 and H.B. No. 140, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," 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. 1317, H.D. 1, presented a report (Conf. Com. Rep. No. 97) recommending that H.B. No. 1317, 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. 97 and H.B. No. 1317, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," 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. 1668, presented a report (Conf. Com. Rep. No. 98) recommending that H.B. No. 1668, 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. 98 and H.B. No. 1668, S.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 House to the amendments proposed by the Senate to H.B. No. 500, H.D. 2, presented a report (Conf. Com. Rep. No. 99) recommending that H.B. No. 500, 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. 99 and H.B. No. 500, H.D. 2, 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. 100, H.D. 1, presented a report (Conf. Com. Rep. No. 100) recommending that H.B. No. 100, 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. 100 and H.B. No. 100, 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 Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1038, S.D. 2, presented a report (Conf. Com. Rep. No. 101) recommending that S.B. No. 1038, 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. 101 and S.B. No. 1038, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1592, S.D. 1, presented a report (Conf. Com. Rep. No. 102) recommending that S.B. No. 1592, 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. 102 and S.B. No. 1592, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," 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. 1732, S.D. 1, presented a report (Conf. Com. Rep. No. 103) recommending that S.B. No. 1732, 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. 103 and S.B. No. 1732, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON," 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. 3, S.D. 2, presented a report (Conf. Com. Rep. No. 104) recommending that S.B. No. 3, 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. 104 and S.B. No. 3, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN 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. 1420, S.D. 2, presented a report (Conf.

Com. Rep. No. 105) recommending that S.B. No. 1420, S.D. 2, 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. 1420, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," 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. 791, S.D. 2, presented a report (Conf. Com. Rep. No. 106) recommending that S.B. No. 791, 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. 106 and S.B. No. 791, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS," 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. 807, S.D. 1, presented a report (Conf. Com. Rep. No. 107) recommending that S.B. No. 807, 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. 107 and S.B. No. 807, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," 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. 960, presented a report (Conf. Com. Rep. No. 108) recommending that S.B. No. 960, 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. 960, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 669, S.D. 2, presented a report (Conf. Com. Rep. No. 109) recommending that S.B. No. 669, 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. 109 and S.B. No. 669, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1451, S.D. 2, presented a report (Conf. Com. Rep. No. 110) recommending that S.B. No. 1451, 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. 110 and S.B. No. 1451, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," 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. 1250, S.D. 2, presented a report (Conf. Com. Rep. No. 111) recommending that S.B. No. 1250, 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. 1250, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS," 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. 682, S.D. 2, presented a report (Conf. Com. Rep. No. 112) recommending that S.B. No. 682, S.D. 2, 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. 112 and S.B. No. 682, S.D. 2, H.D. 3, 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. 802, S.D. 2, presented a report (Conf. Com. Rep. No. 113) recommending that S.B. No. 802, 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. 113 and S.B. No. 802, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM," 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. 27, S.D. 1, presented a report (Conf. Com. Rep. No. 114) recommending that S.B. No. 27, 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. 114 and S.B. No. 27, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM," 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. 1816, S.D. 2, presented a report (Conf. Com. Rep. No. 115) recommending that S.B. No. 1816, 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. 115 and S.B. No. 1816, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS," 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. 1661, S.D. 2, presented a report (Conf. Com. Rep. No. 116) recommending that S.B. No. 1661, 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. 116 and S.B. No. 1661, S.D. 2, 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. 1394, S.D. 2, presented a report (Conf. Com. Rep. No. 117) recommending that S.B. No. 1394, 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. 117 and S.B. No. 1394, S.D. 2, 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. 1814, S.D. 2, presented a report (Conf. Com. Rep. No. 118) recommending that S.B. No. 1814, 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. 118 and S.B. No. 1814, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," 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. 1643, S.D. 2, presented a report (Conf. Com. Rep. No. 119) recommending that S.B. No. 1643, 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. 119 and S.B. No. 1643, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 1780, S.D. 2, presented a report (Conf. Com. Rep. No. 120) recommending that S.B. No. 1780, 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. 120 and S.B. No. 1780, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," 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. 1262, S.D. 1, presented a report (Conf. Com. Rep. No. 121) recommending that S.B. No. 1262, 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. 1262, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," 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. 1554, S.D. 1, presented a report (Conf. Com. Rep. No. 122) recommending that S.B. No. 1554, 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. 122 and

S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," 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. 1620, S.D. 2, presented a report (Conf. Com. Rep. No. 123) recommending that S.B. No. 1620, 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. 123 and S.B. No. 1620, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 212, S.D. 2, presented a report (Conf. Com. Rep. No. 124) recommending that S.B. No. 212, 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. 124 and S.B. No. 212, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," 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. 617, S.D. 1, presented a report (Conf. Com. Rep. No. 125) recommending that S.B. No. 617, 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. 617, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES," 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. 708, S.D. 2, presented a report (Conf. Com. Rep. No. 126) recommending that S.B. No. 708, 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. 126 and S.B. No. 708, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 846E," 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. 813, S.D. 2, presented a report (Conf. Com. Rep. No. 127) recommending that S.B. No. 813, 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. 127 and S.B. No. 813, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," 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. 935, S.D. 1, presented a report (Conf. Com. Rep. No. 128) recommending that S.B. No. 935, 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. 128 and S.B. No. 935, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," 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. 962, S.D. 2, presented a report (Conf. Com. Rep. No. 129) recommending that S.B. No. 962, 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. 129 and S.B. No. 962, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," 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. 1808, S.D. 1, presented a report (Conf. Com. Rep. No. 130) recommending that S.B. No. 1808, 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. 130 and S.B. No. 1808, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," 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. 390, H.D. 1, presented a report (Conf. Com. Rep. No. 131) recommending that H.B. No. 390, 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. 131 and H.B. No. 390, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 168, H.D. 2, presented a report (Conf. Com. Rep. No. 132) recommending that H.B. No. 168, 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. 132 and H.B. No. 168, H.D. 2, S.D. 1, 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 Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1641, H.D. 1, presented a report (Conf. Com. Rep. No. 133) recommending that H.B. No. 1641, 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. 1641, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," 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. 1614, H.D. 1, presented a report (Conf.

Com. Rep. No. 134) recommending that H.B. No. 1614, 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. 134 and H.B. No. 1614, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 109, H.D. 1, presented a report (Conf. Com. Rep. No. 135) recommending that H.B. No. 109, 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. 109, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," 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. 841, presented a report (Conf. Com. Rep. No. 136) recommending that H.B. No. 841, 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. 841, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," 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. 1556, H.D. 1, presented a report (Conf. Com. Rep. No. 137) recommending that H.B. No. 1556, 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. 137 and H.B. No. 1556, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," 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. 631, H.D. 1, presented a report (Conf. Com. Rep. No. 138) recommending that H.B. No. 631, 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. 138 and H.B. No. 631, H.D. 1, 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 Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1528, H.D. 2, presented a report (Conf. Com. Rep. No. 139) recommending that H.B. No. 1528, 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. 139 and H.B. No. 1528, H.D. 2, 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 Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1608, H.D. 1, presented a report (Conf. Com. Rep. No. 140) recommending that H.B. No. 1608, 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. 140 and H.B. No. 1608, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," 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. 260, presented a report (Conf. Com. Rep. No. 141) recommending that H.B. No. 260, 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. 141 and H.B. No. 260, S.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 House to the amendments proposed by the Senate to H.B. No. 263, presented a report (Conf. Com. Rep. No. 142) recommending that H.B. No. 263, 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. 263, S.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 House to the amendments proposed by the Senate to H.B. No. 1597, presented a report (Conf. Com. Rep. No. 143) recommending that H.B. No. 1597, 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. 143 and H.B. No. 1597, S.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 House to the amendments proposed by the Senate to H.B. No. 1599, presented a report (Conf. Com. Rep. No. 144) recommending that H.B. No. 1599, 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. 144 and H.B. No. 1599, S.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 Hee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 19, H.D. 2, presented a report (Conf. Com. Rep. No. 145) recommending that H.B. No. 19, 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. 145 and H.B. No. 19, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1308, H.D. 1, presented a report (Conf. Com. Rep. No. 146) recommending that H.B. No. 1308, 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. 146 and H.B. No. 1308, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," 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. 1554, H.D. 2, presented a report (Conf. Com. Rep. No. 147) recommending that H.B. No. 1554, 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. 147 and H.B. No. 1554, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," 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. 1462, presented a report (Conf. Com. Rep. No. 148) recommending that H.B. No. 1462, 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. 148 and H.B. No. 1462, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII," 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. 1224, presented a report (Conf. Com. Rep. No. 149) recommending that H.B. No. 1224, 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. 149 and H.B. No. 1224, S.D. 1, 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 House to the amendments proposed by the Senate to H.B. No. 1672, presented a report (Conf. Com. Rep. No. 150) recommending that H.B. No. 1672, 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. 150 and H.B. No. 1672, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," 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. 55, S.D. 1, presented a report (Conf.

Com. Rep. No. 151) recommending that S.B. No. 55, 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. 151 and S.B. No. 55, S.D. 1, H.D. 2, 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 majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 294, S.D. 3, presented a report (Conf. Com. Rep. No. 152) recommending that S.B. No. 294, 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. 152 and S.B. No. 294, S.D. 3, H.D. 1, 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. 738, S.D. 1, presented a report (Conf. Com. Rep. No. 153) recommending that S.B. No. 738, 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. 153 and S.B. No. 738, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," 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. 817, S.D. 2, presented a report (Conf. Com. Rep. No. 154) recommending that S.B. No. 817, 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. 154 and S.B. No. 817, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW," 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. 944, S.D. 1, presented a report (Conf. Com. Rep. No. 155) recommending that S.B. No. 944, 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. 155 and S.B. No. 944, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 945, S.D. 1, presented a report (Conf. Com. Rep. No. 156) recommending that S.B. No. 945, 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. 156 and S.B. No. 945, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 1194, S.D. 1, presented a report (Conf. Com. Rep. No. 157) recommending that S.B. No. 1194, 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. 157 and S.B. No. 1194, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," 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. 1579, S.D. 1, presented a report (Conf. Com. Rep. No. 158) recommending that S.B. No. 1579, 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. 158 and S.B. No. 1579, S.D. 1, 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. 1580, S.D. 1, presented a report (Conf. Com. Rep. No. 159) recommending that S.B. No. 1580, 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. 159 and S.B. No. 1580, S.D. 1, 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. 1889, S.D. 1, presented a report (Conf. Com. Rep. No. 160) recommending that S.B. No. 1889, 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. 160 and S.B. No. 1889, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIPS," 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. 278, H.D. 1, presented a report (Conf. Com. Rep. No. 161) recommending that H.B. No. 278, 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. 161 and H.B. No. 278, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION," 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. 460, H.D. 2, presented a report (Conf. Com. Rep. No. 162) recommending that H.B. No. 460, 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. 162 and H.B. No. 460, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," 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. 1393, H.D. 2, presented a report (Conf. Com. Rep. No. 163) recommending that H.B. No. 1393, 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. 163 and H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," 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. 1763, H.D. 2, presented a report (Conf. Com. Rep. No. 164) recommending that H.B. No. 1763, 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. 164 and H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," 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. 1745, H.D. 1, presented a report (Conf. Com. Rep. No. 165) recommending that H.B. No. 1745, 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. 165 and H.B. No. 1745, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE," 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. 844, H.D. 1, presented a report (Conf. Com. Rep. No. 166) recommending that H.B. No. 844, 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. 166 and H.B. No. 844, H.D. 1, 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. 1300, H.D. 2, presented a report (Conf. Com. Rep. No. 167) 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. 167 and H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," 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. 1304, H.D. 1, presented a report (Conf. Com. Rep. No. 168) recommending that H.B. No. 1304, 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. 168 and H.B. No. 1304, 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 Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1051, H.D. 2, presented a report (Conf. Com. Rep. No. 169) recommending that H.B. No. 1051, 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. 169 and H.B. No. 1051, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," 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. 115, H.D. 1, presented a report (Conf. Com. Rep. No. 170) recommending that H.B. No. 115, 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. 170 and H.B. No. 115, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," was deferred for a period of 48 hours.

Senator Menor, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 160, H.D. 2, presented a report (Conf. Com. Rep. No. 171) recommending that H.B. No. 160, 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. 171 and H.B. No. 160, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," was deferred for a period of 48 hours.

Senator Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 393, H.D. 1, presented a report (Conf. Com. Rep. No. 172) recommending that H.B. No. 393, 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. 172 and H.B. No. 393, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," 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. 1017, H.D. 3, presented a report (Conf. Com. Rep. No. 173) recommending that H.B. No. 1017, 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. 173 and H.B. No. 1017, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," 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. 1548, H.D. 1, presented a report (Conf.

Com. Rep. No. 174) recommending that H.B. No. 1548, 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. 174 and H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," was deferred for a period of 48 hours.

Senator Kokubun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1640, H.D. 3, presented a report (Conf. Com. Rep. No. 175) recommending that H.B. No. 1640, 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. 175 and H.B. No. 1640, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," 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. 1352, S.D. 1, presented a report (Conf. Com. Rep. No. 176) recommending that S.B. No. 1352, 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. 176 and S.B. No. 1352, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," 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. 1729, S.D. 2, presented a report (Conf. Com. Rep. No. 177) recommending that S.B. No. 1729, 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. 177 and S.B. No. 1729, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," 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. 1137, S.D. 1, presented a report (Conf. Com. Rep. No. 178) recommending that S.B. No. 1137, 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. 178 and S.B. No. 1137, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," 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. 1132, S.D. 2, presented a report (Conf. Com. Rep. No. 179) recommending that S.B. No. 1132, 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. 179 and S.B. No. 1132, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

Senator Hee, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1257, S.D. 2, presented a report (Conf. Com. Rep. No. 180) recommending that S.B. No. 1257, 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. 180 and S.B. No. 1257, S.D. 2, 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 Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 179, S.D. 3, presented a report (Conf. Com. Rep. No. 181) recommending that S.B. No. 179, 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. 181 and S.B. No. 179, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 384, H.D. 2, presented a report (Conf. Com. Rep. No. 182) recommending that H.B. No. 384, H.D. 2, S.D. 2, 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. 182 and H.B. No. 384, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL," 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. 1378, H.D. 1, presented a report (Conf. Com. Rep. No. 183) recommending that H.B. No. 1378, 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. 183 and H.B. No. 1378, 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 Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1733, H.D. 2, presented a report (Conf. Com. Rep. No. 184) recommending that H.B. No. 1733, 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. 184 and H.B. No. 1733, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," 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. 1747, H.D. 1, presented a report (Conf. Com. Rep. No. 185) recommending that H.B. No. 1747, 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. 185 and H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO CAMPAIGNS," 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. 1309, H.D. 2, presented a report (Conf. Com. Rep. No. 186) recommending that H.B. No. 1309, 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. 186 and H.B. No. 1309, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1914) recommending that the Senate advise and consent to the nominations to the Hawaii Commission for National and Community Service of the following:

JANICE S. BOND, in accordance with Gov. Msg. No. 488;

ROBERT I. CROWELL, in accordance with Gov. Msg. No. 489;

DENNIS M. DUNN, in accordance with Gov. Msg. No. 490;

MABEL FERREIRO-FUJIUCHI, in accordance with Gov. Msg. No. 492;

RYAN R. PERREIRA, in accordance with Gov. Msg. No. 493;

LEE A. ROMBAOA, in accordance with Gov. Msg. No. 494;

RALPH STUEBER, in accordance with Gov. Msg. No. 495; and

TINA AULANI WILHELM, in accordance with Gov. Msg. No. 496.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1914 and Gov. Msg. Nos. 488, 489, 490, 492, 493, 494, 495 and 496 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1915) recommending that the Senate advise and consent to the nomination of GLENN MORGAN to the Disability and Communication Access Board, in accordance with Gov. Msg. No. 699.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1915 and Gov. Msg. No. 699 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1916) recommending that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

DAVID F. MOORE, in accordance with Gov. Msg. No. 702; and

DANIEL E. SHAAL, in accordance with Gov. Msg. No. 703.



In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1916 and Gov. Msg. Nos. 702 and 703 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1917) recommending that the Senate advise and consent to the nomination of VENKATARAMAN BALARAMAN to the Drug Product Selection Board, in accordance with Gov. Msg. Nos. 817 and 818.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1917 and Gov. Msg. Nos. 817 and 818 was deferred until Tuesday, May 3, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1918) recommending that the Senate advise and consent to the nomination of VALERIE L. SIMONSEN to the Health Planning Council, Maui County Subarea, in accordance with Gov. Msg. No. 821.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1918 and Gov. Msg. No. 821 was deferred until Tuesday, May 3, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1919) recommending that the Senate advise and consent to the nomination of CALVIN T. CHINEN to the Commission on Fatherhood, in accordance with Gov. Msg. No. 706.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1919 and Gov. Msg. No. 706 was deferred until Tuesday, May 3, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1920) recommending that the Senate advise and consent to the nominations to the Statewide Council on Independent Living of the following:

WINNIFRED AOKI, in accordance with Gov. Msg. No. 723;

RACHEL CORDAY, in accordance with Gov. Msg. No. 724;

BARBARA FISCHLOWITZ-LEONG, in accordance with Gov. Msg. No. 725;

DARA Y. FUKUHARA, in accordance with Gov. Msg. No. 726;

FRANCINE M. KENYON, in accordance with Gov. Msg. No. 727;

VIRGINIA M. KLINE, in accordance with Gov. Msg. No. 728;

KEALOHA LAEMOA, in accordance with Gov. Msg. No. 729;

MARGARET LEVY-DOHANOS, in accordance with Gov. Msg. Nos. 730 and 731;

CHARLOTTE G. SMITH, in accordance with Gov. Msg. No. 732;

DIANA C. TIZARD, in accordance with Gov. Msg. No. 733;

ANDRICK C. TONG, in accordance with Gov. Msg. No. 734;

LINDA ANN WATSON, in accordance with Gov. Msg. No. 735; and

ED WEIL, in accordance with Gov. Msg. No. 736.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1920 and Gov. Msg. Nos. 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735 and 736 was deferred until Tuesday, May 3, 2005.

**ADJOURNMENT**

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, May 3, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

## FIFTY-NINTH DAY

**Tuesday, May 3, 2005**

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 10:16 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Bright, Metropolitan Community Church, 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.

At this time, Senator Hanabusa rose on a point of personal privilege and said:

"Mr. President, the Senate of the State of Hawaii takes great pleasure in recognizing special individuals who exemplify such qualities as commitment, achievement, leadership, dedication, and hard work. These special individuals lead productive lives to improve the quality of life in our communities and our state.

"Mr. President, as you know, I had to read that because of whom I'm about to acknowledge in this introduction, because if I didn't read it, I probably couldn't say it with a straight face.

"The individual that we're trying to refer to with that flowery and complementary language is none other than Senator Brian Taniguchi. Mr. President, Senator Taniguchi has now served 25 years – 25 years in this Legislative Body between the House and the Senate. It was very interesting to learn a little bit about him because I kind of knew something about him, but I had forgotten this . . . forgotten things like he was actually a radical in his younger days; he assisted many communities in need – remember the infamous Ota Camp in Waipahu, Waimanu Village and the old Vineyard Street just off of Miller Street. He was in the midst of all of that.

"Then he went to law school about 1975. He was in the class right after me. After doing that, for some reason, Brian Taniguchi or then Brian Taniguchi got interested in politics. He and his wife Jan moved back to Manoa in about 1978. Brian Taniguchi is actually one of those who started his political career with the infamous, notorious neighborhood board system. Can you imagine that? The neighborhood board system – we've got them to thank for Brian Taniguchi.

"In 1980, Brian Taniguchi signed papers to run for the State House, and at that time he was representing McCully, Manoa, and the Moiliili district. In 1994, Brian Taniguchi ran for the Senate and he has been in the Senate ever since and he of course has been our Chair of the Ways and Means Committee for the past five years. He also served as Majority Leader in the House. When I first met Brian Taniguchi, he was Chair of Consumer Protection.

"Mr. President, Brian Taniguchi's staff is up there, and of course all of you saw them file in, and with them is his wife, Jan. Jan, will you please rise. (Mrs. Taniguchi, who was seated in the gallery, rose to be recognized.)

"Mr. President, I have come to know Jan, and I must admit that I now understand how Brian Taniguchi manages to stay sane and well grounded – it is Jan, and she constantly puts him in his place. Brian has strict instructions – if he takes even a sip of alcohol, he is not to drive. Jan will come and pick him up no matter where he is, but of course he has to pay later on for taking that sip of alcohol. But he follows instructions really

well when they come from Jan. From the rest of us, he just ignores us, but Jan can get him to do whatever she needs for him to do. I don't believe his two children are here, but he also has two wonderful children, who, thanks to Jan, managed to survive being political children for most of their lives, if not all of their lives. I think that Jan deserves all the credit, definitely not Brian, but Jan deserves all the credit, and they are absolutely wonderful children.

"Mr. President, I've been trying to think about what is it that we can say about Brian, because I have all these wonderful things to say about Jan, but I don't know what to say about Brian. I do want to say that I think he's worked so hard, Mr. President. When I looked at his earlier pictures, he's given the State most of his hair, so we should thank him for that. (Laughter.) He tries to get in shape once in a while. He does it by saying he's walking, but quite honestly, Mr. President, I'm not quite sure that has had any impact. He's taken back in poundage what he's lost in hair. I'm really trying desperately to think about what else we can say about him. He works very late in the evening. I don't know how much of that is because he's listening to this strange music. Who would have thought Brian Taniguchi is kind of a hard rocker of the 60's and 70's. He really likes the Doors and people like that – the Doors, yes, the Doors. You remember the Doors? That's Brian Taniguchi, Mr. President.

"Mr. President, I would like to thank you and the rest of the members of the Senate that on this very important day you've afforded me the opportunity to acknowledge Brian Taniguchi on his 25<sup>th</sup> anniversary in this Legislature. Everyone, you have this little thing in front of you and what I'd like for all of us to do is to follow the instructions – which is to lift, put to face, and face Brian. (Laughter.) Since he's still sitting up, it must be a young picture, otherwise it would have floored him.

"Mr. President, at the appropriate moment, we have signed a certificate, all of us, and we do have a lei. Of course to his wonderful Ways and Means staff, we'd all like to thank you for all of your hard work. Thank you very much."

Senator Taniguchi rose on a point of personal privilege as follows:

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

"I would just like to thank the Senator from Waianae for those very kind remarks. I don't know if it's kind in quotations, but I just want to say that I enjoy working with all of you – members, staff, lobbyists, students.

"I guess one thing that comes to mind when you look back on 25 years – when I first decided to run, I think one of my campaign people told me that I was pretty dull. (Laughter.) I haven't improved on that, Mr. President. (More laughter.) And so I went to see a lady who is now serving in the Senate with me and she was, at that time, running a modeling agency. So I had this meeting and we met and she tried to give me pointers and she tried to jazz me up, but obviously, Mr. President, she failed. (Laughter.) It was Senator Kim. So when I think back on 25 years, that's one of the things I remember – that she gave up and she just said, don't come back. (Laughter.)

"I'd also like to acknowledge my wife and my staff and people who've been . . . I know there are people up there who have worked for me in the past – two or three of them I think, the rest of them said no way. I'd like to acknowledge my wife who's kind of kept me straight and . . . anyway, before I start

sobbing or anything, I would just like to thank everyone. Thank you, Mr. President.”

Senator Hemmings rose on a point of personal privilege and said:

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

“Mr. President, I think it’s only appropriate that some comments are added to the record here from the other side of the political aisle, and I will tell you it’s been a pleasure for us to serve in the Ways and Means Committee under the leadership of Senator Taniguchi.

“Senator, we most appreciate two things about you – one is your wry, incisive, quick and provocative wit. It’s one of the real hidden attributes of yours that you have a way of making one or two words turn into very hilarious remarks, oftentimes in the heat of battle in the Senate Ways and Means Committee.

“On a serious note, we do appreciate your patients. I can honestly say that in my six years in the Senate and on the Ways and Means Committee you have always afforded us the opportunity to have open, free, unabated debate on the issues. You have never cut us off unilaterally and closed debate on issues, oftentimes exercising great restraint and patients, because I know you are quite thoroughly disgusted with what is being said. (Laughter.)

“But we do appreciate that and sincerely we wish you all the best and thank you for your service to the State for the last 25 years. Thank you, Mr. President.”

At 10:29 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:37 o’clock a.m.

Senator Hogue rose on a point of order as follows:

“Mr. President, point of order, please. Mr. President, I have three questions for you, if you don’t mind.

“We had a healthy debate on Friday night regarding one of our Governor’s messages and I see here Gov. Msg. No. 855, informing the Senate that on April 29<sup>th</sup> the Governor has withdrawn Dylan Nonaka. That was April 29<sup>th</sup>. That was the day of the debate. So, when was the Senate in receipt of the Governor’s message? And if the Senate was in receipt of the Governor’s message prior to the vote, is the vote on the nominee valid?”

President Bunda responded:

“I believe so. Can we get back to you on the receipt or do you want to know that now?”

Senator Hogue replied:

“Mr. President, why don’t we just call a short recess. Thank you.”

At 10:38 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:41 o’clock a.m.

Senator Hooser rose on a point of personal privilege as follows:

“Mr. President, I have a point of personal privilege.

“I was informed this morning by the Governor’s senior policy advisor that they were in possession of the letter signed by the Governor before the Session started last Friday afternoon on this nomination. So, it’s obvious that the Minority members were aware of the withdrawal before the debate and the Session started.

“Thank you.”

Senator Hogue responded as follows:

“Mr. President, I guess I’m responding to that.

“Actually, that’s not true. We became aware of it during the debate. So, the question is, when is the Senate in receipt of the Governor’s message? Now, it’s our understanding that the Governor’s message was received during the debate and the vote went forward. So the questions I would like rulings on is when is the Senate in receipt of a Governor’s message? What is the official ruling on that? And is this vote on this particular nominee valid?”

President Bunda answered:

“We will get back to you, Senator Hogue, on an official ruling by Wednesday or Thursday.”

Senator Hogue then said:

“Thank you very much, Mr. President. I appreciate that.”

Senator Hee rose on a point of inquiry and stated:

“Mr. President, point of inquiry.

“I just want to make it clear in a question to you. Was the Gov. Msg. No. 855 on the order of the day on Friday when we acted upon the nominee? Informing the Senate that the Governor has withdrawn Dylan W.J. Nonaka, was that message on the order of the day on Friday?”

President Bunda responded:

“No, it was not.”

Senator Hee then said:

“Thank you.”

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 855 to 857) were read by the Clerk and were placed on file:

Gov. Msg. No. 855, advising the Senate of the withdrawal of the nomination of DYLAN W.J. NONAKA to the Board of Regents of the University of Hawaii, under Gov. Msg. No. 826, dated April 20, 2005.

Gov. Msg. No. 856, informing the Senate that on May 2, 2005, she signed into law Senate Bill No. 608 as Act 39, entitled: “RELATING TO DUTY OF PHYSICIAN, SURGEON, HOSPITAL, CLINIC, ETC., TO REPORT WOUNDS.”

Gov. Msg. No. 857, dated April 25, 2005, transmitting the Annual Report on the Hawaii Historic Preservation Special Fund for Fiscal Year 2003-2004, prepared by the Department of Land and Natural Resources pursuant to Section 6E-3, HRS.

**STANDING COMMITTEE REPORTS**

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1921) recommending that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council of the following:

ANDY P. ANCHETA MPH, in accordance with Gov. Msg. No. 709;

SUSAN K. FORBES DRPH, in accordance with Gov. Msg. No. 710;

CREIGHTON LIU, in accordance with Gov. Msg. No. 711;

SARAJEAN TOKUNAGA, in accordance with Gov. Msg. No. 712; and

PATRICIA UYEHARA-WONG, in accordance with Gov. Msg. No. 713.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1921 and Gov. Msg. Nos. 709, 710, 711, 712 and 713 was deferred until Thursday, May 5, 2005.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1922) recommending that the Senate advise and consent to the nominations to the Health Planning Council, Hawaii County Subarea of the following:

LORI CANNON-SALIS RN, CCRN, CRFN, MSN, in accordance with Gov. Msg. No. 715; and

KARLSON PUNG, in accordance with Gov. Msg. No. 716.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1922 and Gov. Msg. Nos. 715 and 716 was deferred until Thursday, May 5, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1923) recommending that the Senate advise and consent to the nomination of ERNEST BALATINCZ STS CHST to the Hoisting Machine Operators Advisory Board, in accordance with Gov. Msg. No. 721.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1923 and Gov. Msg. No. 721 was deferred until Thursday, May 5, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1924) recommending that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

JAMES C. TOLLEFSON, in accordance with Gov. Msg. No. 791; and

GLENN H. YAMASAKI KIMURA, in accordance with Gov. Msg. No. 792.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1924 and Gov. Msg. Nos. 791 and 792 was deferred until Thursday, May 5, 2005.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1925) recommending that the Senate advise and consent to the nomination of EMORY J. SPRINGER to the Hawaii Labor Relations Board, in accordance with Gov. Msg. No. 626.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1925 and Gov. Msg. No. 626 was deferred until Thursday, May 5, 2005.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1926) recommending that the Senate consent to the nomination of JENNIFER L. CHING 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. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1926 and Jud. Com. No. 2 was deferred until Thursday, May 5, 2005.

**ORDER OF THE DAY****FINAL READING**

Conf. Com. Rep. No. 100 (H.B. No. 100, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 100 be adopted and H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Taniguchi rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, H.B. No. 100, C.D. 1, is the executive biennium budget bill. It contains the operating and capital improvement appropriations for the executive branch for the fiscal biennium 2005-2007.

“Before I make a few comments on the bill itself, I again would like to thank those who were instrumental in crafting this measure.

“First, I would like to thank the Conference Leaders of the House, Chairman Dwight Takamine and Vice-Chair Bertha Kawakami, who spent countless hours with me and my Vice Chair, Senator Tsutsui, agonizing over the hundreds of crucial decisions that needed to be made.

“I would also like to thank the staffs of both the House Finance Committee and our own Ways and Means Committee. Their research and analysis made our jobs a lot easier.

“I would also like to thank the members of the Ways and Means Committee for sitting through hours of hearings, briefings and conference meetings throughout this Session.

“Finally, I’d like to thank and acknowledge again the support of my wife.

“As I mentioned in my remarks on the Senate’s draft, the appropriations found in this bill provide more critically needed resources to our public schools, more to the university system, more to our public and private hospital network, and more to help battle our ice epidemic.

“With regard to capital improvements, we found a way to fund the new courthouse in Kapolei while also finding a way to ‘fix our schools,’ ultimately authorizing over \$280 million for Department of Education construction projects, including \$100 million for repairs and maintenance.

"This budget, in conjunction with our six-year general fund financial plan, demonstrates that this Legislature has prioritized the use of our precious resources and has saw fit to provide in those areas that are most important to our state's well being now and in the future.

"Mr. President, we have a balanced budget, and I ask that my colleagues support this measure. Thank you."

Senator Hemmings rose in support of the measure as follows:

"Mr. President, I, too, rise to speak in favor of H.B. No. 100, the state budget omnibus spending bill.

"Mr. President, I, too, rise to speak in favor for the simple reason that it is a necessity. The budget does, for the most part, address the most basic needs of the State of Hawaii and therefore is relevant and should be voted in the affirmative, but it is important to note some things that weren't done in the budget.

"The opening day this last Session had a rosy outlook for the state economy with you, Mr. President, and myself and others standing up and saying there are many things that could be done with the improved economic condition of the private sector that has resulted in more money in the way of tax collections being put into the state coffers.

"This budget does prioritize for the Majority Party state spending, because first and foremost, most of the money, if not all of it and then some, was assumed by collective bargaining pay raises for public employees. Public employees deserve a fair and balanced pay raise. No one doubts that. But it's not fair and balanced when many other programs were cut.

"Even yourself, Mr. President, and the Majority Party on opening day talked about helping the average working family. I think you called them in. They are not going to get a tax break. In fact, their taxes are going to go up extensively with subsequent legislation we'll be acting on today.

"We talked about, in the Minority Party, tax cuts for the working poor. The very people that the Majority Party says they represent – the poor, the sick, the hungry – they're not going to get any tax relief. In fact, their taxes are going to go up if we pass subsequent legislation. The authorization of a one-half percent excise tax for the county to implement if they so deem necessary will hurt the poor, the hungry, the sick, and the working families of Hawaii.

"We talked about finally getting human service programs that serve the suffering and the needy in our society out of the old bills and putting them into the operating budget so that those agencies and those private sector charitable institutions that serve the needy in our society could have reliable year-to-year operating funding. It's not going to happen. Human service programs are going to continue to be held hostage in a raid bill for funds that are drying up – the rainy day funds, excuse the play on words.

"We talked about better protecting our environment. Probably the greatest blessing we have in the State of Hawaii is our environment. I had the pleasure of serving under two hardworking, intelligent Chairmen of both the Environment and the Water, Land, and Agriculture Committees. Unfortunately, in Conference Committee what we had to do time and time again, and I won't read into the record the particulars, is say no to bills that would have helped our environment because we didn't have enough money.

"Yes, this budget does set priorities. It does keep in place the absolutely necessary rudiments of government operation, but it did prioritize spending. The great irony of all of this is that yes, public employees are going to get pay raises at the expense of tax cuts for the poor and the working families, at the expense of human service, and at the expense of the environment, but they themselves are not living outside our economy. They themselves, the labors of this state that are in state employment, have to pay the high bills that all the consumers of Hawaii pay for.

"I would suggest in the future that when we do put together a State Budget, that we do prioritize how we spend our money to benefit everyone in the State of Hawaii, not just one special interest group that seems to hold sway over this Legislature.

"Thank you, Mr. President."

Senator Hogue rose to speak in support of the measure with reservations as follows:

"Mr. President, I rise to speak in support of this measure with reservations.

"Essentially, colleagues, our budget is driven by an engine which we could control, and that engine is the binding arbitration process. Basically, this budget has been driven by the inevitable consequences of some in this Chamber passing binding arbitration for public worker unions just a few years ago. Even though we've got a booming economy, and I would agree that all of us would attest to that, we have the lowest unemployment rate in the nation and we have record tax revenues, we can't pass tax relief. Many of the people in this state are going without so that we can help a favored few, and that is wrong.

"Right now, our budget process is driven by the employees. We've become an employee centric government. No business can be run in a proper manner if it is employee centric. I would agree that we need to take care of our employees, we need to pay them fair wages, we need to treat them properly, and I think that we do. But we cannot have a budget that is driven by this particular process. So, until we repeal binding arbitration, we're going to run into this year in and year out.

"So, right now our schools don't have enough text books. Many of our schools cannot have their repair and maintenance backlog eliminated. Many projects will not go forward and it's all being driven by this one factor – binding arbitration.

"So, for those reasons, I will support the final numbers. I realize the Ways and Means people worked very hard, however, I will note my reservations until we repeal binding arbitration. Thank you."

Senator Tsutsui rose to speak in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Mr. President, before I begin, I'd like to commend the Chairman of the Ways and Means Committee for his wisdom and leadership in crafting this very fine measure. I would also like to thank the House Finance Chairman and Vice Chairman, as well as their staff, who worked with us in collaboration to build this measure. And last, but not least, I'd like to thank the members of the Ways and Means Committee and the Ways and Means staff for the many long hours which we put in providing for this very fine bill.

“Mr. President, H.B. No. 100 provides a balanced budget, which is very responsive to the many different needs and requirements of our many small communities throughout our state. It recognizes the importance of the pressing needs for education, the ice epidemic, and ensuring a sustainable future for our children. It continues to support educational system reforms enacted by this Legislature last year in Act 51. It continues efforts to stem the ice epidemic by providing the resources necessary established in Act 40. It also provides funding for homeless programs and the general assistance population. It ensures that valuable green space will be preserved and protected for future generations.

“Mr. President, this measure also supports the needs of our University of Hawaii system. It assists the counties by providing monies to maintain the road systems, and it honors the sacrifices being made by our men and women of the Hawaii National Guard.

“Mr. President, this measure does this, as well as a lot more. And for those reasons, I encourage all of my colleagues to support H.B. No. 100.

“Thank you, Mr. President.”

Senator Sakamoto rose in support of the measure and said:

“Mr. President, I rise in support of this measure and echo the comments for the Ways and Means and Finance Chairs and for all who participated in this document, which is basically all of us including both sides of the aisle.

“I think this document in itself underlies many, many measures that we passed and we’re going to hear about on this Floor today in many areas. Mr. President, rather than rise up on 40 measures – and some of our colleagues in here will rise up to elaborate on some of those – I’d like to take a few minutes to talk about hope and a future, as opposed to doom and gloom, and the hope and the future in many of these measures.

“In the housing arena, S.B. No. 179 is the housing omnibus bill. S.B. No. 117 will enable HDCH to update some of their past contracts so we can be more efficient. H.B. No. 931 helps to deal with sustainable affordable housing. H.B. No. 19 deals with the university system and student housing. Those measures together certainly will help us move forward in housing and there will be a legislative effort to continue that so we can continue that effort.

“In transportation, those who lament about a half percent tax, I lament about when it was a 90/10 federal match, the bride ran away from the bridal party and we lost out. When it was 80/20, the bridesmaids and the groomsmen had cold feet and ran away from the bridal party when it was 80/20 match. Now we’re not even sure if we get a 50/50 match, but all of us ask our communities, even if you live in Hawaii Kai or points east or points west, do we need transit solutions? We need solutions. We need to do the heavy lifting and take the criticism of others, but I’m glad we’re going to do something. Graduated driver’s license, H.B. No. 150, let’s make our roads safer.

“In the health arena, we have continued efforts in H.B. No. 1304 with a task force. And some people say, why do task forces? That’s because we need all parties to get together and not just some parties, not just the fifth floor party, but we need the stakeholders . . .”

Senator Hemmings interjected:

“Point of order, Mr. President.

“I believe we’re discussing the state budget and the present speaker is addressing numerous issues on the agenda that we’ll have an opportunity to speak to in the future.”

President Bunda then said:

“Senator Sakamoto, could you keep your comments to H.B. No. 100, please.”

Senator Sakamoto continued:

“My belief is that H.B. No. 100 undergirds each of these measures and I heard conversation about many of these measures just a few minutes ago. I don’t believe that we should necessarily ignore all of these other measures, because as everyone notes, this budget, H.B. No. 100, and all of these measures are tied together. Most of these have a Ways and Means referral. They could have been in the budget. They could be in a bill. But I’ll go quickly, but I’m not going to stop here.

“Whether it’s things related to equal pay, it relates to the budget. Things related to small business set asides relates to the budget. Things related to unemployment compensation or unemployment benefits, whether it deals with social security and pension, deals with the budget. Things with minimum wage deal with the budget. The Reed Act funds for workforce development deals with the budget and employment – all group things. Some things could have been better, but they’re all there.

“Drugs, yes, as mentioned by the previous speaker, this bill includes treatment money. Also, we passed here in this Body, DNA testing, sex offender, forfeiture of vehicles, Pseudoephedrine.

“Procurement – we need to continue to look at that. At least we’re dealing with some things where the state government maybe had a heavy hand with architects/engineers.

“Education – a whole flurry of issues. I’ll speak to that later.

“Sustainability – I think our Senator on the right will speak to things or several of them. Invasive species, plans for the future, legacy lands, cruise ships, rural lands, ag lands, and all of these, to me, do tie to the budget, do tie to a hope and a future.

“Energy/environment – renewable energy, net energy, alternative fuels . . . campaign spending.

“But I’ll get back to a point that the speaker across the way talked about – balanced and fair pay raises – seemingly saying. Another speaker talked about employee centric. I believe we need to be people centric, not profit centric. And I believe what has driven a lot of this conversation on why pay raises were what they were, not bargained by us on this Floor but bargained by somebody else on the fifth floor, was 9/11 – not September 11, but the 9/11 that’s coming forward at the UHPA pay raises. Any knowledgeable person would know if you said 9 percent, 11 percent out there in future raises for any unit, any other bargaining unit, is not blind to that. So that, in my opinion, has driven where we are today. And it’s not about arbitration in itself. It’s about who said what target, and how we’re going to get there.

“So Mr. President, thank you for allowing me to continue to speak. I urge us all to look at the big picture because we have hope and a future.”

Senator Slom rose to speak in opposition to the measure and stated:

“Mr. President, I rise in opposition to this budget.

“I was going to support the budget with reservations until I heard the last speaker who has convinced me that if we can’t even keep on track and keep talking about the one bill that we’re supposed to be talking about instead of all the other bills on the agenda, that there is something suspect about this budget.

“I also regard with great respect the wonderful and stoic words of the Judiciary Chair who has always told me before that ‘w/r’ stands for ‘wimpy Republican.’ So, I’m going to go full down ‘no’ on the bill.

“And to the good Senator from Moanalua, I’ve never been a bridesmaid and I’ve never run away from anything in my life, even illusory federal grants that were promised by a member of our congressional delegation that every time he has something to say here, he says something different, but let’s stick to the budget.

“As the Minority Leader said, it’s difficult when you’re put in a position when you’ve worked long hours, you’ve been to all the meetings, you’ve heard all the discussions and the testimony, you’ve read all the items – 1,104 pages of line items that we did night, after night, after night – to vote against the whole thing because some things are not good, some things are actually bad. But I think what it comes down to is this – how I have to look people in the eye, not only short term but long term. And I’m also a person who has hope in the future. It’s the present that’s a little difficult right now.

“This budget is driven solely by public employee costs. Whether they were arbitrated, whether they were negotiated, the point of fact is, as I’ve said before, that’s basically what we’re here for – just to give salary increases to other people. And in so doing, we have to tell other organizations and other individuals no, we don’t have the money to do that. The money is not in the budget.

“So, looking at the budget as a whole, first of all it’s called the executive budget but it doesn’t bear that much identity to the budget that was originally submitted by the executive. It is bigger. It is plumper. It is different in terms of where monies come from, where monies go. And as the Minority Leader had stated, a number of programs will not be funded by this budget or by any other auxiliary legislation because, as we told people during Conferences, we just don’t have the money. Well, we do have the money. The money has gone to the salary increases whether, again, negotiated or arbitrated.

“I happen to agree with the Minority Floor Leader that the arbitration process, if anything, is going to be doom and gloom. It’s going to spell our fiscal doom in the future if we don’t change it.

“I’ve spoken before about how most members of this Body in the Majority Party did a 180 degree turn on that issue when we changed from a Democrat Governor to a Republican Governor. The issue didn’t change, the individuals changed, with again the exception of the Judiciary Chair.

“When we look at this budget specifically, item by item, line by line, we find that programs that will suffer will be in the Attorney General’s Office, the Department of Public Safety, various health bills, various Department of Education bills. We note, also, that while there’s talk about a balanced budget, this really is not a balanced budget and we don’t have a six-year

plan for a balanced budget in the future that has not come from Finance or Ways and Means.

“We also have some bizarre points in this budget. Section 126 states that for the first time, proceeds from any sales or dispositions of public lands will reimburse the general fund for the Department of Education’s expenditures. What’s the nexus? What’s the relationship? To our knowledge, there has never been a proviso like that before.

“There are also several provisos that aim at eliminating executive positions in various executive departments. And there’s an interesting provision in the budget that now assesses a \$10,000 fine for departments for each business day that a report is late. I’ve been one that’s called on departments in the past to make sure that in fact they do get their reports in on time, but this is kind of unusual – a \$10,000 fine per day – where will the money come from? It will come out of the general fund and then these departments will come before us the next year asking for an emergency appropriation – emergency being the most popular word in the budget. We always have emergencies. They’ll ask for the money right back, so we’ll take it from the general fund and give it back to the general fund.

“I think the main problem is that this budget really started from a point of what we had to do for a certain class of people, as the Minority Floor Leader specified, and then we work from there telling other people ‘no.’

“And so, while I would like to support the budget and while I’ve supported it up to this point, I’m going to cast a ‘no’ vote because when people ask me the rest of this year, next year, and the following year, what did we really do for them, all I can say is we raised your taxes, we raised your cost of living, we didn’t give you any tax relief, and unless you’re in the chosen class, you got no benefit, you didn’t get any raises or anything else. It will be a much more rational position.

“Thank you, Mr. President.”

Senator Kanno rose to speak in support of the measure as follows:

“Mr. President, I rise to speak in support.

“Mr. President, I want to start off by commending the efforts of the Ways and Means Chair and staff on doing a credible job on the budget. I’d like to address the comments on binding arbitration.

“The Governor has spoken out against the binding arbitration award, claiming that the arbitrator made many mistakes in formulating the award, including inappropriately considering the wages paid to employees outside of the state. She has also intimated that the award is indicative of a trend of binding arbitration that results in totally depleting state revenue increases in order to pay for collective bargaining salary increases.

“The Governor’s criticism of the arbitrator’s deliberations is misplaced. The Hawaii Revised Statutes specifically provides that a factor proper for the arbitrator’s consideration is the comparison of wages, hours, and conditions of employment of the employees involved in arbitration . . .”

Senator Whalen interjected:

“Excuse me. Point of order, Mr. President.

"I hate to beat this dead dog, but I believe the issue is the budget and the comments made by some of the Minority members were that the budget was driven by a binding arbitration. There wasn't a huge discussion about what the Governor said.

"In this particular speech that's being delivered, it's quoting from the Governor and debating the Governor, who, as far as I know, is not a State Senator. So, if he could stick to the budget, I would leave that . . ."

The Chair interjected:

"Senator Kanno will get to the point. Senator Kanno, will you please proceed."

Senator Kanno continued:

"The wages, hours and conditions of employment of other persons performing similar services in other state and county . . ."

Senator Whalen rose again on a point of order and stated:

"Mr. President, point of order.

"Was that a ruling that he is in order?"

President Bunda replied:

"He is in order, and I will allow him to continue and formulate his speech and he will get around to the point of the budget."

Senator Whalen then said:

"Thank you, Mr. President."

Senator Kanno continued as follows:

"Additionally, that same statute also authorizes the arbitrator to consider any other factors that are commonly utilized in determining wages, hours and conditions of employment in collective bargaining, mediation, or arbitration in public employment. Therefore, if the examination of wages of other employees performing services similar to the HGEA employees outside of Hawaii was warranted, the arbitrator could have properly considered this.

"The Governor has not similarly attacked comparable pay increases that have also recently been authorized by the Governor for other bargaining units, including a 9.5 percent pay increase over the next two years for teachers, an arbitration award of a 2 percent increase every six months over a period of two years for firefighters, and an arbitration award of 16 percent over a period of four years for police officers.

"The pay increases provided in this measure for HGEA employees is completely in line with those provided for these units. Additionally, the Governor orchestrated the unprecedented agreement with the University of Hawaii Professional Assembly, which provided for a 31 percent increase over a six-year period. Within the UHPA agreement, year four yields a 5 percent increase of which the state is responsible for 4 percent. Year five yields a 9 percent increase of which the state is responsible for 6 percent. And year six yields an 11 percent increase of which the state is responsible for 8 percent. Although the university will bear a portion of the cost in years four through six, the state is responsible for the majority of the increase and they are greater than the HGEA raises.

"Mr. President, these numbers demonstrate that the HGEA raises are not in any manner extraordinary. Indeed it is the Governor herself who set the bar in the 4 to 5 percent range for salary increases through negotiations and the approval of arbitrated agreements with other bargaining units.

"Finally, and most importantly, the HGEA employees deserve the pay increases. They provide valuable services essential to the continued provision of effective and efficient government operations, and we must always endeavor to properly compensate these dedicated public servants in recognition of their hard work and commitment. Mr. President, this measure represents a fair award for adequately compensating our valued state employees.

"My comments here are to address the comments made earlier about binding arbitration. I urge my colleagues to support the budget. Thank you."

Senator Hooser rose to speak in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"I'd like to preface my remarks, Mr. President, by offering my appreciation and thanks to the Ways and Means Chair, the staff, and the Vice Chair for all the hard work and good work they did and recognize the challenge of putting such a budget together.

"Mr. President, I'll just say briefly that when the people in my community ask me what's in the budget for them, what did I do for them, what good things for the State of Hawaii are in this budget, I have quite a bit to say. But I won't say it all right now in the interest of time, but I'll tell my constituents, Mr. President, that in this budget there's a homeless shelter on Kauai. There's \$1.5 million worth of affordable for the people in Hana on Maui. There's another million dollars in the budget for affordable housing in my district.

"There's money in this budget, Mr. President, hard-earned, well-deserved money to pay our teachers more and give them the raises they deserve to allow us to hire and retain additional teachers, which is so important to our public education system. There's millions of dollars, hundreds of millions of dollars in this budget that will go toward repairing and maintaining our schools in the fashion that they deserve to be.

"There's money in this budget, Mr. President, \$3 million to repair and maintain existing public housing. There's money in the budget for homeless services on the Leeward Coast. There's money in the budget – it goes on and on – for water projects, much needed projects statewide.

"There are far too many good things in this budget to go on, Mr. President, but I'll, just for the record, say that I, for one, have no problems supporting this budget and supporting the many, many good measures that are contained within.

"So, I encourage my colleagues to vote in support."

Senator Chun Oakland rose to support the measure as follows:

"Mr. President, I stand in support of this measure.

"I also would like to thank the Ways and Means Committee, the staff, and the House for putting together what I think is very supportive of the human services area. We in great part have approved what the Department of Human Services had



requested, and I'd like to just go over very briefly what is contained in this budget with regards to this.

"In the area of vocational rehabilitation we have about \$18 million that help people become rehabilitated. Either through no fault of their own, something happens, they get injured and can get services to get into a new career. We have in the child welfare services area, which is to protect children, about \$50 million. We have in the area of early childhood education, childcare services, \$67 million. In the area where we want to support our young people through youth services, we have about \$20 million. In the area of elders, where we want to support those that are aged, blind, and disabled, we have about \$16 million. And in the area of the people that are in public assistance, we have about \$118 million dedicated to them. In the area of homeless services, which I think is growing continuously, we have \$8.5 million included just in homeless. And there are many other budget areas that fall within the purview of the Consumer Protection and Housing Committee, millions of dollars, with regards to supporting affordable housing.

"So I really appreciate everyone that has worked on this and support this measure. Thank you."

Senator Hee rose in support of the measure and stated:

"Mr. President, I rise in support of this budget.

"Just briefly, I want to thank the Committee on Ways and Means and its staff, as well as our counterpart in the House, for providing the university with approximately \$1.3 billion in operating money for responding to the flooding that occurred prior to this Session; for providing \$100 million to rebuild dormitories at the University of Hawaii and at the University of Hawaii at Hilo; for providing \$20 million for a new science and technology center at the University of Hawaii at Hilo; for providing \$2 million for the Hawaiian studies building for planning and design; and providing \$18 million for a new campus to be called the Hawaii Community College Campus. These are but a few things that the Committee on Ways and Means saw fit to respond to the needs of higher education, the only public institution of higher education in the state.

"In addition to this, the Committee on Ways and Means and the House Finance Committee provided money for each community college at all 10 campuses statewide, as well as West Oahu Campus.

"I'm indebted to the Committee on Ways and Means and look forward to voting 'yes.' Thank you, Mr. President."

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I, too, rise in support of this measure.

"Like my colleague, the Chair of the Committee on Human Services, I, too, want to thank the Ways and Means Committee for their consideration. For many years we've tried to get funding for the uninsured embedded into the base budget so hopefully the administration will ask for those funds on an ongoing basis. This year we were successful thanks in large measure to the support we received from our Committee on Ways and Means and the Committee on Finance.

"Additionally, the community hospitals, the Hawaii Healthcare System is included in a fair fashion in this budget. In addition, we've included the money for the very important task of trying to treat and deter folks from substance abuse. Treatment and prevention funds are in the base budget, and

hopefully the administration will include it in their future budgets. There are important matters like emergency medical services that are also taken care of by this budget. The most fragile and vulnerable populations helped by the Department of Health's budget, those children with mental illnesses and adults with mental illness, are all taken care of by this budget.

"Certainly there are other things that I would have liked to have seen included. As the Health Chair, you always wish for more resources than might be possible. But I think this budget makes not only a good faith effort to take care of the public health concerns in our state, but does so in a fair and compassionate manner.

"I appreciate working with budget analyst Serene Chew. She is a wealth of information. She made my job a lot easier, and she found those important items in the budget and advocated for their retention. So, I know that the quality of the staff that Ways and Means has is admirable and I hope she'll be able to return to continue to work in this particular subject matter area.

"I want to commend all of my colleagues in this Body and our sister Body across the way who worked very diligently on this budget, and I urge my colleagues to support it."

Senator English rose in support of the measure as follows:

"Mr. President, I rise in support of the measure.

"I, too, would like to add my thanks and appreciation to the Ways and Means Committee and to our counterpart in the House for considering and keeping in their consideration the neighbor islands. I have four islands in my district, Mr. President – Lana'i, Moloka'i, Kaho'olawe, and East and Upcountry Maui. Oftentimes, because of the population base in these areas, it's very easy to say that we should move something to Central Oahu or something to Downtown Oahu or somewhere else because of the population. But this budget is really very fair to these islands.

"I want to point out some of the things that are in here for Moloka'i and Lana'i and for Hana. It was already mentioned that we have a \$1.5 million appropriation for affordable housing in Hana where I'm from, and this is very important because we have a very, very acute housing shortage in East Maui. This won't take care of the whole thing, but we have land donated, we have others that are coming to the plate, and through a team effort, this appropriation will be the fuel that's needed to get affordable housing moving in East Maui. For that, I am most grateful.

"For \$1.6 million to the Moloka'i General Hospital for its second phase of improvements – it's the only hospital on the island; it provides all the care for the people on Moloka'i – they are most grateful for this. For Lana'i, for the improvements to Manele Harbor with the huge federal match, this will help us with ferry service inter-island. This is not the 'Super Ferry.' This is 'The Ferry' for the people between Moloka'i, Lana'i and Maui, and it's very important for local traffic. For Upcountry – for helping Hui Noeau with their land purchase. It's a major, major piece of support, and the people there are very grateful.

"So, I just wanted to express this to the members of the Committee, to the Chair and the Vice Chair, and to all of you for supporting these small neighbor islands. They're very important to us. It's very dear to me and very important to the people living there. For that, thank you."

Senator Kokubun rose to speak in support and said:

"Mr. President, I also stand in support of this measure.

"Mr. President, I think this year we had some very, very significant movement in terms of our land use policies for the state. This could not have been accomplished without the agreement by both the Ways and Means Committee and the Finance Committee to provide the necessary funding for these measures to move forward. And for that, I'm very grateful to all the hard work that went in by the Ways and Means Committee and the Finance Committee with respect to this measure.

"Mr. President, we are moving forward on an important agricultural lands bill for the first time since this mandate was instituted by the Constitutional Convention in 1978. I think indeed this is very significant, and it could not have moved forward without the commitment by the money Committees to include those measures in the budget. We also are addressing rural lands, a designation that I think is very important for future land use planning for the State of Hawaii.

"Also, with respect to conservation lands, we have in our CIP budget the purchase or at least the cost sharing on some purchases for very significant lands here in the State of Hawaii, and I think it sets a very positive direction for us.

"The budget also provided funding have money for our sustainable planning effort, which I think is critical and essential for looking forward and providing the preferred future for Hawaii and our future generations.

"Mr. President, there is funding in the budget that is totally supported by the agriculture community for ag research and development. Again, without this kind of support from our Ways and Means Committee and the House Finance Committee, we would not be able to move forward on these very, very important measures. And for that, I'm very grateful.

"I ask all of you to please support this measure. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 100 was adopted and H.B. No. 100, 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, 23. Noes, 2 (Slom, Trimble).

At 11:23 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.

At this time, the President made the following announcement:

"Members, the Governor's Office was in receipt of the budget at 11:32 a.m."

#### FINAL READING

Conf. Com. Rep. No. 23 (S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 23 be adopted and S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Hogue then offered the following amendment (Floor Amendment No. 7) to S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1:

SECTION 1. Senate Bill No. 1772, Senate Draft 1, House Draft 2, Conference Draft 1, is amended by deleting its contents and replacing it with new language, to read as follows:

"SECTION 1. Section 387-2, Hawaii Revised Statutes, is amended to read as follows:

"**§387-2 Minimum wages.** Except as provided in section 387-9 and this section, every employer shall pay to each employee employed by the employer wages at the rate of not less than:

- (1) \$5.25 per hour beginning January 1, 1993;
- (2) \$5.75 per hour beginning January 1, 2002; and
- (3) \$6.25 per hour beginning January 1, 2003.

The hourly wage of a tipped employee may be deemed to be increased on account of tips if the employee is paid not less than 25 cents below the applicable minimum wage by the employee's employer and the combined amount the employee receives from the employee's employer and in tips is at least 50 cents more than the applicable minimum wage.

Effective January 1, 2006, the hourly wage of a tipped employee may be deemed to be increased on account of tips if the employee is paid not less than 25 cents below the applicable minimum wage by the employee's employer plus an amount equal to any increase in the minimum wage as of January 1, 2006, and the combined amount the employee receives from the employee's employer and in tips is at least 50 cents more than the applicable minimum wage.

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval."

Senator Hogue moved that Floor Amendment No. 7 be adopted, seconded by Senator Trimble.

Senator Hogue rose in support of the amendment and said:

"Mr. President, this floor amendment will offer a tip credit to those employers who have employees who might be affected with a bill that we will have later on. There is a lot of discussion about increasing the minimum wage. I'm going to be voting against that minimum wage increase.

"However, I think it should be noted that approximately 2/3 of those who receive the minimum wage in this state are restaurant workers, and I think if we're going to even think about raising the minimum wage, we should think about comparably raising the tip credit otherwise many of these restaurant workers are going to be put out of work. Many of them are going to end up being laid off and I just think it's unconscionable that this measure has not been able to move forward and I think this gives us an opportunity to move this forward.

"So, a tip credit is in order. It is noted in this bill. It is noted that if the minimum wage would go up, the tip credit would go up comparably, and so I urge all of the members here to support this amendment.

"Thank you."

Senator English rose on a point of inquiry as follows:

"Mr. President, point of inquiry.

"May I ask the maker of the motion, what was the original content of the bill that they are gutting and replacing this with?"

The President posed the question and Senator Hogue responded:

"Mr. President, this is the Related to Employers bill and we have added language to that particular bill. We have added

language to a bill that frankly we did not agree with the related to employers bill.”

Senator English rose again on a point of inquiry and said:

“Mr. President, again, point of inquiry.

“The floor amendment says ‘by deleting its contents and replacing with new language.’ The question was, what was the language that was deleted? Because they deleted it in its entirety and replaced it with this.”

Senator Hogue rose in response and stated:

“Mr. President, if you refer to S.B. No. 1772, you can see a bill related to employers. I could read the original bill if you want to. It goes on in Section 1 talking about finding that many employees at large companies are paid low wages and qualify for government programs. It was the so-called ‘Wal-Mart bill’ that we had a great debate about in the past and I’m not sure that it was necessary for this state anyway. So that particular measure would be tossed by the wayside. It would be replaced by something that we could live with, which is a tip credit.

“It’s obvious that workers here in the state need a tip credit, especially restaurant workers. I don’t think we need to be putting provisions in the bill that have to do with Wal-Mart. There were some sort of problems down in Georgia or something like that. So that part has been taken out and the tip credit has been put in.

“Thank you.”

Senator Kim rose and inquired as follows:

“Mr. President, question to the floor amendment maker – is there a reason why the tip credit wasn’t amended in the minimum wage bill, which is more appropriate than killing a bill, gutting everything that went through conference and went through both Houses, to gut it at this late a date and not amend the minimum wage bill?”

Senator Hogue responded:

“Mr. President, that’s actually a legitimate question and the reason we did it in this one is because we do not agree to a minimum wage increase, and so we are not going to be voting for a bill that we don’t agree with.

“The language in here says, if the minimum wage is increased, there can be a tip credit. That will allow us the opportunity to vote against the minimum wage increase and vote for a tip credit, which I believe many of the members here in this Chamber will agree with.

“Thank you.”

Senator Baker rose to speak in opposition to the amendment and said:

“Mr. President, I rise in opposition to this floor amendment.

“It’s clear from the remarks of the Minority Floor Leader that the intent of this floor amendment is rather disingenuous. They really have no interest in whether tipped workers get a credit because they were going to vote against the minimum wage.

“This Senate passed over to the House an increase in the minimum wage that included a tip credit. I support that. I have lots of restaurant workers in my district and would love nothing

more than to see an increase in the tip credit go forward. But you know, the workings in our Body is a product of compromise, and the House wouldn’t go along, so we don’t have that before us. We’ll keep working on it, I suspect, but I think to gut and replace a bill that addressed a very critical human service need, and I’m sure that the Chair of Human Services will speak to that, is simply not an appropriate vehicle, particularly when the motive behind it is most disingenuous.

“Thank you.”

Senator Kim rose on a point of inquiry as follows:

“Mr. President, another point of inquiry. I would like to ask the Clerk if the House entertained any of these floor amendments and what is the status of that?”

At 11:52 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.

President Bunda then stated:

“Senator Kim, we have no formal official notice from the House regarding this particular measure.”

Senator Hooser rose to oppose the amendment and said:

“Mr. President, I speak in opposition to the amendment.

“First, I’d like to say I find it . . . I don’t want to use the word disingenuous again. It gets used far too much on this Floor, but to put forward an amendment on a bill you intend to kill or vote against later on, I find troubling.

“I’ll speak against the amendment on the substance of the amendment, Mr. President. I’d like the record to show that many states do not allow tip credits. There are seven states – the State of Alaska has a higher minimum wage than Hawaii and they do not allow tip credits; California also has a higher minimum wage than we do and they do not allow tip credits; Oregon, Washington both have higher minimum wages than the State of Hawaii and do not allow tip credits; and several other states do not allow tip credits. The record should reflect that restaurateurs from Alaska, Oregon and Washington are not fleeing the boarders for states like Arkansas, Kentucky or Missouri that do allow the tip credits of up to 50 percent.

“For those reasons and others, I’ll be voting against the amendment.”

Senator Trimble rose to speak in support of the amendment as follows:

“Mr. President, I rise in support of this amendment. I wish to address my comments specifically to those comments of the previous speaker.

“I believe if you’ll check the record, the States of Alaska, Oregon, and Washington also have a much higher rate of unemployment than Hawaii. And the reason why this floor amendment is being offered is so that we don’t go down the same path as those three states you have mentioned. We wish to increase employment among the restaurant workers and that is the purpose behind this floor amendment.

“Thank you, Mr. President.”

Senator Chun Oakland rose to oppose the amendment and said:

"Mr. President, I also rise in opposition to this floor amendment.

"S.B. No. 1772, the original contents of which are being proposed to be deleted would have required that each applicant that is receiving medical assistance identify who their employer is and also required that the Department of Human Services provide an annual report to the Legislature of employers who employ 25 or more beneficiaries of medical assistance.

"We do want to be able to ascertain whether there are employers here in the state that may be actually paying minimum wage or even less than that which causes families to go on public assistance and to be able to monitor that. Thank you."

Senator Ihara rose in opposition to the amendment and stated:

"Mr. President, I rise in opposition to this floor amendment.

"Mr. President, I am in favor of a tip credit. I am not willing to support a tip credit at the expense of the underlying bill. I would have been open to a tip credit in conjunction with the minimum wage bill, but not under these circumstances.

"Thank you."

Senator Kim rose to speak in opposition to the amendment as follows:

"Mr. President, I rise in opposition.

"Mr. President, like the previous speaker, I, too, support the tip credit. Had it been put in the correct bill, I would be voting in favor of it.

"I really don't care what the other states are doing. The fact of the matter is, as the Tourism Chair, many restaurants in Waikiki have called me and have spoken to me about this tip credit and that it's going to affect them. It's going to affect not just what they're going to pay out in wages, but it's going to affect unemployment benefits and it's going to affect all the other taxes that they have to pay. They may have to release some of their employees – that's the fact of the matter. The way the economy is, they may not be able to keep these employees who will get a 25 cents raise, a 50 cents raise. They will lose their jobs entirely.

"So, I had hoped that they had put the amendment in the correct bill. Unfortunately, the way it is, I cannot support it. Thank you."

Senator Slom rose in support of the amendment and said:

"Mr. President, I rise in support of the amendment.

"Everybody talks from the other side about how they support tip credits. But the fact of the matter is that they have a controlling 5 to 1 majority in this and the other House across the way and they have not supported over the last couple of years any change in the tip credit. They have not listened to the restaurateurs who have come down here. So, the issue really is whether or not we really believe in supporting a tip credit, an increase in the tip credit, which by the way is tied to the increase in the minimum wage as the amendment so clearly states.

"I hear a lot of crocodile tears and I'm not as concerned about Alaska or Oregon or anywhere else as I am about the

restaurateurs, some of whom are up in our gallery right now. They get very frustrated because they come down here and they hear this doubletalk that they are being supported and yet the votes are never there and the changes are never made.

"This is an opportunity to do it. I urge my colleagues to support the amendment. Thank you."

Senator Hogue rose and said:

"Mr. President, I request a Roll Call vote.

"If this matter does go down and if in fact the Majority is – what's the opposite of disingenuous? – genuine in their belief that there should be a tip credit, I suggest that they offer up an according floor amendment during today's Session. So, Roll Call vote is suggested. Thank you."

The motion to adopt Floor Amendment No. 7 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 5. Noes, 20 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui).

The motion to adopt Conf. Com. Rep. No. 23 and pass S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1, on Final Reading was then put by the Chair and carried, Conf. Com. Rep. No. 23 was adopted and S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Whalen).

Conf. Com. Rep. No. 148 (H.B. No. 1462, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 148 be adopted and H.B. No. 1462, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Hemmings then offered the following amendment (Floor Amendment No. 8) to H.B. No. 1462, S.D. 1, C.D. 1:

SECTION 1. House Bill No. 1462, Senate Draft 1, Conference Draft 1, is amended by adding a new part to be designated as "Part III", and to renumber subsequent sections, to read as follows:

"PART III.

SECTION 9. Section 383-61, Hawaii Revised Statutes, is amended to read as follows:

"**§383-61 Payment of contributions; wages not included.**

(a) Contributions with respect to wages for employment shall accrue and become payable by each employer for each calendar year in which the employer is subject to this chapter. The contributions shall become due and be paid by each employer to the director of labor and industrial relations for the fund in accordance with ~~[such]~~ the rules as the department of labor and industrial relations may prescribe, and shall not be deducted, in whole or in part, from the wages of individuals in the employer's employ.

(b) Except as provided in subsections (c) ~~[and]~~ (d), and (e), the term "wages" does not include remuneration paid with respect to employment to an individual by an employer during any calendar year which exceeds the average annual wage, rounded to the nearest hundred dollars, for the four calendar quarter period ending on June 30 of the preceding year.

The average annual wage shall be computed as follows: on or before November 30 of each year the total remuneration paid by employers, as reported on contribution reports on or before [such] that date, with respect to all employment during the four consecutive calendar quarters ending on June 30 of [such] that year shall be divided by the average monthly number of individuals performing services in such employment during the same four calendar quarters as reported on [such] the contribution reports and rounded to the nearest hundred dollars.

(c) For calendar years 2005, 2006, and 2007 only, the term "wages" as used in this part does not include remuneration in excess of \$7,000 paid with respect to employment to an individual by an employer. This subsection shall apply only to the contribution rate paid into the unemployment insurance trust fund.

[(e)] (d) For the calendar year 1991 only, the term "wages" does not include remuneration in excess of \$7,000 paid with respect to employment to an individual by an employer.

[(f)] (e) For calendar year 1988 only, the term "wages" as used in this part does not include remuneration paid with respect to employment to an individual by an employer during the calendar year [which] that exceeds:

- (1) One hundred per cent of the average annual wage if the most recently computed ratio of the current reserve fund to the adequate reserve fund prior to that calendar year is equal to or less than .80; or
- (2) Seventy-five per cent of the average annual wage if the most recently computed ratio of the current reserve fund to the adequate reserve fund prior to that calendar year is greater than .80 but less than 1.2; or
- (3) Fifty per cent of the average annual wage if the most recently computed ratio of the current reserve fund to the adequate reserve fund prior to that calendar year is equal to or more than 1.2;

provided that "wages" with respect to which contributions are paid are not less than that part of the remuneration which is subject to tax in accordance with section 3306(b) of the Internal Revenue Code of 1986, as amended.

[(e)] (f) If an employer during any calendar year acquires substantially all the property used in a trade or business, or in a separate unit of a trade or business, of another employer, and after the acquisition employs an individual who prior to the acquisition was employed by the predecessor, then for the purpose of determining whether remuneration in excess of the average annual wages has been paid to the individual for employment, remuneration paid to the individual by the predecessor during the calendar year shall be considered as having been paid by the successor employer. For the purposes of this subsection, the term "employment" includes services constituting employment under any employment security law of another state or of the federal government.

[(f)] (g) Subsections (b) through [(e)] (f) notwithstanding, for the purposes of this part the term "wages" shall include at least that amount of remuneration paid in a calendar year to an individual by an employer or the employer's predecessor with respect to employment during any calendar year which is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund.

[(g)] (h) In accordance with section 303(a)(5) of the Social Security Act, as amended, and section 3304(a)(4) of the Internal Revenue Code of 1986, as amended, any contributions overpaid due to a retroactive reduction in the taxable wage base may be credited against the employer's future contributions upon request by the employer; provided that no employer shall be given a cash refund."

SECTION 10. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored."

SECTION 2. House Bill No. 1462, Senate Draft 1, Conference Draft 1, is amended by amending the effective date

of the Act, and renumbering the section of the bill, to read as follows:

"SECTION 11. This Act shall take effect on July 1, 2005, provided that section 9 shall take effect upon approval."

Senator Hemmings moved that Floor Amendment No. 8 be adopted, seconded by Senator Hogue.

Senator Hemmings rose to speak in favor of the amendment and said:

"Mr. President, first I'd like to preempt any possible discussion about the title of the bill and the appropriateness of this amendment. The title of the bill is 'Relating to the State of Hawaii' and I'd like to think that the title is broad enough to accomplish the purpose of this amendment and that the bill does have two quite different provisions in it. So, certainly the title would accommodate this amendment.

"This is not complicated, Mr. President and colleagues. Actually, when you look at it realistically, and if you wanted to look at it fairly, and you wanted to look at it without biased or political agendas, this is actually a pro-labor bill.

"Right now we have \$400 million in the unemployment compensation fund – way in excess of what is needed for a state enjoying nearly full employment with low unemployment rates.

"Right now, people that are paying the salaries of our employees in the state have to pay workers compensation tax, as you would call it, for the first \$32,500 of wages. This is a simple amendment. It would take that figure down to \$7,000 for a period of three years. What was projected is that they would allow those employers to put back into the economy approximately \$200 million.

"So, I don't quite understand where the opposition is coming from. If \$200 million could be put back in the economy, the question would be – what's going to happen to the money? What are the employers going to do with the money that they don't pay into the workers unemployment reserve fund? Well, I might suggest that they might pay themselves a little bonus for the good job and the risk they've taken for their businesses. They might hire more employees. They might give their workers a pay raise. They might expand their business. They might create another business. They might create opportunities for more people to be employed, the opportunity to expand their economic base, and the opportunity to collect more taxes.

"So, there really is no downside to passing this amendment. And I can't, for the life of me . . . maybe someone from the Majority Party who I know is going to oppose this . . . and by the way, I probably don't need a Roll Call on this, but I'll call for one. I don't understand what the opposition would be. This is a win for everybody.

"This amendment allows labor to have the benefits of more money in the economy. It allows the taxpayers to have a growing economy where more taxes could be collected. It allows employers to have up to \$200 million in the next two or three years to be put back into the economy and into expanding their business, creating more opportunity and prosperity for the workers of Hawaii.

"So, quite frankly, I would appeal to the sense of fair play and common sense of the Majority Party to seriously consider this amendment. Thank you, Mr. President."

The motion to adopt Floor Amendment No. 8 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 5. Noes, 20 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui).

The motion to adopt Conf. Com. Rep. No. 148 and pass H.B. No. 1462, S.D. 1, C.D. 1, on Final Reading was then put by the Chair and carried, Conf. Com. Rep. No. 148 was adopted and H.B. No. 1462, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 149 (H.B. No. 1224, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 149 be adopted and H.B. No. 1224, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Hogue then offered the following amendment (Floor Amendment No. 9) to H.B. No. 1224, S.D. 1, C.D. 1:

SECTION 1. House Bill No. 1224, Senate Draft 1, Conference Draft 1 is amended by amending Section 1 to include the designation "Part I" to the section, to read as follows:

"PART I.

SECTION 1. The legislature finds that the National Conference of State Legislatures estimates that, in 2003, Hawaii lost approximately \$112,000,000 to \$117,000,000 in state and local revenues due to the State's inability to capture tax revenues from electronic commerce transactions. The National Conference of State Legislatures estimates that, by 2008, Hawaii will lose between \$157,000,000 and \$245,500,000 if nothing is done by that time. Hawaii stands to be one of the top ten states in terms of tax revenues lost in electronic commerce transactions.

The legislature also finds that, with regard to the loss in revenues due to the State's inability to tax electronic commerce, Hawaii's situation is not unique. Other states are currently dealing with this very same problem. To this end, the Streamlined Sales Tax Project (Project) is an effort created by state governments, with input from local governments and the private sector, to simplify and modernize the collection and administration of the sales and use taxes. The Project's proposals include tax law simplifications, more efficient administrative procedures, and implementing emerging technologies to substantially reduce the burden of tax collection. The Project's proposals are focused on improving sales and use tax administration systems for both local businesses and remote sellers of all types of commerce. Forty-two states and the District of Columbia are involved in the Project. Nationally, forty-five states and the District of Columbia impose a sales and use tax.

The Project was organized in March 2000, and is conducting its work through a steering committee with co-chairs and a number of work groups. Project participants are generally state revenue department administrators, as well as representatives of state legislatures and local governments. Businesses, including national retailers, trade associations, manufacturers, direct marketers, telecommunications companies, leasing companies, technology companies, printers, accounting firms, and others, have actively participated in the Project by offering expertise

and input, reviewing proposals, suggesting language, and testifying at public hearings.

The goal of the Streamlined Sales Tax Project is to provide the states with a streamlined sales tax system that includes the following key features:

- (1) Uniform definitions within tax laws. Legislatures still choose what is taxable or exempt in their state. However, participating states will agree to use the common definitions for key items in the tax base and will not deviate from these definitions. As states move from their current definitions to the Project's definitions, a certain amount of impact on state revenues is inevitable. However, it is the intent of the Project to provide states with the ability to closely mirror their existing tax bases through common definitions;
- (2) Rate simplification. States will be allowed one state rate and a second state rate in limited circumstances (food and drugs). Each local jurisdiction will be allowed one local rate. A state or local government may not choose to tax telecommunications services, for example, at one rate and all other items of tangible personal property or taxable services at another rate. State and local governments will accept responsibility for notice of rate and boundary changes at restricted times. States will provide an on-line rate/jurisdiction database to simplify rate determinations;
- (3) State level tax administration of all state and local sales and use taxes. Businesses will no longer file tax returns with each local government within which it conducts business in a state. Each state will provide a central point of administration for all state and local sales and use taxes and the distribution of the local taxes to the local governments. A state and its local governments will use common tax bases;
- (4) Uniform sourcing rules. States will have uniform and simple rules for how they will source transactions to state and local governments. The uniform rules will be destination/delivery based and uniform for tangible personal property, digital property, and services. Special sourcing rules will be developed for unique industries;
- (5) Simplified exemption administration for use- and entity-based exemptions. Sellers are relieved of the "good faith" requirements that exist in current law and will not be liable for uncollected tax. Purchasers will be responsible for paying the tax, interest, and penalties for claiming incorrect exemptions. States will have a uniform exemption certificate in paper and electronic form;
- (6) Uniform audit procedures. Sellers who participate in one of the certified Streamlined Sales Tax System technology models will either not be audited or will have limited scope audits, depending on the technology model used. The states may conduct joint audits of large multi-state businesses; and
- (7) State funding of the system. Participating states will apportion costs of a third-party online sales tax collections software system among themselves. It is intended that each state's allocation of costs of the new software system will be paid out of the higher level of tax revenues collected under the Streamlined Sales Tax System Project.

The legislature further finds that the states are also participating in a joint business-government study of the costs of collection on sellers. The Project proposes that states change their sales and use tax laws to conform with the simplifications as proposed by the Project. Thus, the simplifications would apply to all sellers. Sellers who do not have a physical presence or "nexus" are not required to collect sales and use taxes unless Congress chooses to require collection from all sellers for all

types of commerce. Sellers without a physical presence can volunteer to collect under the proposed simplifications. Registration by sellers to voluntarily collect sales and use taxes will not infer that the business must pay business activity taxes, such as the corporate franchise or income tax.

The legislature further finds that the Streamlined Sales Tax Project envisions two components to the legislation necessary to accomplish the Project's goals. First, states would adopt enabling legislation referred to as the Uniform Sales and Use Tax Administration Act ("Act"). The Act allows the State to enter into an agreement with one or more states to simplify and modernize sales and use tax administration in order to reduce the burden of tax compliance for all sellers and all types of commerce.

According to the Project, states would amend or modify their sales and use tax laws to achieve the simplifications and uniformity required by the participating states working together. The Project refers to this legislation as the Streamlined Sales and Use Tax Agreement ("Agreement"). Some states will require only minor changes to current law to implement the requirements of the Agreement. Other states with more complicated sales tax laws may require significant changes to current law to be in accord with the Agreement.

In Hawaii, the legislature finds that few amendments are needed to the State's existing general excise and use tax laws to comply with the requirements of the Agreement and Act. The legislature further finds that, with the amendments contained in this Act, Hawaii will have conformed in most respects to the seven key features described above. The legislature intends that passage of this Act meets the threshold requirements for Hawaii to petition for a certificate of compliance and membership under the Agreement.

A certificate of compliance would document each state's compliance with the provisions of the Agreement and cite applicable statutes, rules or regulations, or other authorities supporting such compliance. Public notice and comment will be provided before a state becomes part of the interstate Agreement. A state is in compliance with the Agreement if the effect of the state's laws, rules or regulations, and policies is substantially compliant with each of the requirements of the Agreement. If a state is found to be out of compliance with the Agreement, it will not be accepted into the interstate Agreement or will be sanctioned or expelled by the other participating states. In a voluntary system, sellers who are voluntarily collecting sales taxes for participating states may decide to no longer collect for the expelled state. Also, that state may not have a vote on changes in the Agreement.

Under the Agreement, a governing board will be comprised of representatives of each member state of the Agreement. Each member state is entitled to one vote on the governing board. The governing board is responsible for interpretations of the Agreement, amendments to the Agreement, and issue resolution. A State and Local Government Advisory Council and a Business and Taxpayer Advisory Council from the private sector will advise the governing board.

On November 12, 2002, thirty states and the District of Columbia approved the interstate Agreement provisions. As of April 2004, twenty states have moved forward and enacted all or part of the conforming legislation. It is anticipated that states that enacted the conforming legislation and are found to be in compliance with the Agreement will continue as the governing states of the interstate Agreement of the future."

SECTION 2. House Bill No. 1224, Senate Draft 1, Conference Draft 1 is amended by adding a new part to be designated as "Part II" to read as follows:

"PART II.

SECTION 9. This part aims to provide income tax relief for lower-income individuals by raising the Hawaii standard

deduction to approximately one-half of the 2004 federal standard deduction over a three-year period.

SECTION 10. Section 235-2.4, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Section 63 (with respect to taxable income defined) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that the standard deduction amount in section 63(c) of the Internal Revenue Code shall instead mean:

- (1) For taxable years before January 1, 2006:
  - ~~(A)~~ (A) \$1,900 in the case of:
    - ~~(A)~~ (i) A joint return as provided by section 235-93; or
    - ~~(B)~~ (ii) A surviving spouse (as defined in section 2(a) of the Internal Revenue Code);
  - ~~(2)~~ (B) \$1,650 in the case of a head of household (as defined in section 2(b) of the Internal Revenue Code);
  - ~~(3)~~ (C) \$1,500 in the case of an individual who is not married and who is not a surviving spouse or head of household; or
  - ~~(4)~~ (D) \$950 in the case of a married individual filing a separate return.
- (2) For any taxable year beginning after December 31, 2005 and before January 1, 2007:
  - (A) \$3,000 in the case of:
    - (i) A joint return as provided by section 235-93; or
    - (ii) A surviving spouse (as defined in section 2(a) of the Internal Revenue Code);
  - (B) \$2,300 in the case of a head of household (as defined in section 2(b) of the Internal Revenue Code);
  - (C) \$1,500 in the case of an individual who is not married and who is not a surviving spouse or head of household; or
  - (D) \$1,500 in the case of a married individual filing a separate return.
- (3) For any taxable year beginning after December 31, 2006 and before January 1, 2008:
  - (A) \$4,000 in the case of:
    - (i) A joint return as provided by section 235-93; or
    - (ii) A surviving spouse (as defined in section 2(a) of the Internal Revenue Code);
  - (B) \$3,000 in the case of a head of household (as defined in section 2(b) of the Internal Revenue Code);
  - (C) \$2,000 in the case of an individual who is not married and who is not a surviving spouse or head of household; or
  - (D) \$2,000 in the case of a married individual filing a separate return.
- (4) For any taxable year beginning after December 31, 2007 and before January 1, 2009:
  - (A) \$5,000 in the case of:
    - (i) A joint return as provided by section 235-93; or
    - (ii) A surviving spouse (as defined in section 2(a) of the Internal Revenue Code);
  - (B) \$3,650 in the case of a head of household (as defined in section 2(b) of the Internal Revenue Code);
  - (C) \$2,500 in the case of an individual who is not married and who is not a surviving spouse or head of household; or
  - (D) \$2,500 in the case of a married individual filing a separate return.

Section 63(c)(4) shall not be operative in this State. Section 63(c)(5) shall be operative, except that the limitation on basic standard deduction in the case of certain dependents shall be the greater of \$500 or such individual's earned income. Section

63(f) shall not be operative in this State. The standard deduction amount for nonresidents shall be calculated pursuant to section 235-5.”

SECTION 3. House Bill No. 1224, Senate Draft 1, Conference Draft 1 is amended by renumbering the subsequent sections and amending the original section 10 to read as follows:

“SECTION 11. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 12. This Act shall take effect upon its approval; provided that section 7 shall take effect on July 1, 2005 and Part II shall apply to taxable years beginning after December 31, 2005.”

Senator Hogue moved that Floor Amendment No. 9 be adopted, seconded by Senator Trimble.

Senator Hogue rose in support of the amendment and said:

“Mr. President, I remember at the beginning of this particular Session in your remarks to this esteemed Body and to the members of the State of Hawaii, you talked about tax relief. Here is an opportunity for you and the members of your party to follow through on that pledge by increasing the amount of the standard deduction.

“I want to read just a little bit of an article that was written in the Star-Bulletin. It says, ‘For taxpayers in at least a half-dozen states from Alabama to Hawaii, next month’s tax bill will likely take a bigger bite than last year’s because legislators don’t account for inflation when they craft tax law. Hawaii hasn’t had a change to the standard deduction allowed for taxpayers – now among the lowest in the nation – since 1989. The problem is that governments in those states do not automatically increase their standard deduction along with inflation, leaving middle- and lower-income taxpayers with bills that have grown steadily for years. It’s a built-in tax increase,’ says the article.

“Well, this particular amendment goes against that trend and actually moves the standard deduction towards what the federal standard deduction is. In fact it moves it to approximately one-half of the 2004 federal standard deduction over a three-year period.

“So, I think if in fact the Majority Party was genuine in its comments at the beginning of this year, we should provide tax relief to the beleaguered taxpayers of the State of Hawaii, and I urge all of my colleagues to vote ‘yes’ on this amendment.

“Thank you. Mr. President, Roll Call vote.”

The motion to adopt Floor Amendment No. 9 was put by the Chair and, Roll Call vote having been requested, failed to carry on the following Ayes and Noes:

Ayes, 5. Noes, 20 (Baker, Bunda, Chun Oakland, English, Espero, Fukunaga, Hanabusa, Hee, Hooser, Ige, Ihara, Inouye, Kanno, Kim, Kokubun, Menor, Nishihara, Sakamoto, Taniguchi, Tsutsui).

The motion to adopt Conf. Com. Rep. No. 149 and pass H.B. No. 1224, S.D. 1, C.D. 1, on Final Reading was then put by the Chair and carried, Conf. Com. Rep. No. 149 was adopted and H.B. No. 1224, S.D. 1, 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, 22. Noes, none. Excused, 3 (Hemmings, Hogue, Slom).

At 12:10 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.

#### RECOMMITTAL OF A SENATE BILL

Conf. Com. Rep. No. 128 (S.B. No. 935, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 128 and S.B. No. 935, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC WORKS,” were recommitted to the Committee on Conference.

#### FINAL READING

#### MATTERS DEFERRED FROM FRIDAY, APRIL 29, 2005

S.B. No. 460, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 460, and S.B. No. 460, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAX REFUNDS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 834, S.D. 2, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 834, S.D. 2, and S.B. No. 834, 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. 1336, S.D. 1, H.D. 1:

On motion by Senator Menor, seconded by Senator Hanabusa and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1336, S.D. 1, and S.B. No. 1336, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTER DEFERRED FROM THURSDAY, APRIL 28, 2005

Conf. Com. Rep. No. 2 (S.B. No. 77, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Espero and carried, Conf. Com. Rep. No. 2 was adopted and S.B. No. 77, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY,” having been read



throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTERS DEFERRED FROM FRIDAY, APRIL 29, 2005

Conf. Com. Rep. No. 7 (S.B. No. 1003, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Menor and carried, Conf. Com. Rep. No. 7 was adopted and S.B. No. 1003, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NET ENERGY METERING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 8 (S.B. No. 1903, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator English and carried, Conf. Com. Rep. No. 8 was adopted and S.B. No. 1903, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEAWATER AIR CONDITIONING," 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. 9 (S.B. No. 76, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Espero and carried, Conf. Com. Rep. No. 9 was adopted and S.B. No. 76, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 10 (S.B. No. 1378, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Espero, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 10 was adopted and S.B. No. 1378, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEARL HARBOR HISTORIC TRAIL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (S.B. No. 700, 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. 11 was adopted and S.B. No. 700, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (S.B. No. 1253, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, Conf. Com. Rep. No. 13 was adopted and S.B. No. 1253, 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, 25. Noes, none.

Conf. Com. Rep. No. 14 (S.B. No. 1685, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 14 was adopted and S.B. No. 1685, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 16 (S.B. No. 639, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Menor and carried, Conf. Com. Rep. No. 16 was adopted and S.B. No. 639, S.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 18 (S.B. No. 754, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 18 was adopted and S.B. No. 754, S.D. 1, H.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. 20 (S.B. No. 1349, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 20 was adopted and S.B. No. 1349, S.D. 1, H.D. 1, C.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, 25. Noes, none.

Conf. Com. Rep. No. 22 (S.B. No. 1018, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 22 was adopted and S.B. No. 1018, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 25 (S.B. No. 1427, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 25 was adopted and S.B. No.

1427, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 28 (S.B. No. 1798, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 28 was adopted and S.B. No. 1798, 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, 25. Noes, none.

Conf. Com. Rep. No. 29 (S.B. No. 1778, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 29 was adopted and S.B. No. 1778, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30 (S.B. No. 1348, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 30 was adopted and S.B. No. 1348, S.D. 1, H.D. 1, C.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, 25. Noes, none.

Conf. Com. Rep. No. 31 (S.B. No. 117, H.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Conf. Com. Rep. No. 31 was adopted and S.B. No. 117, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32 (S.B. No. 1883, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 32 was adopted and S.B. No. 1883, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILOLI FISHERIES MANAGEMENT AREA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (S.B. No. 797, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 34 was adopted and S.B. No. 797, S.D. 1, 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.

Conf. Com. Rep. No. 35 (S.B. No. 1473, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 35 was adopted and S.B. No. 1473, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 36 (S.B. No. 702, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 36 was adopted and S.B. No. 702, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (S.B. No. 1721, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Espero, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 37 was adopted and S.B. No. 1721, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE CULTURAL PUBLIC MARKET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 38 (S.B. No. 556, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 38 was adopted and S.B. No. 556, S.D. 2, H.D. 2, C.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, 25. Noes, none.

Conf. Com. Rep. No. 39 (S.B. No. 1796, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Conf. Com. Rep. No. 39 was adopted and S.B. No. 1796, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (S.B. No. 118, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Menor and carried, Conf. Com. Rep. No. 41 was adopted and S.B. No. 118, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43 (S.B. No. 1285, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 43 was adopted and S.B. No. 1285, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 46 (S.B. No. 1702, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Espero and carried, Conf. Com. Rep. No. 46 was adopted and S.B. No. 1702, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47 (S.B. No. 1362, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Espero and carried, Conf. Com. Rep. No. 47 was adopted and S.B. No. 1362, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 48 (S.B. No. 1876, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 48 was adopted and S.B. No. 1876, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

#### MATTERS DEFERRED FROM FRIDAY, APRIL 29, 2005

Conf. Com. Rep. No. 51 (H.B. No. 295, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Menor and carried, Conf. Com. Rep. No. 51 was adopted and H.B. No. 295, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53 (H.B. No. 606, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 606, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (H.B. No. 712, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 54 was adopted and H.B. No. 712, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CHAPTER 6E," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55 (H.B. No. 864, S.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 55 was adopted and H.B. No. 864, S.D. 1, C.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, 25. Noes, none.

#### FINAL READING

Conf. Com. Rep. No. 58 (H.B. No. 1550, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Baker and carried, Conf. Com. Rep. No. 58 was adopted and H.B. No. 1550, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (H.B. No. 769, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 61 was adopted and H.B. No. 769, H.D. 3, 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, 25. Noes, none.

Conf. Com. Rep. No. 64 (H.B. No. 502, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 64 was adopted and H.B. No. 502, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 65 (H.B. No. 551, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Ige, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 65 was adopted and H.B. No. 551, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 67 (H.B. No. 1709, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Conf. Com. Rep. No. 67 was adopted and H.B. No. 1709, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (H.B. No. 125, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Hooser and carried, Conf. Com. Rep. No. 68 was adopted and H.B. No. 125, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (H.B. No. 1295, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 69 was adopted and H.B. No. 1295, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (H.B. No. 164, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 71 was adopted and H.B. No. 164, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72 (H.B. No. 477, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 72 was adopted and H.B. No. 477, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73 (H.B. No. 785, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 73 was adopted and H.B. No. 785, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74 (H.B. No. 1659, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Hooser and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 1659, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 75 (H.B. No. 1430, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 75 was adopted and H.B. No. 1430, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 77 (H.B. No. 1201, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 77 was adopted and H.B. No. 1201, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78 (H.B. No. 1202, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 1202, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TRESPASSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79 (H.B. No. 320, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator English and carried, Conf. Com. Rep. No. 79 was adopted and H.B. No. 320, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (H.B. No. 806, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Conf. Com. Rep. No. 82 was adopted and H.B. No. 806, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (H.B. No. 408, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 86 was adopted and H.B. No. 408, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88 (H.B. No. 1476, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 88 was adopted and H.B. No. 1476, H.D. 1, 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. 89 (H.B. No. 931, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 89 was adopted and H.B. No. 931, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (H.B. No. 852, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Espero and carried, Conf. Com. Rep. No. 91 was adopted and H.B. No. 852, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT APPROVALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 92 (H.B. No. 1276, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 92 was adopted and H.B. No. 1276, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," 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. 1038, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Hee and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 1038, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROCUREMENT INSTITUTE," 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. 3, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 104 was adopted and S.B. No. 3, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," 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. 791, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 106 was adopted and S.B. No. 791, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 109 (S.B. No. 669, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 109 was adopted and S.B. No. 669, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," 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. 1816, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Baker and carried, Conf. Com. Rep. No. 115 was adopted and S.B. No. 1816, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS," 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. 1661, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 116 was adopted and S.B. No. 1661, S.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 117 (S.B. No. 1394, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Hee and carried, Conf. Com. Rep. No. 117 was adopted and S.B. No. 1394, S.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 120 (S.B. No. 1780, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 120 was adopted and S.B. No. 1780, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 122 (S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 131 (H.B. No. 390, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 131 was adopted and H.B. No. 390, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 153 (S.B. No. 738, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 153 was adopted and S.B. No. 738, S.D. 1, H.D. 1, 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. 154 (S.B. No. 817, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 154 was adopted and S.B. No. 817, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 157 (S.B. No. 1194, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 157 was adopted and S.B. No. 1194, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 162 (H.B. No. 460, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 162 was adopted and H.B. No. 460, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 163 (H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 163 was adopted and H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 169 (H.B. No. 1051, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Menor and carried, Conf. Com. Rep. No. 169 was adopted and H.B. No. 1051, H.D. 2, S.D. 2, C.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, 25. Noes, none.

Conf. Com. Rep. No. 172 (H.B. No. 393, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ige, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 172 was adopted and H.B. No. 393, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 173 (H.B. No. 1017, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Menor and carried, Conf. Com. Rep. No. 173 was adopted and H.B. No. 1017, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," having been read

throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 178 (S.B. No. 1137, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Espero and carried, Conf. Com. Rep. No. 178 was adopted and S.B. No. 1137, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 179 (S.B. No. 1132, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 179 was adopted and S.B. No. 1132, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 181 (S.B. No. 179, S.D. 3, H.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Ige and carried, Conf. Com. Rep. No. 181 was adopted and S.B. No. 179, S.D. 3, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 184 (H.B. No. 1733, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 184 was adopted and H.B. No. 1733, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL EVIDENCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**FINAL READING**

**MATTERS DEFERRED FROM  
FRIDAY, APRIL 29, 2005**

Conf. Com. Rep. No. 4 (S.B. No. 1843, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 4 was adopted and S.B. No. 1843, S.D. 1, H.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 5 (S.B. No. 761, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 5 be adopted and S.B. No. 761, S.D. 2, H.D. 1, C.D. 1, seconded by Senator Menor.

Senator Baker rose and said:

"Mr. President, could I have some remarks submitted in support of S.B. No. 761. Thank you."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of S.B. No. 761.

"This bill will better enable individuals with serious mental illness to access necessary treatment by including four additional disorders within the definition of serious mental illness including obsessive compulsive disorder, dissociative disorder, delusional disorder, and major depression in the 'serious mental illness' definition.

"The Queen's Medical Center, which provides over 50 percent of Oahu's inpatient behavioral health services and 39.5 percent for the State, noted in their testimony in support of this measure that with the expansion of the definition of serious mental illness in this bill, 'access to necessary care will be easier.'

"Mr. President and colleagues, this bill is also supported by the Hawaii Psychiatric Medical Association, the Administration, National Alliance on Mental Illness, Mental Health Association, disability rights groups, consumers, as well as health plans such as HMSA and Kaiser. Although HMSA testified that they already include these disorders in their plan coverage, it's time to codify the practice and put mental health parity in our Statutes. I urge all of you to join in support of this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 5 was adopted and S.B. No. 761, S.D. 2, H.D. 1, 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, 23. Noes, 2 (Slom, Trimble).

Conf. Com. Rep. No. 6 (S.B. No. 122, S.D. 1, H.D. 3, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 6 be adopted and S.B. No. 122, S.D. 1, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Baker rose and said:

"Mr. President, before we leave the bills, I would ask that some remarks that I have prepared for S.B. No. 122 be 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. 122, S.D. 1, H.D. 3, C.D. 1.

"This very important measure is a continuation of our previous efforts to improve patient safety in Hawaii by looking at ways to address systemic issues in our healthcare system. S.B. No. 122 expands the scope of information protected from discovery in civil actions by including information expressed in case review forums. Case review forums give members of the health care profession an opportunity to discuss dangerous or

potentially dangerous procedures or situations. During these discussions, solutions can be developed to prevent these types of situations from occurring in the future. Thus, during case review forums, professionals may freely discuss ways to eliminate these problems and address concerns without fear of civil litigation. This will ultimately provide an atmosphere conducive to educating our physicians, thus providing a safer healthcare system for our citizens.

"I urge you to support S.B. No. 122, S.D. 1, H.D. 3, C.D. 1. Mahalo."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 6 was adopted and S.B. No. 122, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT SAFETY," 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. 15 (S.B. No. 121, H.D. 1, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 15 be adopted and S.B. No. 121, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Slom rose to speak in support of the measure and said:

"Mr. President, I rise in strong support of this measure.

"Thank goodness we have something that we can be proud of during this Session – to allow brewpubs to put their product in recyclable containers rather than restrict them to glass. I think this strikes a blow for small business and certainly for those that imbibe brewery products.

"Thank you."

Senator Baker rose in support of the measure and stated:

"Mr. President, I rise in support of this measure not in the facetious manner of the former speaker, but on behalf of small business microbreweries who are looking to the Legislature as a means of expanding their business by using cans to sell their products for carry out and also to be able to dispense their products in establishments with restaurant licenses.

"We updated this law last year at their request and we made one omission by not including restaurant license. We're fixing it this year. It is something that will help small businesses expand, and I'm disappointed in the previous speaker's remarks.

"Thank you."

Senator Slom rose in rebuttal and said:

"Mr. President, I rise in brief rebuttal.

"I'm so sorry that the Senator from Maui is disappointed. I was not being facetious about the bill. I was being facetious about how this Legislature continues to raise taxes, increase regulations and prohibitions, do everything possible to put out small businesses, put them out of business, to deny people entrance into businesses, and then we pass this one bill and all of the people that are engaged in taxing and regulating and prohibiting rally around this business bill as if it were going to solve our business climate problems.

"So, I strongly support the measure. It is a good measure, but we have done far too many negative things to businesses. And so I think that's what the good Senator from Maui should be most concerned about.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 15 was adopted and S.B. No. 121, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BREWPUB LICENSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 17 (S.B. No. 693, S.D. 1, H.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 17 be adopted and S.B. No. 693, S.D. 1, H.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.

"Colleagues, charitable gift annuities should be used very sparingly. I oppose this measure because I think this bill is going toward the expansion of the marketing of this tool, which would be very limited, and the impact of this tool, we will not see for five, ten, fifteen years. The most likely target of marketing efforts will be the elderly, probably widows whose major asset is their home because of rapidly increasing land values. I suggest that charitable gift annuities, were they to be marketed strongly by the likes of Ronald Rewald, will have a long-term negative impact.

"So I encourage discussion. I encourage your thoughtful review. Today, I'll be voting 'no' on this measure. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 17 was adopted and S.B. No. 693, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE GIFT ANNUITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

Conf. Com. Rep. No. 21 (S.B. No. 1453, S.D. 2, H.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 21 be adopted and S.B. No. 1453, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition and stated:

"Mr. President, I rise in opposition to this bill.

"This bill is a very, very narrowly defined bill. It basically applies to one company and that is the private sewer company in East Honolulu in Hawaii Kai. There was another private sewer company out in the Laie area, but that, I understand, has been sold.



“What basically this bill seeks to do is to impose the public service company tax on the private sewer company even though the Tax Appeal Court had ruled that the private sewer companies at that time, two of them, were not subject to the tax.

“So, what we’re trying to do here, basically, is to interfere with and override the Tax Appeal Court. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 21 was adopted and S.B. No. 1453, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX,” 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. 26 (S.B. No. 1877, H.D. 1, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 26 be adopted and S.B. No. 1877, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“This a continuation of a bad bill that was passed in the previous Session. I think if you look at the functions of the Office of State Planning and the individual sections that are in the Office of State Planning, they are more appropriately located in a different agency. If you look at land use planning, if you look at coastal zone management, if you look at GIS, these functions more appropriately belong in the Department of Land and Natural Resources.

“We didn’t get the point when we passed the original legislation. We don’t get the point today. Thank you, Mr. President.”

Senator Kokubun rose to speak in support of the measure and said:

“Mr. President, I stand in support of this measure.

“Thank you, Mr. President, with respect to the previous speakers notion that these activities of the Office of Planning is more appropriate within the Department of Land of Natural Resources, then I would suggest that the speaker propose those specific amendments. State law now provides that the Office of Planning shall be under the jurisdiction of the Department of Business, Economic Development, and Tourism.

“This bill simply reiterates that in a very clear manner, because as we know, the Administration has attempted to move the Office of Planning to the Department of Land and Natural Resources, administratively, and we have said ‘no, this needs to be done statutorily,’ and that has not been forthcoming.

“Mr. President, for that reason, I ask my colleagues to support this measure. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 26 was adopted and S.B. No. 1877, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Trimble).

Conf. Com. Rep. No. 27 (S.B. No. 956, S.D. 1, H.D. 1, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 27 moved that S.B. No. 956, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Third Reading, seconded by Senator English.

At 12:20 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.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27 was adopted and S.B. No. 956, S.D. 1, H.D. 1, C.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.

At 12:23 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:32 o’clock p.m.

Conf. Com. Rep. No. 33 (S.B. No. 1891, S.D. 2, H.D. 2, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 33 be adopted and S.B. No. 1891, S.D. 2, 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.

“I certainly agree with the calculation of the fees for new increases for commercial boating. I think they’re long overdue and I understand that in fact an agreement has been reached with many of the commercial boaters.

“What I’m troubled about is the discrimination against out-of-state boat owners. That is very specific in the bill and I’m concerned about whether or not that meets constitutional muster and also the interstate commerce clause.

“So I’ll be voting ‘no’ on the bill. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 33 was adopted and S.B. No. 1891, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BOATING,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Slom). Excused, 1 (Inouye).

Conf. Com. Rep. No. 40 (S.B. No. 1100, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 40 be adopted and S.B. No. 1100, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Slom rose in opposition and stated:

“Mr. President, I rise also in opposition to this bill.

“While I certainly want to do everything possible to eliminate the scourge of drug use, I think that we tend to go overboard. We’re doing that in the situation with terrorism at the airports and with various laws and now we seek to have a law that basically restricts, limits, or makes criminals and a presumption of guilt to those people that are buying a common household pharmaceutical item, so I’ll be opposing it.

“Thank you.”

Senator Baker rose to speak in support of the measure and said:

“Mr. President, I rise in support of this measure.

“Mr. President, this is a modest but important step forward, I believe, in eliminating the manufacture and use of crystal methamphetamine or ice in our state. Cold medicines containing pseudoephedrine are a key ingredient in the clandestine manufacture of ice.

“In calendar year 2004, the Narcotics Enforcement Division reported busting 15 meth labs – 9 on Oahu, 6 on the Big Island. In just 3 months of this year, NED has already eliminated 10 labs – 8 on Oahu, 1 on Kauai, and 1 in Kona. Unfortunately, they traced these drugs back to retail outlets where the drugs were acquired but not legally. They’re being stolen, quite frankly. But the problem is growing and we need the tools evident in this measure to bolster our efforts.

“I’d like to thank the Division of Narcotics Enforcement and particularly its head, Mr. Kamita, for assisting the Committee as we worked through the chasm between the various versions of this measure. The House and Senate were virtually poles apart, but we have come together with a measure that I think will assist in the war against ice.

“Limiting the purchase of these cold medicines to 9 grams or 3 packages per purchase without a prescription and limiting or monitoring retail access is another prudent way to reduce the availability of ice’s main ingredients for clandestine labs.

“Almost half the states in this country have adopted some measures to restrict access. Others are considering similar measures to this bill to address the illegal ice manufacturing problem. Early states that adopted, some with more stringent rules, have shown that such approaches as outlined in our bill are successful.

“As one of my constituents put it, ‘we can’t fight a war if we are supplying the other side with ammunition to use against us.’ This bill gives us another tool in that fight and I urge my colleagues to join me in supporting this measure.

“Thank you.”

Senator Hogue rose to speak in support of the measure as follows:

“Mr. President, I rise in support and I agree with the previous speaker on this particular measure.

“The sale of pseudoephedrine, a common over-the-counter cold medicine ingredient, is in fact a very, very troubling part of the whole ice crisis that is now in front of us. We see the usage of ice in all of our communities. We certainly see it in mine, in Kailua and in Kaneohe, and I think that this measure strikes the

right balance of protecting the public and also coming up with safeguards that are necessary for businesses.

“It will allow pseudoephedrine to go behind the counter. We already see sections of a supermarket where they have a pharmacy and they have things behind the counter that are locked away behind a key and this will join that. There’s the opportunity for constant video monitoring or an employee to be present.

“So, I think that this does us good. I think we’ve struck the right balance here. We’re protecting the public and we’re battling ice, which we need to continue to battle.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 40 was adopted and S.B. No. 1100, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 42 (S.B. No. 568, S.D. 1, H.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 42 be adopted and S.B. No. 568, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Tsutsui requested his vote be cast “aye, with reservations,” and the Chair so ordered.

Senator Baker rose to speak on the measure and said:

“Mr. President, may I have remarks inserted into the journal in support of this measure.”

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in support of S.B. No. 568.

“This is an important measure which improves our dental licensure law by providing for the ultimate replacement of our state constructed exam with the adoption of the American Board of Dental Examiners ADEX exam as the standard for licensure. This measure also allows for the licensure of dental specialists. We heard from numerous Kamaaina who now live and practice a dental specialty on the mainland but want to return to Hawaii to practice their specialty. This legislation provides them the opportunity to come home and practice here. This measure will represent a true compromise amongst the Hawaii Board of Dental Examiners and the Hawaii Dental Association on one side, and those supporting licensure by credentials on the other. It honors quality and addresses the immediate concerns regarding the state-constructed exam.

“I urge my colleagues to vote in support of this measure.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 42 was adopted and S.B. No. 568, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DENTISTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

**MATTER DEFERRED FROM  
FRIDAY, APRIL 29, 2005**

Conf. Com. Rep. No. 52 (H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1):

Senator Ige moved that Conf. Com. Rep. No. 52 be adopted and H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Trimble rose in opposition and said:

“Mr. President, I am standing in opposition to this measure.

“I believe that this matter of the length of time that records be kept for 911 calls be left exclusively to the discretion of the counties.

“No information was received about the cost implication for neighbor island counties and the only reason that the city and county testified in favor of it is because they currently maintain a one-year length of records.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 52 was adopted and H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY 911,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

**FINAL READING**

Conf. Com. Rep. No. 57 (H.B. No. 843, H.D. 1, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 57 be adopted and H.B. No. 843, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hogue rose to speak in opposition to the measure and said:

“Mr. President, I rise in opposition to this particular measure.

“I realize that this is enabling legislation to potentially raise the price of school lunch. But when we are already raising taxes, raising salaries, raising the minimum wage – we seem to be raising everything except the tip credit around here – I certainly cannot be in support of raising the price of a school lunch.

“For a medium income family, there’s the possibility, if you had a couple of kids and you didn’t qualify for some of the low income, you could be charged upwards of three or four hundred dollars a year to try to feed your kids. And so for these reasons, I will be voting ‘no.’”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 57 was adopted and H.B. No. 843, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SCHOOL LUNCH,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Ige, Slom).

Conf. Com. Rep. No. 59 (H.B. No. 150, H.D. 2, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 59 be adopted and H.B. No. 150, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senators Taniguchi, English, Ihara, Ige, Kim and Menor requested their votes be cast “aye, with reservations,” and the Chair so ordered.

Senator Slom rose in opposition to the measure and said:

“Mr. President, somebody has to stand up and say ‘no,’ and I’m voting ‘no’ because again, as I’ve said previously, instead of taking those irresponsible teenagers, lawbreaking teenagers, we are once again having legislation that would apply to everyone based solely on their age.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 59 was adopted and H.B. No. 150, H.D. 2, S.D. 2, 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, 23. Noes, 2 (Slom, Whalen).

Conf. Com. Rep. No. 62 (H.B. No. 162, H.D. 2, S.D. 1, C.D. 1):

Senator Espero moved that Conf. Com. Rep. No. 62 be adopted and H.B. No. 162, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Trimble rose to speak with reservations and said:

“Mr. President, I rise to express my reservations.

“Colleagues, I support the measure because I think it will lead to greater competition and lower prices. However, I think that we need to validate this assumption by studying what is the actual impact of having these set-asides.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 62 was adopted and H.B. No. 162, H.D. 2, S.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, 25. Noes, none.

Conf. Com. Rep. No. 66 (H.B. No. 553, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator English and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 553, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED),” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 70 (H.B. No. 332, H.D. 1, S.D. 2, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 70 be adopted and H.B. No. 332, H.D. 1, S.D. 2, 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:

“Mr. President, I rise in opposition to this bill.

“Certainly I don’t want my remarks to seem facetious, but what the heck are we doing regulating the labeling of bread products? There has been no problem that’s been brought to the communities’ discussion level in the hearings or anything else. We have two unions that testified in support of this measure – one, interestingly enough, was the teachers union.

“As I mentioned before, there’s no problem. We’re not talking about products where you really need to know if they were previously frozen, such as seafood products or meat products or those products which could have spoilage or could have consumer problems or health problems. This simply is a union measure and it is an anti-competitive measure. All the people that testified, other than these two unions, testified in favor of not having additional regulation.

“It doesn’t seem to be anything that anyone has been concerned about and yet we in the Legislature feel it’s our duty to inject ourselves into the issue and to create a problem where none has existed.

“For most people, I know that when they buy any kind of bread, the first thing they do after they open it is they put it in the freezer and freeze it as well.

“So, I don’t why we’re doing this other than to placate two unions, but I’ll be voting ‘no.’ Thank you.”

Senator Baker rose in support of the measure and stated:

“Mr. President, I rise in support of this measure.

“I think it’s important to correct the record. This is not a labeling bill, although it did start out as that. This is a notice bill so that consumers can have the option of making an informed choice, because most people don’t know that much of the baked goods, including bread, that comes into the state has been previously frozen, thawed, and it gives a fresh appearance.

“This is really an effort to make sure that people have an opportunity to know that imported baked goods are different than locally baked products.

“Thank you.”

Senator Trimble rose to speak in opposition to the measure as follows:

“Mr. President, I rise in opposition to this measure.

“Colleagues, let’s go to the reason why we’re even having the discussion. A decade ago we had similar types of discussion about milk. You know, it’s absolutely astounding that a society that lives over 2,500 miles from the nearest continental land mass is bringing in fresh milk products and bringing in frozen bread products. It’s not a health and safety issue. It is not a freshness issue. It just shows the impact of our tax structure on the ability to make products in Hawaii.

“If we really want to address this issue, then we ought to eliminate the tax on business-to-business transaction and then we wouldn’t be following red herrings.

“Thank you, Mr. President.”

Senator Hogue rose to speak in opposition and stated:

“Mr. President, I rise in opposition.

“Colleagues, the pseudoephedrine bill made sense because it was in the best interest of public safety. There is no public that is unsafe because of flash frozen bread.

“This is a labeling issue, by the way, besides just the signage. I agree with the speaker from Maui that it did change for the most part between labeling to signage and now there will be a sign that says previously frozen and thawed. They even tell you that the sign has to be in all capital letters, bold print, and a minimum 14-point font size. But now it goes on beyond that and it says, no previously frozen baked good product shall use the term ‘fresh’ as part of the label or in advertising. So in fact it is a labeling issue at this point and although I do not have a list of those baked good products that maybe have fresh in their name, essentially we’re making anybody that are maybe called pop and fresh cake or something like that and we’re saying that if somewhere along the process they’ve been previously flash frozen, then they are illegal with that name. So, this one goes too far.

“One other issue that I want to bring up is whenever you put signage out there, it’s as if you’re raising a red flag that there’s something the matter. That’s the point of those who have put this measure forward. That’s what they want consumers to think – that there’s something the matter with the particular product. Well, nothing is the matter. We love fresh bread that is baked here locally. We love bread and baked goods that come from the mainland that has been frozen along in the process. And in most cases, we’ll probably go home and we’ll put it in the freezer anyway and we’ll eat it and it will be all yummy when it gets in our tummy.

“So, I’ll be voting ‘no.’ Thank you.”

Senator Hooser rose to speak in support and said:

“Mr. President, I rise in support of this bill.

“All this talk about going home with your bread and putting it in the freezer, I don’t know about these guys, but I buy my bread fresh every day we need bread. And I, for one, would like to know if I’m buying frozen bread or real fresh bread and I support this bill.

“I think labeling is a good thing. I think we need to know what we’re buying. If it’s fresh, let’s call it fresh. If it’s frozen, let’s call it frozen, and let’s buy fresh bread.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 70 was adopted and H.B. No. 332, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS,” 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. 76 (H.B. No. 895, H.D. 2, S.D. 2, C.D. 1):

Senator English moved that Conf. Com. Rep. No. 76 be adopted and H.B. No. 895, H.D. 2, S.D. 2, C.D. 1, 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.

“I won’t go through it all. It has gotten somewhat better, but still I don’t think we need to ban Christmas lights to deal with this perceived problem.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 895, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO COASTAL LIGHT POLLUTION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Whalen).

Conf. Com. Rep. No. 81 (H.B. No. 438, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 81 be adopted and H.B. No. 438, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Trimble rose with reservations and said:

“Mr. President, I rise to speak in favor of this measure, but with a caveat.

“Colleagues, about a month ago each of us was given something to wear on our hip when we walked around by HMSA. When I took the odometer off, I had I think 275 miles on it.

“Pedestrian safety is dear to my heart. The problem here is that it’s an engineering as well as a human problem. When you leave Hawaii and have an opportunity to visit other cities, I’d like you to look at the radius of the curve of the curb at the intersection. What distinguishes us and what makes us among the most five dangerous cities to live in is that the curve that we have in Hawaii makes it possible to turn right at speeds in excess of 15 miles an hour. There are many intersections that when the light turns green and you step off or try and step off the curb, you can’t even step off the curb because vehicles are whizzing by you turning right in excess of 15 miles an hour.

“So, until we address this problem of the curvature of the curb, we’re not going to achieve a city in which pedestrians are safe to walk. And beyond that, spending money for mass transit will not take people and enable them to walk safely on our streets and intersections.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 81 was adopted and H.B. No. 438, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 83 (H.B. No. 422, H.D. 2, S.D. 2, C.D. 1):

Senator English moved that Conf. Com. Rep. No. 83 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 Inouye.

Senator Slom rose in opposition to the measure and said:

“Mr. President, I rise in opposition to this measure.

“The good news is it doesn’t just single out one cruise line and it doesn’t have to do with sexual offenders. The bad news is that it continues to pick on a growing industry in this state and unfairly requires standards and new standards that do not apply to any other forms of transportation. So in that respect, I think that we should continue if there are any laws that are broken, that we prosecute to the limits of the law anyone in any commercial activity. But in this case here, we can’t support the measure because it is very discriminatory on its face for the cruise industry.

“Thank you.”

Senator English rose in support of the measure and stated:

“Mr. President, I rise in support.

“Well, here we go again. We went through the same argument last year, and again I told the Minority that if they wish to supply to a larger class, then they should introduce a bill to do that, but they didn’t. They had the whole Session to do it and they didn’t.

“This bill is relating to cruise ships and that’s why it’s geared towards the cruise ship industry. As you know, in Hawaii the content of the bill has to match the title of the bill.

“I’m really sorry the Minority did not introduce a bill like that this year because they said they were going to do it last year. I’m so sorry they didn’t, perhaps next year they will.

“Nonetheless, this cruise ship bill is a very good compromise between the House and the Senate on our positions. We have allowed for the continuation of the memorandum of understanding. We have allowed for penalties to be created by the Department of Health for the regulation of the cruise ship industry, and we have conformed to federal laws, which has been an argument along the way, preemption.

“So, I think this is a good beginning to set in place the regulatory framework to protect our oceans, to protect our industry, and to protect the people of Hawaii. I congratulate the House and the Senate members who worked on this measure because it is a good beginning and a very good compromise.

“Thank you.”

Senator Trimble rose to speak in opposition and said:

“Mr. President, I rise to speak in opposition to this measure.

“If this measure were really about public safety and about wastewater discharge, then we would not distinguish between the private and the public sector. It should be noted that most of the pollution that has occurred has resulted from public facilities and that it is far more hazardous to our health if those discharges occur on land than in water.

“So, until we have a comprehensive approach that looks at the public safety issue and does not distinguish between the private and public sector, I’ll be voting against this measure.

“Thank you.”

Senator Slom rose in rebuttal and stated:

"Mr. President, just a very brief rebuttal to the suggestion made by the good Senator from Maui.

"Since 99 percent of all bills that have been introduced by the Minority don't even get a hearing and 100 percent of all amendments that are offered by the Minority are voted down by the same party line vote, I don't know who made a promise last year to introduce a bill, but I'd be very happy to work with the good Senator of Maui if he could deliver the vote so that we could get a good bipartisan measure passed.

"Thank you."

Senator English rose to speak in rebuttal and said:

"Mr. President, a point of rebuttal.

"When we talked about this over the last four years, five years, however long it's been, the same argument has come up and it hasn't stopped the Minority from introducing the same bills over and over and over, and over and over and over. So again, if they want to talk about the larger issue, I would gladly welcome it. But again, the onus will fall on them to put the work together and put the idea together because my job was to deal with the cruise ships, which we did, and it's a good beginning.

"I think in the future we do have to address the municipal waste and all the other issues that they brought up. The point of it is – draft a bill to do so, bring it to the table, put it forward so that we can discuss it.

"Thank you."

Senator Hogue rose to speak in support and said:

"Mr. President, I rise in support.

"I am supporting this particular measure, but I just want to let the good Senator know that we attempted to put a bill together to cover all of these things and in our research we found that most of the areas were covered by federal law, so that kind of stopped the process. So, we did take up your point. We did do all the work and then all of a sudden we ran into that roadblock, and because federal law preempts a lot of it, that kind of stopped us.

"I just want to let you know that we did follow through with your suggestion. In many ways we're on the same ship here. Thank you."

Senator English rose on a point of personal privilege and said:

"Mr. President, a point of personal privilege.

"You know I'm so pleased that . . ."

Senator Hemmings rose on a point of order and stated:

"Mr. President, point of order.

"I believe the speaker has spoken twice before. Point of personal privilege should not be utilized for speaking a third time on an issue."

President Bunda then stated:

"Senator English, this is your third time. You are out of order."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 83 was adopted and H.B. No. 422, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

Conf. Com. Rep. No. 84 (H.B. No. 1235, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 84 be adopted and H.B. No. 1235, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Hogue rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this particular measure.

"This measure, Relating to Travel Allowances, actually relates to us in the Legislature, as does the next measure, which interestingly enough is called Relating to the Legislature, and it has to do with perks. There is already the feeling, the sentiment out there rightly or wrongly that we in the Legislature receive perks. This one will up our travel allowance. The next one will allow our office allowance to go up.

"I think because this perception is so widespread, we as a body need to rise up against it and say 'no' to any perks, perceived or otherwise.

"I was in receipt of a letter in my particular office and I'm sure you all received it too. It was a letter from a local hotel chain offering lower prices to Legislators after the Session is over. I won't be accepting that perk either and I hope none of you who received that particular letter will accept that perk as well.

"So, I'm going to say 'no' to perks, 'no' to perceived perks, and 'no' to this particular measure. Thank you."

Senator Hooser rose to support the measure and stated:

"Mr. President, I rise in support of this measure. Just a brief rebuttal to the earlier speaker's remarks.

"It's clear the earlier speaker is not familiar with many of us who work from the neighbor islands who are forced to travel to serve our communities and oftentimes, as we all know here, we are not reimbursed for that travel. Our offices are here on this island. We are authorized and reimbursed when we come on official business, but if I want to come and meet with a constituent, if I want to come and work on issues, or if I want to come and meet with my office manager, I have to pay my own way over here. I have to pay for my own transportation expenses and the expenses that many members of this Body take out of their own pocket with travel and in doing their business is significant, Mr. President.

"I think the measures being adopted here are modest and deserving, and we work hard and they are not perks. Thank you. I urge my colleagues to vote in support."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 84 was adopted and H.B. No. 1235, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL ALLOWANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Trimble).

Conf. Com. Rep. No. 85 (H.B. No. 1236, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 85 be adopted and H.B. No. 1236, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Slom rose in opposition and stated:

“Mr. President, I rise in opposition to this measure.

“As the Minority Floor Leader said, these two bill are actually tied together. Ostensibly, this bill would raise our office allowance so that we can have better communications, but there is no restriction on the expenditure of the allowance, which now is \$5,000 per year in addition to our salaries, in addition to any per diem. And by the way, the Neighbor Island Legislators, to the best of my knowledge, do get per diem additional amounts for travel and everything else during the Legislative Session.

“I think the particularly insidious thing about this is the Legislative Salary Commission raised our salaries last year. They went into effect in January of this year. There was never any vote taken on that. The public never had any opportunity to vote and neither did any of us who would have voted ‘no’ on that provision.

“What people have not been talking about is that this bill does not just raise the office allowance one time, it raises it every time the salary goes up. It’s tied to that. And the Salary Commission raises that are already in place, unless we vote against them, will go into effect every two years. So basically, every two years you are going to see yet another increase.

“The Minority Leader was talking about perceived perks. We do better than the community that we tax, and we regulate, and we restrict. We exempt ourselves from laws and we give ourselves special privileges. And the total cost for all these things are something that the taxpayers have to bear.

“So, for us to stand here, raise their taxes, not do anything about lowering their cost of living, and allow our cost to escalate or even to vote for them as we’re doing in these two bills, I think is unconscionable.

“By the way, the last estimate I had was that the fiscal impact, if we vote today and approve this, would be an additional \$62,500 for the Senate, \$127,500 for the House, or \$190,000 in addition to all the things that we’re getting starting January 18<sup>th</sup> next year.

“I urge my colleagues to vote ‘no’ on this. Thank you.

Senator Espero rose to speak in support of the measure and said:

“Mr. President, I rise in support of this measure.

“Most of my legislative allowance goes to communicate with my constituents. My constituents have made it clear to me that they want to know what’s going on. They want to hear from me. They want that dialogue whether it be via e-mail, newsletter, or letter.

“Mr. President, my district also is one of the fastest growing districts in the State. We are getting approximately 500 new homes per year. So, in a four-year term, I’m looking at an additional 2,000 to 2,500 homes that were not there the first time I ran.

“So, Mr. President, this measure is very important for those of us that live in districts that are growing and for those of us that want to maintain two-way dialogue with our constituency and the residents. It’s important that we pass this measure. Thank you.”

Senator Trimble rose in opposition to the measure as follows:

“Mr. President, I rise in opposition to the measure, but I do agree with the previous speaker that being able to correspond with one’s constituents is important.

“I would like the ability to be able to not only send one questionnaire to all my constituents, it would be even better if I could send it to all the residents in my district, but I’d like a sufficient allowance to be able to tell them the results of the survey, and right now I can’t do both.

“But the way I would approach the constituent communications issue is by increasing the franking privilege and that would not necessitate increasing our special allowance. So, for that reason, I’ll be voting against the measure.”

Senator Hogue rose to speak in opposition as follows:

“Mr. President, I also rise in opposition.

“I agree with speaker from the Ewa side that we should communicate. I think that’s a very good idea. In fact, I do that. I make sure that I send out a newsletter along with a survey and then I’m able to mail back responses to those who have responded to the particular newsletter.

“And so, my allowance has been adequate and I know that my office manager has had to work hard to determine that the allowance that we have is adequate with regards to the cost of the postal rates, essentially. And so, she’s had to go out and work hard with the private business sector to make sure that we get the lowest cost available.

“And I think that there’s a larger issue here. It’s not about communication. It’s about the fact that we’re raising the cost of living in the State of Hawaii with further measures here with taxes, etc., and along the line we’re going to raise the price available for ourselves, and I just think that that’s wrong.

“We can communicate. We’ve got to tighten our belt. We don’t need to expand our belt. So, for those reasons, I’ll be voting ‘no.’”

Senator Taniguchi rose to speak in favor of the measure and said:

“Mr. President, I rise to speak in favor of the bill.

“Mr. President, I hadn’t planned to say anything, but I just want to note that I believe it is very unfortunate that certain members who are voting against this because they are so principled in what they believe won’t be spending this money to help communicate with their constituents. I feel that’s very unfortunate for that member as well as their constituents. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 85 was adopted and H.B. No. 1236, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE LEGISLATURE,” 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. 90 (H.B. No. 1750, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 90 was adopted and H.B. No. 1750, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 94 (H.B. No. 1758, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 94 was adopted and H.B. No. 1758, 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, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 95 (H.B. No. 325, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 95 was adopted and H.B. No. 325, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Hemmings, Hogue, Ige, Sakamoto, Slom, Trimble, Whalen).

Conf. Com. Rep. No. 96 (H.B. No. 140, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 96 was adopted and H.B. No. 140, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Whalen).

Conf. Com. Rep. No. 97 (H.B. No. 1317, H.D. 1, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 97 be adopted and H.B. No. 1317, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Trimble rose in opposition as follows:

"Mr. President, I rise in opposition to this measure.

"I think the Department of Human Services needs flexibility in determining what medications are on the approved or authorized list in order to take advantage of the potential application of group purchasing to keep the cost at a minimum. Because of the need for flexibility by the Department of Human Services, I'll be voting 'no' on this issue."

Senator Baker rose in support 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 H.B. No. 1317.

"The purpose of this bill is to prohibit the Department of Human Services from taking any action or expending state resources in any effort to remove prescription drug benefits from managed care plans that provide health care coverage for Hawaii Medicaid beneficiaries. Managed care plans for Medicaid beneficiaries should offer a broad range of coverage, including hospital stays, medical appointments, and prescription drugs. Removing individual benefit components would result in a fragmented health care delivery system that may result in higher costs and reduced quality of care.

"AlohaCare testified before your Health Committee that they would not be surprised if DHS could get larger rebates than what AlohaCare is getting now, but it would be at the expense of lower generic substitution, lower discounts, more expensive formulary, etc. This could generate higher overall cost to the State. Taking this into consideration as well as the fact that rebate revenue is only part of the total cost equation – discounts, dispensing fees, generic substitution, formulary structure, and coordination with medical services should be included. In approving this bill, DHS does not appear to be considering the entire cost and quality picture and is focused solely on rebate revenue.

"It was also noted in physicians' testimony that Quest health plans have done an excellent job of case management and have provided better and more cost-effective health care than our Department of Human Services ever did. Quest has been successful because a close-working relationship has developed between Quest health plans and providers – focusing on a collaborative approach to managing complex patients. In the past, DHS mechanisms have not been attentive to specific needs of patients. DHS had required pre-authorization for prescriptions which in turn prevented a child or patient from receiving needed medication until the next working day. Such practices do not ensure the best quality care and it would be detrimental to our health care system if such practices were reinstated.

"Overall, DHS has not demonstrated that by removing prescription drug benefits from Quest managed care plans, the State would save money or that better health care would be provided. In fact, the opposite is likely to occur. For these reasons and more, I urge my colleagues to join me in support of H.B. No. 1317."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 97 was adopted and H.B. No. 1317, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Trimble).

Conf. Com. Rep. No. 105 (S.B. No. 1420, S.D. 2, H.D. 3, C.D. 1):

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 105 was adopted and S.B. No. 1420, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:



Ayes, 23. Noes, 2 (Slom, Trimble).

Conf. Com. Rep. No. 121 (S.B. No. 1262, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 1262, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 124 (S.B. No. 212, S.D. 2, H.D. 2, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 124 be adopted and S.B. No. 212, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator English.

Senator Slom rose in opposition as follows:

"Mr. President, I rise in opposition to this bill.

"This bill has changed a great deal since it was first introduced. In fact the original legislative findings material was all taken out. There was a tax credit and now there's a rebate on the use of reverse beverage recycling equipment, which I think is a very good idea, but it still begs the question. We've been under the tentacles of a beverage container deposit tax for the last year. The tax is taking more and more of our income and discouraging recycling. And so, what we really needed, we didn't get this Session – and that was a real open discussion on the recycling tax itself and the relationship to the city and county.

"So, I'm voting 'no.' Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 212, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 126 (S.B. No. 708, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 126 was adopted and S.B. No. 708, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 846E," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 129 (S.B. No. 962, S.D. 2, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 129 be adopted and S.B. No. 962, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"With all of the discussion and the attempts to define prevailing wages, the bottom line is real simple – it's going to increase the cost of construction and increase the regulation, and it is a bill that favors only union type construction and does not favor competition or those smaller contractors.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 129 was adopted and S.B. No. 962, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," 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. 130 (S.B. No. 1808, S.D. 1, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 130 be adopted and S.B. No. 1808, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Slom rose to speak in opposition and said:

"Mr. President, I rise in opposition to this bill.

"For four years now, the business community, in particular the small business community, has said that the number one problem they faced was workers compensation, escalating fraud, escalating cost, problems with their own workers getting adequate care.

"We've had task forces. We had a good bill that came from the administration last year. The bill was gutted – the insurance commissioner, the rights to investigate fraud, were all taken away. This bill has a lot of verbiage, but in fact does not in any way improve the workers compensation law or improve the business climate.

"Thank you."

Senator Sakamoto rose to speak in support of the measure and stated:

"Mr. President, I rise in support, but with concerns.

"On one hand, I believe the administration has gone too far in taking something out of what should be legislative. If my colleague put his hand in my pocket and took something out of my pocket, I would have a problem with that. But I feel it's not right if I just go and take something out of his pocket because I felt he took something out of my pocket.

"I'll vote in favor of this, Mr. President, but I feel like I know that labor, legislators, businesses, providers, insurance companies, administration can work together and can have measures on this Floor that may pass 25/0 if we work together.

"My hope would be that in this interim there can be a continuation of working together to pass measures, not necessarily overturning presumption, but again not necessarily being in the face of employers, because we need to improve things for both employers and employees."

Senator Slom rose in rebuttal and said:

"Mr. President, just a brief rebuttal.

"Maybe some of my colleagues were confused. I'm sure that the good Senator from Moanalua was not suggesting that I would ever put my hand in his pocket, because I wouldn't do that. I think past votes show that. So, I just want to make that clear.

"In addition to that, I want to make sure the conference committee report says the purpose of this measure is to protect the balance in workers compensation. That's the whole point – there is no balance! It's imbalanced. It's hurting businesses. They have come to us year, after year, after year. We've had the studies. We've had the task forces. We've had the blue ribbon panels. They've told us what needs to be done, but we have refused to do it and this bill doesn't do it, and that's why it's a bad bill.

"Thank you."

Senator Hooser rose to support the measure as follows:

"Mr. President, I rise in support of this bill.

"Mr. President, I would argue with the previous speaker that there is attempts at balance and this Legislature, both in the past as well as the present, has listened to business and done what it can in each Legislative Session to make things better for business.

"We continually hear how bad things are, how bad things are, how we don't listen, we don't listen, we don't listen. I know we can do better, Mr. President and colleagues. Workers' compensation rates are too high. We do need to do better.

"But let me just quote some facts. According to the National Academy of Social Insurance, Hawaii's workers received \$1.60 in workman's compensation benefits per \$100 of covered wages. Alaska, California, Maine, Montana, Vermont, Washington, West Virginia, and federal employees receive more than Hawaii workers. Premiums paid by Hawaii's employers have decreased. They have decreased from \$3.91 per \$100 of payroll in '94 to \$2.38 in 2002. Similarly, benefit payments to workers also decreased in both years. While benefits per \$1 in cost remained constant nationally – from 74 cents in '94 to 73 cents in 2002 – Hawaii's fell from 67 cents to 44 cents.

"Between '99 and 2002, premium collections grew at a more rapid pace than benefits – premium collections grew at a more rapid pace than benefits – which increased by 15 percent. Workman's compensation costs have increased as a result of economic growth. More people are working higher wages than the severity of injuries.

"I could go on, Mr. President, but I just want to make the point that the Legislature continues to take workman's compensation reform and improvement seriously and over the years we have made improvements and we're committed to continue to do so. And for those reasons I urge my colleagues to vote in support."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 130 was adopted and S.B. No. 1808, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

At 2:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:33 o'clock p.m.

Conf. Com. Rep. No. 133 (H.B. No. 1641, H.D. 1, S.D. 2, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 133 be adopted and H.B. No. 1641, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition and said:

"Mr. President, I support the bill, but unfortunately the bill includes the creation of the non-agricultural park lands special fund. As you know, I oppose all special funds, so I vote 'no' on this bill even though I know there were some late hour attempts to call this special fund something other than special, but it's still a special fund.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 133 was adopted and H.B. No. 1641, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Slom, Trimble). Excused, 2 (Fukunaga, Ige).

Conf. Com. Rep. No. 134 (H.B. No. 1614, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 134 was adopted and H.B. No. 1614, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE PERSONNEL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Hogue, Slom). Excused, 2 (Fukunaga, Ige).

Conf. Com. Rep. No. 138 (H.B. No. 631, H.D. 1, S.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 138 be adopted and H.B. No. 631, 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 and stated:

"Mr. President, I rise in opposition to this measure.

"Colleagues, every year we get between three and ten measures that seek to tweak the employee retirement system, and on many of the measures I kind of wonder who it is that we're taking care of this time.

"I note that in part 4 it talks about the possibility of redefining retirement benefits at the time of retirement, as opposed to the time of separation from employment. I think that this could have a substantial cost going forward and therefore I'll be voting against this measure.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 138 was adopted and H.B. No. 631, H.D. 1, 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, 22. Noes, 1 (Trimble). Excused, 2 (Fukunaga, Ige).

Conf. Com. Rep. No. 140 (H.B. No. 1608, H.D. 1, S.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 140 be adopted and H.B. No. 1608, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition and stated:

“Mr. President, I rise in opposition to this bill.

“We have discussed this bill for a number of years now and basically what this bill does is negate the changes that were made under Act 88 in Session Laws 2001, which created the EUTF. Let’s review for just a moment. The idea of the EUTF, along with collective bargaining and civil service reform, emanated from then Governor Benjamin Cayetano and from a report done by the current Legislative Auditor Marion Higa. In that report she stressed the dire circumstances if we continued to allow unabated health care costs for public employees, and she was the one that proposed the idea that there would be a single unified health care plan with certain restrictions for future – not current but future – workers in terms of trying to get health care costs under control.

“The EUTF came about. There were many people that tried to stop it from forming, including the labor unions themselves who did everything possible to either stall it, derail it, abolish it, and then they said it would not start on time, but in fact it did start on time less than two years ago, and it has been successful. But the labor unions have continually fought to remove themselves from any kind of fiscal control and to have their own health care plans. Of course, the taxpayers will still pay for at least 60 percent of their health care plans, but what they have proposed in the past and at present is to cherry pick – to selectively choose the healthiest, the youngest, the best of health employees – so that in fact they get the 60 percent cost from the state and then they go out and negotiate on their own with a better group of individuals, thus lowering the cost that they pay. And one of the sticking points going back five, six years ago was the fact that when the labor unions did receive reductions in payments or premium cost, they did not return them to the state, and in fact they did not account for them. And that was really the reason that the state auditor said that we needed a single, unified, statewide health care plan for all employees. It would have transparency. It would have accountability.

“Now I must say, I have opposed this measure over the years, continuously. One union, the HSTA, has done a better job than other unions in terms of providing some amount of transparency. They have answered certain fiscal questions and in fact they provided some, but certainly less than all information required by the legislative auditor.

“But the way this bill traveled this year was not only to give back the ability of HSTA and its nearly 13,000 members to withdraw from the EUTF and to still deal with the unresolved question of all – all – retirees of the program, but what the

measure evolved into and what we’re voting on right now is a bill that would allow all public employee unions to withdraw from the EUTF.

“This would do several things. It would go against the recommendations made by the legislative auditor. It would have no cap whatsoever on escalating costs and we’d be back in this situation that was complained about five or six years ago. There would be probably less accountability from particularly the HGEA and the UPW unions. And in effect, it would destroy the whole concept of the EUTF, because other employees would say well how come the unions get to carve out their special territory and get reduced rates.

“Mr. President, I’ve heard some union workers complain that their rates have gone up over the years and I would say to them that any person in small business, any small business owner, or any employee of a small business would be very, very happy to at any moment exchange what we subsidize for them, what they get in terms of benefits now and the amount of premiums that they actually pay, because it is a trifling compared to what we in the private sector have to pay and then we have to pay more to support at least 60 percent of the public employee unions.

“So, it was one thing to deal with one union and talk about them because of their record of trying to be at least semitransparent, but this bill is what was fought about all along over that last couple of years – and that was to remove all public employee unions and let them negotiate separately and let them, by adverse selection, pick only the people that they want in terms of saving money. They will save money, the taxpayers in this state won’t.

“It is unfair. It is costly. And again, unless and until I see a change in position from the legislative auditor, who this Body always says that they want to support and they want to agree with and they don’t have any questions about, then I will continue to oppose this measure and I would hope that my colleagues would do the same.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 140 was adopted and H.B. No. 1608, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATION TRUSTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Hanabusa, Kokubun, Slom, Trimble, Whalen). Excused, 1 (Ige).

Conf. Com. Rep. No. 147 (H.B. No. 1554, H.D. 2, S.D. 2, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 147 be adopted and H.B. No. 1554, 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 favor of the measure with reservations as follows:

“Mr. President, I rise in favor of this legislation with reservations.

“The intent of this legislation is good. It seeks voluntary leasehold-to-fee conversion. Unfortunately, I think that the good Senator, the Senate Minority Leader, would refer to this as a sham piece of legislation because the amount of money

appropriated is \$75,000 a year in total to handle all the tax credits that might result from leasehold-to-fee conversion.

“Thank you, Mr. President.”

Senator Hogue rose with reservations and said:

“Mr. President, please also note my reservations for the same reason. Obviously, the amount afforded by this bill is going to exceed \$75,000 very quickly.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 147 was adopted and H.B. No. 1554, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 150 (H.B. No. 1672, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 150 was adopted and H.B. No. 1672, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET,” 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 (Ige).

Conf. Com. Rep. No. 151 (S.B. No. 55, S.D. 1, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 151 be adopted and S.B. No. 55, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Kim 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. 151 was adopted and S.B. No. 55, S.D. 1, H.D. 2, 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, 18. Noes, 6 (Hemmings, Hogue, Sakamoto, Slom, Trimble, Whalen). Excused, 1 (Ige).

Conf. Com. Rep. No. 152 (S.B. No. 294, S.D. 3, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 152 and S.B. No. 294, S.D. 3, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 160 (S.B. No. 1889, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Hee and carried, Conf. Com. Rep. No. 160 was adopted and S.B. No. 1889, S.D. 1, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO APPRENTICESHIPS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 161 (H.B. No. 278, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 161 was adopted and H.B. No. 278, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Ige).

Conf. Com. Rep. No. 165 (H.B. No. 1745, H.D. 1, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 165 be adopted and H.B. No. 1745, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

“Mr. President, I rise in opposition to this bill.

“Just briefly, I’ve spoken about this bill before. It is the Judiciary seeking to not report to the Legislature. Some of the reports they say are old and they’re not necessary anymore, but I find it troubling that the Legislature, which should be the most open of the three branches of government, really is telling us that they don’t have a responsibility to report and tell us about certain things and certain changes. I think they should.

“I’ll be voting ‘no’ on the bill.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 165 was adopted and H.B. No. 1745, H.D. 1, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO REPORTS TO THE LEGISLATURE,” 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 (Ige).

Conf. Com. Rep. No. 174 (H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 174 was adopted and H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND,” 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 (Ige).

Conf. Com. Rep. No. 176 (S.B. No. 1352, S.D. 1, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 176 be adopted and S.B. No. 1352, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose in opposition and stated:

“Mr. President, I rise in opposition to this measure.

“Colleagues, this measure is no longer about kidneys or organ donors or bone marrow donors. This is about a bill that would make government less efficient. It would make government less efficient because it would interfere with the employer’s prerogative to determine a place and transfer and size of workforce. I believe that if we are going to maintain our workers and employ them as efficiently and fully as possible, we should not diminish the prerogatives of the employer.

“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 this measure.

“Mr. President, S.B. No. 1352 is probably in its third life . . . I think in its third; it could be fourth. When it originally began, this measure began as one which did away with 89-9D, which is basically referred to as the management rights section of the bill. What we have before us, Members, is what I believe to be a balanced approach to collective bargaining.

“First of all, it was not balanced to try and do away with management’s rights – primarily, the management’s rights to direct employees – and that’s what the original proposal that has now resulted with what S.B. No. 1352, C.D. 1, was.

“What you have before you now is a codification of exactly what collective bargaining is like within the public sector. First of all, there have been provisions of the collective bargaining agreement which have addressed some of these issues. And what this provision says is those provisions of the collective bargaining agreements are valid because management and unions agreed to that.

“The second provision of this bill is that it does not preclude negotiations. It doesn’t say you have to negotiate. It says it shall not preclude negotiations over procedures and criteria of promotions, transfers, assignments, demotions, layoffs, suspensions, so forth and so on. That is the permissive nature of it, which means if both parties want to go there, they can go there.

“But I believe the most important part of this bill is what we call impact bargaining, or in the private sector it’s called effects bargaining, which is simply this – you cannot interfere with the management’s rights to make a decision and to direct an employee. However, what this does say is that management and union will sit down and determine the impacts of an employee. The classic example of this is if we decide to move one whole college to the neighbor islands. The decision is management’s rights. However, how it impacts the employees of this state is something that should be negotiated and the impact of that is what has to be discussed. I think that is what any employer is willing to do, and that is what the state has done.

“The supreme court decision, which has been cited as the basis for why S.B. No. 1352 has come about, actually had that, except the UPW chose not to negotiate. And I think that weighed in when the supreme court made its decision. Impacts bargaining or effects bargaining is common, as it should be, within collective bargaining, and that is the extent of this measure. It simply codifies the practice so that there is no confusion as to what we do in collective bargaining.

“Mr. President, this is a statement of the Legislature to the people who have worked very hard for us, who are members of collective bargaining, that we recognize that these practices have come into question and we continue to affirm the rights of

the union to negotiate over those matters which affect their lives, that impact them due to management decisions.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 176 was adopted and S.B. No. 1352, S.D. 1, H.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, 21. Noes, 3 (Hemmings, Hogue, Trimble). Excused, 1 (Ige).

Conf. Com. Rep. No. 177 (S.B. No. 1729, S.D. 2, H.D. 2, C.D. 1):

Senator Kim moved that Conf. Com. Rep. No. 177 be adopted and S.B. No. 1729, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Kim rose and said:

“Mr. President, I have some remarks I want inserted into the Journal, please.”

The Chair having so ordered, Senator Kim’s remarks read as follows:

“Mr. President, I rise in support of S.B. No. 1729, C.D. 1.

“No one has worked harder to improve the operations and the business climate of the Hawaii Tourism Authority than I. In the past five years, two audits were done and the Legislature amended the law to broaden the make up of the Tourism Authority’s Board to address past problems. We continue to work to improve Act 156 and the HTA – under the leadership of Director Rex Johnson – has made many strides to improve accountability and efficiency of the Tourism Authority. I have told HTA that if they correct their problems, clean up their act, and make the changes suggested in the audits, I would then support restoring part of the original percentage amount of the TAT that they were promised in Act 156 of Session Laws 1998.

“This measure starting on July 1, 2007, restores the TAT special fund from 32.6 percent to 34.2 percent, still a far cry from the 37.9 percent promised in Act 156 of Session Laws 1998. Your Conference Committee has amended this measure to add the State Foundation on the Culture and the Arts, Executive Director as a non-voting member. With this addition we now have four ex-officio members on the HTA board. To be consistent, your Conference Committee made all ex-officio members of the board non-voting. We heard from the Hawaii Hotel Association in support of making the department heads on the tourism board all non-voting.

“All voting HTA members are require to go through the confirmation process to be appointed to the HTA board. The Governor appoints the ex-officio members of the board and presently the DBEDT Director is the only ex-officio member with a vote. However, the DBEDT Director no longer serves on the HTA board and has since designated his seat on the board to the Tourism Liaison who is not an agency director not a position, that is, created in HRS and not a position, that is, confirmed by the Senate.

“It is appropriate and consistent to have all ex-officio members that are part of the Governor’s Administration as non-voting board members. This is to help further provide autonomy for the HTA from the many political pressures that

can exist when having to make those hard decisions needed to ensure a thriving tourism industry.

"I urge my colleagues to vote in support of this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 177 was adopted and S.B. No. 1729, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hogue, Trimble). Excused, 1 (Ige).

Conf. Com. Rep. No. 180 (S.B. No. 1257, S.D. 2, H.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 180 be adopted and S.B. No. 1257, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Hogue rose to speak against the measure and said:

"Mr. President, I rise to speak against this legislation.

"The last time I rose I made the comment that in our effort to de-politicize the process we have over-politicized it. The Higher Education Chair indicated that some of those concerns would be addressed in Conference, and in fact he is correct. Some of those concerns were addressed in Conference and I applaud him for addressing them. However, it is still political – still political – this advisory council, which isn't advisory at all because the Governor must pick a Board of Regent from this so-called advisory council.

"It is made up of one member of the President of the Senate, hardly nonpolitical; one member shall be appointed by the Speaker of the House of Representatives, hardly nonpolitical; one member shall be appointed by the Governor, hardly nonpolitical; one member shall be appointed by the all campus council of Faculty Senate Chairpersons of the University of Hawaii, hardly nonpolitical; one member shall be appointed by the University of Hawaii student caucus, hardly nonpolitical. Now we have a couple of nonpolitical types, I think – one member shall be appointed by the Association of the Emeritus Regents, good call; one member shall be appointed by the University of Hawaii Alumni Association.

"So, five are political, two, I think we can argue are nonpolitical. Okay, so it is still political. Now the bill goes on to say, and it's really an attempt here to show that this is nonpolitical, it says, 'The council shall be selected in a wholly nonpartisan manner. Appointees to the advisory council shall have a general understanding of the purposes of higher education, the mission of the University of Hawaii system, and the responsibilities of the Board of Regents. Appointees shall be individuals who are widely viewed as having placed the broad public interest ahead of special interests.' How noble. But who is going to make that assessment that they are widely viewed as nonpolitical and so very noble? Essentially, probably political people are going to make that particular decision.

"For all of these reasons, I don't think that we should go forward with this particular measure. I understand that it is a noble effort to take politics out of the process, however, it doesn't. Further, no one is accountable. Now if we don't like what the Governor has done, ultimately we can make a decision as to whether or not we want to vote for that Governor the next time. We cannot vote for a member of the All Campus Council of Faculty Senate Chairpersons. We, as a public, cannot vote for the University of Hawaii Student Caucus. We cannot vote

for the Association of Emeritus Regents. We cannot vote for the University of Hawaii Alumni Association. So, therefore we're not accountable.

"Noble effort, if this in fact was just an advisory council where the Governor could think about whether or not these were noble and possible appointees, then maybe we could consider it. My understanding is that's in fact what has happened in other states like California and Virginia, which have been noted as being a member of those states that have passed such legislation. But most states have not passed this legislation. And the reason is they recognize that you can't take politics out and that someone somewhere must be accountable.

"For these reasons, I'll be voting 'no,' Mr. President."

Senator Hooser rose in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Mr. President, I would ask my colleagues on all sides of the aisle in the entire room to try just for a moment to close their eyes and take politics out of their message. Some in this room, it seems, see partisan politics behind every door, behind every motive, behind every vote. I would just encourage them just for a second to think about policy, think about doing right for the university, think about how to make our university the best it can be, think about how to maximize the potential that was brought about through autonomy, voted on by the citizens of our state just a short time ago.

"Any advisory group could be perceived as being political – anyone. The categories that are listed in those seven is a great effort and I think a great achievement, if you would, to come up with a solution as nonpolitical as possible and ensuring that the university stakeholders are represented and ensuring that we have a good advisory committee.

"I want to complement the Chairman of Higher Education for the good work that he did along with the Committee to achieve that balance and take out many of the special interest groups that were in there before.

"There's no doubt politics is involved in the decision-making process. In a conversation I had this morning with the Minority Leader, he acknowledged that if this bill was before him and Governor Ben Cayetano was the Governor, he would be supporting the bill. Okay, that's clear. I would encourage the Minority members to support this bill, because in the very near future, we could have a Majority Governor and they will be on the other side unable to implement the measure, possibly.

"This is a good bill. It was earlier stated that it was about Evan Dobelle. This is not about Evan Dobelle. The origin started before the fiasco with Evan Dobelle and the regents.

"When I first joined the Senate, before I even ran for office, Mr. President, I was following politics in the Senate, the State Legislature before Governor Cayetano, in an age when cronyism and allegations of abuse of power were rampant in the media. I decided to get involved because I didn't like that, regardless of the party – Democrat or Republican. Hiring your cronies, appointing your friends to positions of power regardless of qualifications is something that I don't support.

"One of the first actions I had to take in my first Session was to review and approve advise and consent on a number of regent appointees. I believe four out of six were heavily politicized, major donors to the Governor's campaign, situations where the husbands and wives had also been appointed to positions of power. On top of that, two of the

nominees flunked the interview, did poorly, weren't prepared and we voted against those nominees. And I left that meeting thinking there's got to be a better way to do this. There has got to be a better way to ensure that we get high quality appointees, minimize the politicization of those people and do what's best for the university.

"A short time after that, Mr. President, I received a policy brief, maybe because I was a member of the committee from the National Association of Governing Boards and Colleges. The policy brief basically recommends best practices for how regents are selected in universities across the nation. It's the recommendation of the organization that is charged with giving advice and supporting and providing continuing education to trustees in universities all over our nation. This recommendation basically is reflected in a bill that we have today and the previous constitutional amendment that we passed last week.

"This bill is about making the university a better place. Again, it's about perpetuating autonomy. It's about good public policy. I think that recent events of last Friday, for one thing, combined with the Evan Dobelle fiasco and other instances, present convincing evidence that we need to do this better. There needs to be a better way to do it and to find good candidates and to instill faith and confidence in those candidates, and this bill, I believe, does that.

"The bill simply has an advisory commission of seven people and the previous speaker pointed out some of the requirements, but it's individuals who are widely viewed. We can mock and make fun of the words, but the truth and the intent of the bill is that we find these people. I, for one, have faith and confidence in the Senate President and the Speaker of the House and in the Governor among three of the seven that they would do their best to find individuals who are widely viewed as placing the broad public interest ahead of special interest and have achieved a high level of prominence in their profession and are respected by their community.

"This commission again can go far to re-instill faith and confidence in the process. It develops a system and a process. It promotes advertising in looking for the candidates throughout our state who are best and most able to serve the university, not just among our friends and co-workers. The advisory commission will screen and qualify these candidates and make a nonpartisan and fair and independent recommendation to the four people for the Governor then to choose and the Senate to then advise and consent.

"Again, this is best practices. This is good policy. This will make our university a better place and I encourage my colleagues to vote in support. Thank you."

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"Those were lofty words by the last speaker, the good Senator from Kauai, and I love it when he waves the paper, which he's waved three times before, about best practices. And as a matter of fact, he's given this Senate misinformation in the past.

"Speaking about the State of Virginia, specifically, and the Governor there, Governor Warner, what he's neglected to tell us honestly is that in Virginia and in these other states specifically, the Governor is not required to pick from the list that comes from the advisory council. But this bill does that, and its primary focus is to further erode the decision-making of

our Governor now. That's what a number of bills we were talking about all Session do and this is the last great remaining bill.

"Now, he advised us to close our eyes. I'm sorry, Mr. President, I just couldn't do it, because every time I close my eyes here, I find I have less money – either there's been a tax increase or something else. I wouldn't do it.

"And when we talk about non-politics or why some of us see politics in bills like this, do the names Ted Hong, John Kai, Dylan Nonaka mean anything in this Body? If that wasn't politics – raw, brutal and crude – then nothing else was.

"What the proponents of this bill really want is a handpicked group of people that will pick people like themselves that will think like them, and walk like them, and talk like them, and vote like them. That's what they want and that's why this bill is bad.

"If it said there would be an advisory council and the council could present names to the governor as in the case of other councils that we have, that would be one thing, but this bill does not do that. And the good Senator from Kauai knows that no matter how many times he shakes his papers. It forces the governor to pick from that list.

"We talk about not having politics. We talk about Evan Dobelle. Let's talk about Evan Dobelle. Did Evan Dobelle come on the scene because we didn't have a candidate advisory council or did Evan Dobelle get picked because half of the regents were Democrat appointees of the former Governor?

"And another thing, I certainly am not privy to any conversations that were had by the good Senator from Kauai and the Minority Leader, but I would be abashed if the good Senator from Kauai were telling the truth that the Minority Leader said, 'oh yeah, if a Democrat Governor, if Governor Cayetano was here, we would support this bill.' The Minority Leader doesn't talk like that. He doesn't act like that. He doesn't vote like that. In fact, you Democrats laugh at us because we vote in opposition to our Republican Governor if it's on principle. If I voted against something that Governor Cayetano did because I spoke and said it was wrong and the current Governor would propose the same thing, I would still vote against it and have voted against it and so have the rest of us. So, I don't know about the conversation, but I do know about the veracity of some of the evidence, the so-called evidence that's been presented here.

"This is a political move. It's a direct attack on the Governor. It's direct attack on free speech. It's a direct attack on real diversity. The supporters want to have everybody, as I say, that looks alike, sounds alike, votes alike and then we'll be happy. But how will that improve our university. The answer is – it will not.

"If we have more open hearings, if we have more discussion, not behind closed doors, if we have people that stand up and say why they oppose an individual, for example, then we'll have better candidates and we'll have a better university. But this bill goes in the opposite direction, and I urge a 'no' vote.

"Thank you."

Senator Hemmings rose to speak in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to the bill.

"It seems my name has been bandied around, regarding this bill, considerably. I hope the Majority Party will notice that I've been sitting on the sidelines for most of the debates today for a very simple reason –this Senate and this Legislature, but more specifically the Majority Party, has sunk to new lows regarding ethics, regarding honesty, regarding politics.

"We've debated over the last several weeks some of the ethics problems that you face in the Majority Party. In the wake of ethics training, it seems there's been a record amount of unethical behavior. That's politics, Mr. President.

"I'll place that unethical behavior not at the foot of this Legislature, but at the foot of the Majority Party and the Senators who signed letters . . ."

Senator Hanabusa interjected:

"Mr. President, point of order. Is this speaker speaking to the merits of the bill?"

Senator Hemmings then said:

"Yes, I am. The merits of the bill which were so widely discussed . . ."

President Bunda then interjected:

"Senator Hemmings, could you keep your remarks germane to the bill, please."

Senator Hemmings continued:

"Mr. President, the politics addressed by the good author of this bill and the Senator from Kauai are evident and I reserve the right, under the terms of freedom of speech and open and free debate, to state my position, Mr. President.

"I think the good Senator who is the Chairman of the Judiciary Committee would respect those rights considering the free and open discussion we've had all day long regarding different bills. In fact, one Senator earlier this morning got up and gave a speech on almost every bill on the agenda today in the budget.

"This is political, and I did say that this morning. It's extremely political. Why? Because there's not one shred of evidence that any of the appointees of the good Governor Lingle have been involved in any unethical or unreasonable behavior in their tenure as Board of Regents. And yes, those are the Governor's friends who she appointed. Yes, they did help her on her campaign. And yes, they deserve to be on the Board of Regents because of their qualifications as prior nominees had. The difference is political.

"One of the prior Board of Regents, who was a major contributor to the previous administration, also is a contractor who built a building and then tried to get the University of Hawaii, through his Board of Regents position, to lease the building for his own personal profit.

"Evan Dobbelle is an issue, quite frankly, and the Majority Party Vice-President of the Senate and a good Representative from the Majority Party wrote a very scathing article about how Evan Dobbelle was, quite frankly, dishonest and how he spent taxpayer's money and was spending too much money. It was political how Evan Dobbelle got his job. The prior very political Board of Regents had a search committee go out and find three candidates for the President of the University of Hawaii's position. Under the leadership of the prior head of the Board of Regents, none of those three were selected. Evan Dobbelle was

selected. It seems he was a close personal friend and had ties to a highly touted private sector business leader that is often mentioned to possibly run for political office someday.

"So, the accusation that my position is political is 100 percent correct. And in closing, I'd like to say it is because of politics as demonstrated by deeds, not by idol words on this Floor. The Majority Party's prior record and the politicization of the Board of Regents stinks. There's not one shred of evidence that this Governor has appointed anyone who has had a devious or less than an honored record as trustees.

"In fact, when Evan Dobbelle was terminated, it was done by half the trustees from the Cayetano Administration appointees and half the trustees from the Lingle appointments, showing that sometimes good people can make good things happen.

"This bill is political. If this was such a good idea and if it were something that the university association around this country has been advocating for 20 years – a simple question, why wasn't it done 20 years ago? It's done now because this Legislature, the Majority Party, not the Minority, has done everything they can to usurp power from the executive branch of government for one simple reason – because that Governor happens to be Republican.

"Quite frankly, Mr. President, I am absolutely stunned by the arrogance of the Majority Party who thinks that we're supposed to be members of the Minority Party Republicans and go along with you all in this. They're stunned that we stand up and speak against bills. They're stunned that we don't rollover and play dead on the initiatives. They're stunned that we vote against tax increases and don't go along with the Majority Party's monopoly practices and the way they conduct the business of the people and the way they lynch good people stepping forward to serve on the Board of Regents for no other reasons than petty politics.

"In closing, my vote is political, and I'm a politician, and I'm proud of the party I represent, and I'm voting 'no' against this bill. Thank you."

Senator Hee rose to speak in favor of the measure and stated:

"Mr. President, I rise to speak in favor of the bill.

"Mr. President, this is a good bill. It seeks to balance the political nature of the appointments. It seeks to place stakeholders as part of the Citizen's Advisory Council. It gives the students a voice in the selection process. It gives the faculty senate a voice. It gives the Association of Emeritus Regents a voice. It gives the Alumni Association a voice. It gives the Governor a voice.

"It requires the candidates to disclose any existing or anticipated contracts with the university or any existing or anticipated financial transactions with the university to take politics out of the equation. It requires publicly advertising pending vacancies and actively soliciting and accepting applications of those who wish to be considered to be a regent. And finally, it leaves to the Governor the powers that she has presently – and that is to make the appointment. It does not usurp that power.

"I stand to ask the members to support this legislation. Were I here earlier to hear some of the other speakers, I would respond to them, but unfortunately, Mr. President, I wasn't. But I will say this, the previous speaker takes tremendous license on what he believes at least I feel. I frankly am not disgusted that he votes the way he does. I'm not disgusted that he feels we have some animosity to the Governor. I'm frankly not



disgusted at all. I will leave the clichés and the obnoxious comments to speak for themselves.

“I urge my colleagues to support this measure.”

Senator Trimble rose to speak in opposition and said:

“Mr. President, I rise in opposition to this measure.

“First, I’d like to thank the Chair of the Higher Education Committee for the work that he has done this Session. I believe that it is possible, however, for reasonable people to disagree.

“There are two points I’d like to make. The first point is that the University of Hawaii needs to be accountable to somebody that is elected, and that person should be the Governor. This bill does not do that.

“Second, this is not an advisory committee because it does not merely suggest names for consideration, but it mandates that one of those suggested names is selected.

“And since I can’t count to two very well, number three, I think in the long run what will happen is that the university will only be accountable to itself. I do not think that is a desired result.

“Thank you, Mr. President.”

Senator Baker rose to speak in support of the measure as follows:

“Mr. President, I rise in support of this measure.

“I believe since we granted the university autonomy, that we have spread out the accountability for the university. The Legislature provides public funds. There’s some accountability to the Legislature. The students provide other funding through their tuition. There’s accountability to the students. The Governor ultimately appoints the Board of Regents. There’s accountability there, as well.

“What this measure does is not clip the power of the Governor. She still has the power to appoint. What it does is to try to elevate the selection process to a little bit higher plane similar to what we ask for judges when we use the judicial selection process. I think this a fair process. It’s an idea whose time has come, and I urge my colleagues to vote ‘yes.’”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 180 was adopted and S.B. No. 1257, S.D. 2, 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, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Taniguchi).

Conf. Com. Rep. No. 182 (H.B. No. 384, H.D. 2, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 182 be adopted and H.B. No. 384, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition as follows:

“Mr. President, I rise in opposition to this bill.

“While I do realize that it’s been quite some time since the fees have been adjusted for attorneys, I don’t know of too many attorneys who are homeless or who are struggling, particularly in this community. There is an abundance of work and an abundance of lawsuits.

“This goes as part of their responsibility as attorneys to serve as court appointed counsel. I think we could all support a reasonable increase, but this bill basically doubles – doubles – the fees, the schedules, the caps for certain cases and particularly felony cases, and I think that that is about 50 percent too much.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 182 was adopted and H.B. No. 384, H.D. 2, S.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ATTORNEYS’ FEES FOR COURT APPOINTED COUNSEL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 183 (H.B. No. 1378, H.D. 1, S.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 183 be adopted and H.B. No. 1378, 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 and said:

“Mr. President, I rise in opposition to this bill.

“I supported this bill. This was a good bill. It was a necessary bill and then all of a sudden it looks like a lot of people got cold feet, particularly after reading two columns by a local newspaper woman who of course failed to disclose that she had a very major conflict of interest in this area of TROs and divorce and all of that. I think that it’s unfortunate that the Senate, and particularly the proponents, would yield to the pressure from one individual when there was a demonstrated need to bring a balance to the TRO process, particularly as it relates to Family Court.

“There was more than just anecdotal evidence about the abuses that individuals went through, both men and women, in the overuse of TROs that had nothing to do with abuse, domestic or otherwise, but was a weapon, a very lethal weapon in the hands of those seeking divorce.

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 183 was adopted and H.B. No. 1378, 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, 2 (Slom, Trimble).

Conf. Com. Rep. No. 185 (H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 185 be adopted and H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in support of the measure and stated:

“Mr. President, I rise in support of this bill.

“I know that the good chief executive of the Campaign Spending Commission was reportedly saying that this is half-a-loaf, and half-a-loaf is better than none. However, he did not disclose whether that loaf had been previously frozen or not. (Laughter.)

“In addition to that, this bill requires that all of us come into the twenty-first century and file electronically our reports. Now, some of us have been brought kicking and screaming into the twenty-first century, but we begged him years ago, we begged Mr. Watada, ‘Please, Mr. Watada, set us Mac users free. Allow for the Mac use of filing.’ And he promised us, this man made a promise, and to date there is no way of using Mac. Now, we do have a bipartisan Macintosh office here, which is very, very tough. And I call you out sir, Mr. Watada, do your duty. Let us Mac users be free and you’ll have three-quarters of a loaf. (Laughter.)

“Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 185 was adopted and H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGNS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 186 (H.B. No. 1309, H.D. 2, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 186 be adopted and H.B. No. 1309, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ige.

Senator Slom rose in opposition and said:

“Mr. President, I rise in opposition to this travesty bill.

“I noticed, interestingly enough, it is put at the end of the non-fiscal calendar, which means to the layperson that it has nothing to do with finances, that there’s no appropriation, that there’s no monetary liability from the state. And yet, what are we seeking to do? Well, after months of discussion and compromise and conferencing and arm-twisting, we are about to pass onto the counties the ability to raise their general excise gross income most regressive tax by 12½ percent, from 4 to 4½ percent. And members of the Senate and members of the House say, ‘We’re not doing it. It’s not the state. We’re just enabling the counties to do it.’

“Other voices have said this is just an extension of home rule. This has got nothing to do with home rule, because in this bill we’re telling the counties, and specifically the City and County of Honolulu, what they must do. They must use the money to build a rail to nowhere. They have given us no information about a rail, how it’s going to operate, where it’s going to operate, scheduling, total cost, operating expenditures, maintenance expenditures, or anything else. All they’ve told us is they want the money and they want the money now. And sure there are some caveats here, and there are some restrictions, the City and County of Honolulu and the other counties have until December 31<sup>st</sup> to act, but who is allowing them to act? Who is forcing them to act? We are, in the Legislature.

“And at one point, at least we were honest. The Senate had a proposal to just simply raise the tax 25 percent as a state tax and then we would do what we always do with the counties – we let them come beg hat in hand and give them some money. But the final version that we are to vote on right now is a 12½ percent increase of the most regressive tax, a gross income tax, not a sales tax, which is going to affect every citizen in this state.

“Now Mr. President, I heard the other night from the Chair of the Higher Education Committee that we certainly can’t overlook overwhelming reports, faxes, e-mails and so forth. Here are my overwhelming negative responses in the last week. I want to see your piles. I’ll show you mine, you show me yours. Here they are. All of these citizens from different walks of life saying we don’t want, we cannot afford a general excise tax hike. Here they are.

“In addition to that, Mr. President, if you’ll allow me just very briefly a couple of very specific comments. This comment is from Andy Mertz, a small business owner, who says, quote, ‘The excise tax is harsh. There is a trail of tears. I am standing and speaking in place of my ohana and kuleana. My family of thirteen, including parents, grandparents, sisters and brothers, and now nephews and nieces have all moved away from our island home. So have many of our kamaaina friends and their families and their professions and their small businesses moved also. I am standing as witness to their trail of tears and their deep sadness. Make our Hawaii livable. Reduce the excise tax on our people.’ Andy Mertz is up in the gallery. Would please rise. Thank you, Andy. (Mr. Mertz rose to be recognized.)

“Also up in the gallery is a gentleman that owns a small business that many of you are familiar with, particularly us Mac users, the Macmouse club, Big Mike. And Big Mike points out . . . stand up Big Mike. (Mike rose to be recognized.) Let’s see if you’re really big. Yes, he’s big. Thanks, Big Mike. (Laughter.) Big Mike says that the tax is already inherently unfair because he faces competition from online and out-of-state competitors, and by increasing the tax by 12½ percent, you exacerbate that unfair competition and make it harder for him and his employees.

“Also up in the gallery, we’ve got Bobbie Slater who many of you know is a premier jewelry designer in this community. She says, quote, ‘This is a dishonest tax because people cannot see the full impact. This has been a dishonest process because the opposition was promised open debate and then they refused. This is a dishonest tax because it has nothing to do with home rule.’ Bobbie Slater would you stand up? Are you still here? (Ms. Slater rose to be recognized.) Thank you, Bobbie.

“I have many, many more, but I have one more, though, that I’d like to read. Quote, ‘I am opposed to this increase in the GET with every fiber of my being. According to the tax foundation, this conference draft version will cost my family \$450 a year. I cannot afford this. I am on a fixed private pension that has no cost of living increases. Unfortunately, I do not have one of those generous public employee pensions with its cost of living increases. And in 14 years I have not had a cost of living increase in my pension. I wish the Senate was as concerned with my financial welfare as they are of the state employees. I am a member of Hawaii Kai Neighborhood Board No. 1, which last week passed a resolution opposing the increase in the GET by a vote of thirteen to one.’ Bob Speck, could you stand up, please. (Mr. Speck rose to be recognized.) Thank you.

“Mr. President, colleagues, where is the support for this coming? Where is it coming from? If you ask people, they are already overtaxed, overburdened. In mid January when we started this Session, we promised them tax relief. We said, we

would help take care of the least among us and we haven't done that. And the GET is the cruelest tax because it hurts the least among us the most.

"We've talked out of both sides of our mouth. We know this is a major tax increase. We know this has fiscal implications because the state is still going to collect and still going to be responsible for expenditures in administering this tax increase. And once it goes to 4½ percent, since all of the proponents have said they needed at least one percent to go up to five percent, how long will it be before it goes to 5 or 5½ or 6 percent?"

"We wonder why we're talking about homelessness. We wonder why the people in the food bank call on us to give more and more food because people can't afford it, and yet this tax taxes food, medicines, rents the basic necessities of life. We talk out of both sides of our mouth and we say we're representing the people; we want to do the people's work. We talk about finding a traffic solution, and while I certainly support the problems of my colleagues on the Leeward side, those of us on the eastside, we have traffic problems too. We all have traffic problems.

"There have been options and there have been alternatives and they have not been followed. We haven't tried them. The easiest thing would be to try them because they're quick and they're less expensive. Try them and if they don't work then you can say, look, we were open; we did it; it didn't work. But no, instead we're going to base all of our hopes on a leap of faith, I think this gentleman said. A leap of faith, take a leap of faith, take the leap of faith with your own money, not with the taxpayers' money, not with the families that are struggling. People are homeless." (Applause.)

The President interjected:

"Please refrain your applause."

Senator Slom continued:

"This is a very serious matter. We've debated it for a long time and if, if there was really community support for a rail transit that was well defined and that would actually solve our problems, then those of us that oppose it could be looked at as obstructionists. But all of the debates, all of the surveys, the surveys show that 70 percent or more of the people don't want this tax increase, cannot afford this tax increase. So what are we doing here necessitating a tax increase?"

"And if we go on the basis of overwhelming position, here it is! It's overwhelming in opposition! What is our standard? What is our benchmark? One day it's overwhelming if it's somebody we don't like, another day it doesn't matter if it's overwhelming if it's an issue that we like. We can't have it both ways.

"Colleagues, there still is time to vote 'no' on this measure. There still is time to listen to the people that have sent us here. There is still time to find a legitimate affordable transportation option or options, but this is not it.

"I urge a 'no' vote on this measure." (Applause.)

The President stated:

"Order in the Senate, please."

Senator Inouye rose to speak in support of the measure and stated:

"Mr. President, I rise to speak in favor of H.B. No. 1309, C.D. 1.

"This bill allows Hawaii's four counties the option of imposing a general excise tax surcharge of one-half percent up to 15 years for transportation improvements as the Senator from the 8<sup>th</sup> District remarked. None of us wants to raise taxes. In this case, however, the need for this surcharge is clearly stated – the need for a rail transit system for Oahu Island.

"On Hawaii Island, we have our own transportation problems. My colleagues from Maui and Kauai need to address their transportation problems if their counties choose to do so.

"Approximately seven million annual visitors impact the state's infrastructure. The general excise tax is one means for our visitors to contribute for a transit system.

"Governor Lingle has voiced her support for allowing the counties to determine the use of these funds. The City and County of Honolulu has drafted preliminary plans for a transit system.

"We neighbor islanders recognize that three-fourths of the state's population resides on Oahu – generating the lion's share of the state's economic activities from the visitor industry to government spending.

"As Chair of your Committee on Transportation, it is clear that traffic congestion on Oahu is an inconvenience. It is negatively affecting the quality of life and economic productivity of our state. The Oahu Metropolitan Planning Organization estimates that in the not-too-distant future, commute times will double on Oahu without major improvements. Rail transit is one solution to Oahu's traffic problems. It will accommodate sensible growth and provide a viable alternative for commuters who now use the existing highway network.

"Mayor Hannemann, Honolulu Council Chair Dela Cruz and Transportation Chair Garcia agree that the stars are aligned for rail transit and Honolulu's last chance to keep this island from gridlock. Mayor Hannemann projects a completion for an alternative analysis and environmental impact statement by the end of 2006. A request for proposals will be issued by September 2007 and ground could be broken by the spring to 2009. This appears to be a realistic and achievable plan that takes into account the many millions of dollars in studies and plans that are completed.

"In this 2005 Legislative Session, we thoughtfully deliberated our traffic problems. We also painfully deliberated the impacts of raising taxes. As the Islands continue to grow, there is a need to develop adequate infrastructure. In good planning, infrastructure supercedes development. What we do today will shape the destiny of our beloved Hawaii. Therefore, I urge my colleagues to vote for H.B. No. 1309.

"Thank you, Mr. President."

Senator Trimble rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Congestion is a reflection of prosperity. If we really wanted to solve the traffic problem, all we need to do is keep raising taxes. (Laughter.)

"If we look at the characteristics that are necessary for a transit system to be successful (1) we need policeman we can

see; (2) we need streets that are well lit at night; (3) we need storm drains that drain so that when it rains you can walk without getting inundated by a wave from a passing bus or car. We do not have these things today and there is no reason to suspect that we will find the means of having these things in the future when we're spending all of our money on a fixed guideway system.

"The next thing to consider is what are the experiences of communities that have built fixed guideway systems? They lose money. The bus systems also lose money. So how do they react when both the several billion dollar fixed guideway system is losing money and the bus system is losing money? They cut back on the bus system or those portions of the bus system that don't feed the mass transit system. Is that something we want to look forward to for the residents of Windward and Mililani?

"The third thing we should consider is that for a fixed guideway system to be successful, it needs to be able to connect highly populated, highly densely populated locations at each end. Yes, Waikiki is densely populated. Yes, the University of Hawaii is densely populated. Yes, downtown is densely populated, but the other portions of our island are not as populated. It's like building a shopping center and instead of having an anchor at both ends of the shopping center and having people flow between the anchors, having a shopping center with only one anchor.

"Colleagues, I was amazed when a Congressman flew into town and testified that if only we would raise our taxes then he somehow would get our position in line from something at more than 200 to be close to the front. I think that is not something that we can have a lot of faith in. That assertion is not something we can trust or rely upon because, one, he is a Minority member in Congress, and number two, he is of a different party than the President. And quite frankly, colleagues, regardless of what you say, I know what it feels like to be a Minority member. (Laughter.)

"So colleagues, when you think about it, a fixed guideway system is going to have a dramatic land use change implication that was so clearly addressed by the good Senator from Kaimuki, and I hope you remember his words. This system is only the beginning of increasing our taxes, and it will build something that you will not use but it's something that you hope some other driver will give up his car to use.

"Colleagues, vote against this tax increase. Thank you."

Senator Espero rose in support of the measure and said:

"Mr. President, I would like to rise in support of this measure.

"This tax increase proposal that we're looking at and the ability to use it to finance a rail system, these are two of the most important issues that we're discussing this Legislative Session, and in my opinion, this decade.

"We had an opportunity this Legislature and the City Council fourteen, fifteen years ago in the early 1990s to build such a system, and unfortunately the political will was not there. The proposal and effort failed and the only thing we can say now is that traffic congestion is worse fourteen, fifteen years later. And the solution, unfortunately, is not insight today. There is none.

"Now, the good Senator from Hawaii Kai did mention let's try to look at all the solutions and options that are out there, and I agree with him, and a rail system is one of them. But we have

tried all of those other options. We have looked at the zipper lane and the zipper lane is good for people who are coming from West Oahu into town, but do you know that when you have a zipper lane you are closing two lanes that are going west to West Oahu? So in the future as we build West Oahu, because individuals have said we should build this job center out there, and we are doing that through Ko Olina, through Kapolei, through UH West Oahu. We are looking at building jobs in that area, but with the zipper lane, when people start driving to go west to those jobs, two lanes will be closed and right now we only have one lane going to West Oahu in the early morning. Can you imagine what that's going to be like in 25 years when that is a strong economic engine for our area?

"We've looked at contra-flow – contra-flow is working on Nimitz. I have used it on some occasions and I believe in Hawaii Kai they have used it, but there is still traffic. We looked at road widening. We tried to widen all the roads where we can. We're widening Fort Weaver Road now. We've talked about building new roads. We're building a \$120 million north/south road in Kapolei in the Ewa Plain, but that's not going solve the problem. That's not going to take care of the traffic congestion that we're all dealing with.

"We've tried vanpooling, carpool lanes, special carpool lanes on the highways and we still have traffic. We've tried a ferry system, a \$5 million ferry system that was funded by the federal government some time ago – the Wiki Wiki as we called it. Unfortunately, that didn't have the results that we were looking for. We've talked of telecommuting. Our small businesses and big businesses can take the lead in telecommuting, but it doesn't seem to have taken off. The effort is not there and even government has talked about it but it just doesn't seem to work.

"For the last ten, fifteen years since the last failed effort, we have made a little progress. But quite frankly, in my opinion, we have not made enough. Transportation and the traffic congestion on Oahu is one of the big issues that at this time we do not know how to solve it. We're going to try to with the rail system, but the rail system in itself will not be the final solution.

"This is a project for the future, Mr. President. Some of us sitting here may use it, some of us may not. But what's most important is what will we be able to leave our children 25 years from now and 50 years from now? For some, that may be far off and they're going to say I'm going to be dead by then, why even bother. But it's going to be a stark reality when you talk about the 250,000 people that was reported at a recent OMPO meeting who will be living on Oahu, new residents by the year 2030 – 250,000 people. And if we don't have a rail system or some type of people mover, where are those people going to be driving their vehicles? Where are they going to be parking their cars? And likely, most of those residents will be living in West Oahu and Central Oahu, Mr. President, in our neck of the woods. And those corridors H-2, H-1, and Middle Street, you can't widen that.

"Now, you could do what some of the opponents of rail say, let's double-deck the highway and let's put in a toll road. Mr. President, in my opinion, that's not going to work. Eventually, that toll road, that double-deck road is going to be congested and that does not stop the traffic when there is an accident. What happens if there is an accident on that toll road? You're delayed two hours just like you are today. What happens if it rains and there's lightning and thunder? That seems to make people slow down and stop. What happens when there's debris on the road or a flat tire? People slow down.

"With a rail system, we are looking at building a system that will be efficient, that will get people from point A to point B with no delays, high tech, and it will be an option, only an

option, for us to use. But you won't be able to sit in traffic and say, what has government done for me? Why can't I get from point A to point B in a timely manner? If we have a rail system built, you will be able to get from point A to point B, but you may have to adjust your lifestyle. You might have to change your travel pattern. I know I will not use it five days a week, but I can see myself using the rail system two or three times easily. And on weekends if I want to go see a UH game or do something in Waikiki, I'd be more than happy to hop on a rail system, come into town, and drive back.

"Now, there were also some comments on why should I pass this? I don't even know what it looks like? It's a train to nowhere. Again, comments from our good Senator from Hawaii Kai – it's going nowhere. This is legislation just to continue the process to build the rail system. We are not the final decision-makers, and although some people have been laughing at the term 'enabling legislation,' that is exactly what this is.

"I've spoken to our Mayor, our Councilmen and I've told them, if this bill passes, it is now in your court like it was in 1992. You must come up with the routes and you must sell the people of Oahu. You must come up with the system, the plan – high tech, heavy rail, light rail, monorail, maglev. There are many options out there. Many people are watching us and they have systems for us and all of those details, all of those specifics will be coming out at the city council level and it is there where they will make the final decision.

"This is so important that we cannot stop it. And for the good Senator from Waikiki who talked about this is not a moneymaker, of course it's not a moneymaker. Our taxes – half of our budget goes for education, lower education, higher education. We're not there to make money. We're there to take care of the needs of the people. Our money goes, our taxes go for the environment, but it's not there to make money.

"This is not a for-profit venture. The money we raise is not to pocket, to put money in people's pocket or government's pocket. It's to help the people of Hawaii. This is an investment, Mr. President. That's what this is. It's an investment in the future and we are going to look at this very closely in the next six months because I believe our residents demand it. Whether they are from the neighbor islands or other places, they demand that we look at this very carefully and we are looking at this very carefully. This is not any final decision. The city council knows the task at hand. I know they are up to the challenge and they are going to make the important decision. And I hope that my colleagues here today will see that.

"We have to have some vision. We have to look at what our children will be utilizing in 25 to 50 years. I have two sons, a 20- and 21-year-old, and I'm saying this is what I'm going to try to do for you. We need to educate our keiki in the future that we will have a transportation system for you that you will be able to use so that you may not need a vehicle. We'll make some adjustments to the buses if we can. We'll have a feeder system. We subsidize the bus to the tune of \$100 million a year or so, and we will probably have to subsidize this, yes. But that is what we do here. We have to take care of this island.

"For everyone who complains about all the bad things that are happening in this state and all the bad things the Majority Party has done, well, if it's so bad here, why do so many people want to live here, Mr. President? Why do so many businesses want to come here and open businesses? It's because it's pretty good here, Mr. President. And it is our task to make sure we continue the tradition, which the government officials from the past and the policymakers and decision-makers have done. We

have to continue and make this state the best that it can be and the transportation infrastructure is so crucial. It is so important that instead of just saying let's forget this, who cares about transportation, let them figure out some other way, we need to look at this tax increase to pay for a rail system and we need to look at the possible ramifications of billions of dollars being interjected into our economy.

"Not much has been said about that, but the billions of dollars are going to be paying for supplies for construction, for truckers. It's going to be putting people through school, paying mortgages, jobs, economic development. This is likely the largest public works project in the State of Hawaii and I urge my colleagues to pass H.B. No. 1309.

"Thank you."

Senator Hogue rose to oppose the measure and said:

"Mr. President, I rise in opposition and I appreciate the impassioned words of the previous speaker. He spoke eloquently about his side.

"I agree with him that this is an investment in our future. In fact it's an invest in our future taxes. That's exactly what it is. That investment in our future taxes will go up and up and up if the vision that the previous speaker has comes true, because it's the only way that it can be funded.

"I have four children. I'm really worried that they're going to be able to live here in this beautiful state that we all love so much. My feeling is that they will go away where the jobs are. They will go away where the taxes are lower. They will go away and they'll only come back to vacation here because it's such a beautiful, beautiful place.

"Has anybody thought about – because I haven't heard it talked about here on the Floor – what this fixed rail or light rail or guideway or train or whatever, what it's going to look like? How is it going to work? I have that question asked of me all the time. Well, where is it? What exactly are they going to do? I said, well, haven't you been reading the newspaper? Well, I'm so busy and most people are so busy because they're out there trying to get enough money to pay the taxes that are constantly going up. But what is it going to look like?

"Have you ever gone out on Fort Weaver Road? Have you ever tried to travel . . . I know the good Senator from out there travels it quite often both ways. Man-oh-man, is it a busy place. In fact I'm going to be going out there tomorrow to do an MC of a charity golf tournament, and it's tough to get back and forth on Fort Weaver Road.

"Let's just assume that we raise the tax and we build this light rail. That means that the people that are out there will have to still spend 15, 20 minutes, a half an hour or more trying just to get to the light rail station, then they're going to have to park their car, then they're going to have to wait a period of time to take this light rail or train or guideway or whatever that is marching its way towards, apparently, I'm guessing, say Mapunapuna, and maybe that portion of the trip will be very relaxing, maybe it will only take a few minutes, maybe it will be quicker than going on the H-1 during that particular time. But now when they get off, now they're going to have to wait for buses at the other end. They'll have to wait for buses, they'll have to wait for the particular bus that takes them wherever it is they need to go, whether it's the university or downtown or Nuuanu or East Honolulu, and they'll take time for that. Now, the good Senator talked about what happens to people when it rains. Now that they're at the end, they come out of the bus and now they've got to figure out how to get to

their particular place of business and they're out there in the rain.

"So, have they really saved any time at all? Have they? I think that if you add it all up, I don't think that they've saved much of anything at all. They've just been inconvenienced, and for the price of this inconvenience, we'll raise your taxes.

"I just can't go along with this thing at all. I gave a survey to my constituents. I asked them, would they raise taxes or give the counties an opportunity to raise the taxes for light rail or for any of the good projects we've talked about here today, and overwhelmingly they say 'no.' They say 'no.' And just like the good Senator from Hawaii Kai who gave overwhelming evidence of opposition to this enabling legislation, I think that we need to follow what our constituents say. Mines say 'no' and I'll vote 'no.'

"Thank you, Mr. President."

Senator Hooser rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure, Mr. President.

"Mr. President, before I go on, earlier in the debate there were some references made to an allegation that there was misinformation that I perhaps provided to this group on another issue. I want to say that allegation, number one, is not true and it pales, pales in comparison to the misinformation presented on this issue by the Senator from Hawaii Kai and others – the misinformation, the misstatement of facts, and the omission of facts on this issue. One would believe that we're talking just about raising taxes and that's it. No one talks about the costs that we pay, Mr. President, regardless if we raise taxes or not – the cost we pay sitting in traffic, the cost we pay for maintaining automobiles. I would like the record to reflect the misstatements and omissions, and I'll go over some of those in addition.

"I also want the record to reflect that the Senator from Hawaii Kai also waved papers in the air on several occasions during his speech. I want everyone to notice that and how he threw the papers down on the desk.

"Mr. President, this is an important issue. The Chamber of Commerce of Hawaii, the Contractors Association, numerous labor groups and many, many others have stepped up and said, including major newspapers, that traffic congestion is the number one quality of life issue in Honolulu, and it's going to get worse, Mr. President.

"As a society, we need to think about both the short and the long-range solutions and we cannot kid ourselves that this does not cost money. It costs money to do nothing. Driving on substandard congested roads cost each urban Hawaii motorist an average of \$995,000 a year – \$677 million, Mr. President, for doing nothing, not to mention the diminished safety, the long delays, the increased wear and tear on vehicles.

"What is the cost for a family, a father, a mother sitting in traffic, commuting an hour-and-a-half every morning? What does that cost? What is the cost of disposing of automobiles in our landfills? What are the costs of disposing of batteries, the cost of air pollution, the cost of oil dependency, the cost of building and maintaining the roads, the cost of water runoff on those roads, the costs of accidents, and the cost of doing nothing? I ask you, what are those costs, colleagues? I suggested that they are significant.

"Almost anyone suffering through the daily commute to town from the Ewa Plain will be happy to minimize that and to reduce their costs, and they deserve alternatives. We need to do something about the cost of doing nothing, and giving the City and County of Honolulu the ability to raise fees is the responsible thing to do.

"It's been said before that public transit doesn't work, that ridership decreases. That is absolutely false. It's a misstatement. The public transportation ridership – and I'll wave the papers again, Mr. President – the public ridership increased 22 percent between 1988 and 2003, the highest level in 40 years, contrary to the myth that public transit is a declining industry.

"In Las Vegas where freeway congestion has grown from 5 to 55 percent in the past 20 years, voters approved a tax plan to fund local transportation projects.

"It's also been said that it's not going to work here; it's not going to work. But here on Oahu, the primary transportation corridor of Kapolei to UH and Waikiki encompasses 60 percent of the population, over 80 percent of employment on the island.

"The City and County of Honolulu is seeking ways to relieve the traffic congestion. There's a true burden on the people here. It is appropriate – it is appropriate – that the State Legislature assist their efforts by enacting enabling legislation that will allow Honolulu to work out the remedies.

"Are there plans? Of course there are plans. There are plans, and more plans, and more plans, and there will be more plans. We give them the enabling legislation. They will come up with the plans and it will not be a train to nowhere. Give me a break. It will be a plan that puts into place public transportation. The people in this city deserve and we owe it to them to give them this support.

"The light rail boom of the 60's is over they say, and no new systems are being developed. This is absolutely not true. Almost every city that developed light rail systems over the past 30 years are now expanding those systems. Las Vegas, Houston, Minneapolis, San Juan, Puerto Rico, almost every large western city with a population of at least a half-a-million either now has one or is developing one.

"Again, ridership has increased 21 percent six out of the seven last years. There's a lot of misinformation, Mr. President, on this issue and I think it's important to point out the truth. There have been referendums proving in different communities that the people want mass transit and they're willing to pay for it. In Denver, in 1999 the citizens of Denver voted on a proposal to borrow half-a-billion dollars and it passed with 66 percent of the vote. In Phoenix, a similar measure passed by 65 percent of the vote.

"Mr. President, this is the responsible thing to do. Transit, sure there's a cost to it, but doing nothing has a larger cost and I urge my colleagues to vote in support of this measure.

"Thank you."

Senator Trimble rose in rebuttal and said:

"Mr. President, I rise to speak in brief rebuttal and then make some other comments.

"Number one, the good Senator from Ewa missed my point. I said when you have two systems that are losing money, the mass transit and the bus, policymakers are going to make decisions, and the decision that has been made in other cities

has been to decline the bus service to those areas that didn't directly service the mass transit line.

"Number two, you mentioned that this would be the largest public works project in our history, and I agree. But normally, you don't undertake massive public works projects when the economy is bright and is continuing to grow.

"Number three, you talked about going from point A to point B. That's what rail systems do – they go from point A to point B. Unfortunately, our citizens want to go from where they are to where they want to get and that isn't from point A to point B.

"When we talk about ridership, let's be consistent. The evidence that I have seen suggests that if you do nothing to expand the fixed guideway system, the mass transit system, that ridership declines and has declined every decade. The reason why the number of riders is going up is because the system is continuously expanded at greater and greater cost.

"The truth of the matter is that mass transit is not a preferred alternative. If you look at the way that people say they're going to travel and compare it to the way they actually travel, people actually walk more than they say they're going to walk. They carpool more than they say they're going to carpool. They drive their car more than they say they're going to drive their car. The only place where they do not do as much as they said they were going to do is take public transit.

"I suggest, Mr. President, that right now we're talking about dreams – those dreams are not well defined. I remember several months ago when you outlined your dreams for this Session. Unfortunately, at the end of the Session, I don't see those dreams. What I do see is what we could have used to fulfill those dreams have gone to increasing the salaries of public workers.

"Colleagues, what I suggest is that the only thing that this tax increase is going to do in the long run is provide another funding source for continuing to raise the salaries of public employees.

"Thank you, Mr. President."

Senator Baker rose to speak in support and said:

"Mr. President, I rise to speak in support of this measure.

"Mr. President, a number of years ago I lived in Washington, D.C. I lived there at a time when the debate over whether to build a heavy rail system was on the minds of everyone. It was before the city fathers and there was much debate and discussion very much like what's happening here – what if we build it and nobody uses it? What if it doesn't go into all of the right neighborhoods? What if, what if, what if. But it was a local decision and fortunately they had the good sense to take a leap of faith and move forward and design a system that goes from Maryland, through the District of Columbia, out to Virginia. It is well used, well maintained, and certainly makes it much easier to get around in the metropolitan district of our nation's capitol.

"They dreamed and they had it defined locally and I keep wondering, as I'm listening to the debate that's gone on this afternoon, what part of the phrase county home rule don't the opponents understand? The only reason we're being asked to provide the counties with some taxing authority that they can use for this is because currently they're quite restricted in what tools they can use to raise revenue to run city operations and to expand city services.

"Their main taxing authority is the property tax, and I suspect that if the City and County of Honolulu, the County of Maui, the County of Hawaii, or the County of Kauai decided that that's what they were going to use to take care of transit issues or any other issue before them by raising property taxes to a sufficient level that a half a percent GET would raise, that you would hear howls and screams all over this state.

"The interesting thing about the general excise tax is that many of our visitors pay it as well, and so it's an exported tax and it decreases the burden on our residents. The important thing for me, in terms of my support for this measure, is that I am giving the responsibility to the level of government that has the responsibility, has asked for the enabling legislation so that they can make the decisions, so that they can design the system, so that they can tailor it to the needs and desires and demands of their local residents. It's not for the State Legislature to make those detailed decisions and I guess that's one of the things some of the opponents have trouble with. We're so used to fixing problems and defining those details at this level.

"But what we're doing is we're enabling our colleagues who have been elected to serve their constituents on the City and County level, with the ability to make those decisions, to move an issue forward, and to try to solve a problem that has only the opportunity to get worse and not better without a solution of this magnitude. And because this is enabling legislation and I believe it's time to move forward and help out the City and County here in Honolulu, as well as the other counties if they so choose, to solve their transportation problems, then I'll be voting 'yes' on this measure."

Senator Taniguchi rose in support and said:

"Mr. President, I would like to have comments in support of this measure noting my concerns inserted into the Journal."

The Chair having so ordered, Senator Taniguchi's remarks read as follows:

"Mr. President, I rise to speak in favor of this measure.

"In an effort to support the building of a light rail system for the residents of Oahu and to help alleviate the traffic problems that are growing on the neighbor islands, I urge my colleagues to support H.B. No. 1309. H.B. No. 1309 provides the counties with an optional funding mechanism to help solve their traffic problems. For the City and County of Honolulu, the GET surcharge authorized in this measure will be a funding mechanism it can use to build a rail system that will help move people around the island and provide a better quality of life for Oahu's residents.

"While many may support the idea of a light rail system, the Senate has concerns about the unknowns in the City's plan. Without knowing what the cost of the project will be, how the money will be managed, and the amount of a federal match, it is difficult for this Legislature to ask taxpayers to shoulder the burden of a full 1 percent increase in the general excise tax. Therefore, H.B. No. 1309 has been amended to address these issues by reducing the maximum surcharge allowed on the GET to ½ percent and clarifying the use of the revenue from this surcharge to be used for a locally preferred alternative for a mass transit project. In addition, we have provided the deduction of 10 percent of the gross proceeds of a respective county's surcharge on state tax to reimburse the State for administrative costs. A 15-year sunset clause is included in the bill to ensure that there is the opportunity to evaluate the progress and management of the surcharge revenue.

"This bill is just the first step in a long process for the development of a light rail system for the island of Oahu. It will require the cooperation of many entities in the public and private sectors to bring this project to completion. We are counting on a continued working relationship with the City and County of Honolulu as well as the Governor to make this project a success.

"Those on the other islands will benefit from this bill by having the opportunity to look at their own unique issues with traffic and have a funding provision in place to finance any solutions they seek to implement. What works on Oahu is certainly not what is needed on Maui or Kauai, while the Big Island has needs of its own. All the counties should be given the resources to deal with their traffic issues and ease the congestion that frustrates us all.

"I urge all Senators to support H.B. No. 1309."

Senator Espero rose in rebuttal and stated:

"Mr. President, brief rebuttal regarding some of the comments from the good Senator from Kaneohe.

"I guess he didn't see the value of the rail and how it would help my constituents. But let me give him a different point of view. If it takes a person who leaves their home 20 minutes to get on the rail from Ewa Beach, and then it takes 30 to 40 minutes to get into town to their location, that's an hour transporting from Ewa Beach into town or UH. I was in Waikiki this weekend and there was one of those double-decker buses at Kapiolani Park and I asked the bus driver how long would it take you to get from here to Ewa Beach? He told me, two hours by bus on a weekend. Now, can you imagine what that must be like during the rush hour at six o'clock in the morning, seven o'clock in the morning, four, five, six.

"This system, if it is built right – and that is going to be the task of our Council Chairman in the audience and other members at City Hall to make – if it is built right, it will benefit our city tremendously.

"And for the good Senator from Waikiki, point A to point B is relative, sir, so don't think of that too much. Thank you."

Senator Slom rose in rebuttal and stated:

"Mr. President, brief rebuttal on a number of points.

"If . . . if, if, if . . . yeah, we could say that about a lot of legislation. If only – if only we had understood, if only we had asked questions, if only we had gotten answers, if only we had seen a plan – if, if, if. But to raise the tax first, to allow the tax to be raised, to have more burdens on our local residents who have told us overwhelmingly they don't want this, is malfeasance in office.

"A statement was made that our residents demand this rail transit and the tax increase. What residents? Where are they? I haven't seen them. I haven't heard from them. I've shown you what I have in terms of e-mail. You've all seen the effort that the realtors have made and other groups that have joined them. I haven't heard people coming down here with placards saying, 'We want to be taxed more now! More taxes now! Tax us now!' What persons are we talking about? Every survey that we have seen, every survey that's been published, even by the supporting media, have shown that the people are overwhelmingly opposed to this. We can talk about Portland or Vancouver or Washington or other areas, but we live here and we're responsible here.

"And by the way, this continuing situation about increases or decreases in ridership, maybe we need a common definition, because if there are 100 new passengers or drivers created and 8 to 10 of them take some form of existing rail transit in an area, but 88 to 90 take cars or do something else, then we have to conclude that in fact the rail transit areas are showing a decline in usage. They may increase in numbers from one period of time to another, but they are declining in overall usage, in percentages, in ratio, in any other generally understood method of comparison.

"Somebody mentioned the Chamber of Commerce. That's interesting. It depends on what day and what time of the day it is what position the Chamber of Commerce of Hawaii has taken, because they've changed their position three times during this Legislative Session alone. But I know that their most recent position, a position in support of the tax increase, was not done by polling their members. They did not ask their members what they thought. They asked certain members of their board of directors and their executive committee, but they didn't ask their members.

"Will this be the biggest public service or public works project ever in the history of Hawaii? Well, it could be. We don't know where it's going to be or what it's going to look like. It could be. But we do know this – it will be the biggest single tax increase in the history of Hawaii.

"And to the question, what are we going to leave our children 25 or 50 years from now? And by the way, I have four sons and a grandson, and my children are younger than your children, and I'm going to live longer than you no matter what. (Laughter.) What are we going to leave them? More taxes, more debt, more uncertainty and the belief that we didn't know what we were talking about.

"In any business, in any product, in any consumer activity, you don't say here, take my money first and then generally describe what you're going to give to me, and then give it to me and it will be okay and we'll take a leap of faith. You want to know what it is, and even when you know what it is, half the time you're upset anyway because somebody's got one nicer or shinier than you do.

"Is it too much to ask to have the plan first, including the \$2.7 billion cost for construction. By the way, the discussion was made about Denver and the people there. They were willing to vote for . . . what was the figure, was it \$700 million or \$500 million? Half a billion? But we're talking about \$2.7 billion in a small economy. And as the good Senator from Waikiki pointed out, you'll still be subsidizing the bus. Only now, you get to subsidize the bus and the rail transit.

"And all of us get really frustrated when there's an accident anywhere and the current freeways are shut down for two hours, four hours, six hours. That's not a problem of congestion, that's not a problem of transportation, that's a problem of law enforcement and how they go about investigating accidents.

"Now, what happens if there is, God forbid, an accident on the proposed rail transit which we don't know where it's going and what it looks like? They just had one of those, I believe. I think the country is called Japan. What happens if all the unionized employees – and we know they will be all unionized – what happens if they go on strike and shut the whole system down? What happens to the question of rights of way, eminent domain for administration facilities, repair facilities, station facilities, other facilities along the right of way? What happens? We don't know because nobody is giving us answers. And by the way, I apologize if, you know, some of my remarks



rubbed certain Senators the wrong way, particularly about figures.

“Look, there’s a guy up there and his name is Cliff Slater. He knows more than all 25 of us about statistics and facts and figures because he only uses source figures. So, I’d recommend that after this Session – we should be done, I think, probably about nine or ten o’clock, if I speak less, maybe 8:30 (laughter) – that the good Senator from Ewa Beach and the good Senator from Kauai, go right up there and talk with him. He’d be very happy to help you.”

Senator Hooser interjected:

“Mr. President, could you ask the speaker to direct his comments to the Chair, please.”

Senator Slom then said:

“They can go up and talk to him in the gallery.”

President Bunda inquired:

“Senator Slom, are you ready to wrap up?”

Senator Slom responded:

“I’m just about ready, sir. I’m coming around the corner. I’m just about ready to do it.

“Let me say this, we are asking highway users, as well as general taxpayers, to support the rail transit by their fuel taxes, by their motor vehicle weight taxes, by their registration fees and taxes. We had a bill which somehow didn’t make it Friday night. It was H.B. No. 1645 which would have added yet more taxes and a new ad valorem value tax on top of the weight tax and giving the counties the option to raise the highest fuel taxes in the country even more. So, that’s the direction that we’re going in. The fact that it failed at the last minute is just luck for the taxpayers.

“We’re not looking at this tax in a vacuum. It is a tax among other taxes on top of taxes, but it is a cruel tax. And to say that, oh yeah, we’re going to export it to the tourist, there may come a time when, by our legislation for taxes and kamaaina rates and moorage fees, we tell people if you’re from the outside, you’re fair game because that’s all we see you as – a tax target – and they stop coming. And then what do we do? We don’t have too many things to fall back on, so we’re taking that for granted. But even if that were so, I’m concerned about the local people because those are the e-mails, the phone calls, the faxes, and the visits that I’ve gotten, and they’re opposed to this.

“And for one last time let’s go over the home rule fake argument. If it’s home rule you want, you’ve got me in support. Then say that the City and County of Honolulu and the neighbor island counties can have all the taxing authority that they want and they can do anything they want with it. But to say that this is home rule now, to say that they can tailor whatever they want is just not true. The neighbor island counties, it is true, have more options. They can even have road construction if they want, street construction, but not the City and County of Honolulu. It is rail transit only! That’s all they can do. That’s all we can do – those of us from Oahu.

“So, leap of faith . . . I don’t think so. I’m not ready to leap. And for those people that want to use other people’s money to do this, you better check with those people first, because I don’t know what residents you’re talking about that say tax me more, tax me more.

“It’s also strange that people are unwilling publicly to debate this issue with individuals that have a long and honorable track record of providing accurate information. They just don’t want to do it.

“Finally, this is not a partisan issue. It is nonpartisan. We have people of different parties that are both supporting and opposing this, but to say that this is anything other than a tax issue is just plain wrong. Because if it were, then we’d have studies or we’d have commissions and we’d say come up with your best plans and then come to us. And when you have the plan, if you need money, we’ll look at how much it’s going to cost and then we’ll see if we’re going to be able to afford that. But we’re not doing that. We’re saying do the tax first, and that’s wrong.

“Thank you, Mr. President.”

Senator Ihara rose with reservations and said:

“Mr. President, could you note my reservations on this bill for the reasons stated at Third Reading.”

The Chair so ordered.

Senator Hemmings rose to speak in opposition as follows:

“Mr. President, I rise to speak against this legislation.

“Mr. President, I appreciate, after the long debate, the opportunity to share a few thoughts, hopefully in a cogent manner. We’ve been talking about two issues here, Mr. President – the advisability of a fixed rail system for the urban corridor of Honolulu, but more importantly about a tax, the largest tax increase in the state’s history.

“First of all, there’s no economy for scale regarding this proposed system and the cost. The next largest area that has a fixed rail system that’s similarly being proposed in Honolulu is Miami. They have a population base in the urban area of approximately 4 million people. They can spread their debt over 4 million people and they have a much larger potential of users to this system to help underwrite its operating and debt service cost.

“On this island, we have probably no more than five or six hundred thousand at the most in the urban corridor. I can guarantee that every one of the Senators from both sides of the political aisle and House members who live on the Windward side or in East Honolulu will never see the advantages of this. Constituencies are against this because they will be asked to pay for something that will never benefit them.

“Let’s talk about the tax. The tax is extremely regressive. An excise tax hurts the people most who are least able to pay. And if we really are compassionate for the sick, the hungry, the homeless, and those in need in our society, why are they paying these taxes and why would this tax be so regressive for them? It’s been well established that it would take on the average of the average household, \$450 out of each household of four. For the working poor, that is a tremendous amount of money. We just can’t afford this tax.

“Everybody talks about taxes, and I’m sure later we’re going to argue about the conveyance tax increase. They say, well, this tax is not as bad as it is in California or this tax is not as bad as it is. But all these taxes do not come in a vacuum. They come together, and it is known and it has just been recently reinstated by national surveys that our people are amongst the highest, if not the highest, taxed people in the nation per capita basis.

"It was mentioned that if things are so bad, how come we all live in Hawaii? We live in Hawaii because of the blessings of nature and the good will of the people and many other reasons. We live in Hawaii despite the policies of government, not because of them. In fact, the facts are that more and more of our young people and our elderly are being forced to move to other places to afford to live.

"But having said all of that, we know that a tax raise of this nature would be extremely disastrous for the economy and would lead to more red ink in our budgets and more increases in the future to support a system that we cannot afford.

"What are the alternatives? They say doing nothing is what we've done, and they're exactly right. We have done nothing to really solve transit problems and then we come up with this massive tax increase and railway system that wouldn't work, as a big bang solution.

"Panos Prevedouros of the University of Hawaii produced a document that showed that we could cut about 40 percent of commute times for many areas just by fixing our highway systems. Those small fixes are being done as we speak by the current administration and the preliminary evidence is that they do work. The highway contra-flow lane, hooking up the zipper lane to Nimitz, the Lunalilo onramp – all of those things do cut transit time. If we did them all, we could substantially cut so we could fix the mistakes made up and down our urban corridor.

"We could adjust work hours. I just had a grandson delivered at Kapiolani Maternity Hospital. The nurse there works 10 hours and only four days a week. Work hours could be adjusted for public workers and maybe it would help contribute to changing the demand on our roads for when people come and go to work.

"The good Senator from Waianae suggested in a debate similar to this several years ago, don't take people to the destination, take the destination to the people. Kapolei was supposed to be the second city. Maybe we could put more government agencies out there and lead the way in taking people away from the urban corridor and have them commute to Kapolei for a host of needs.

"We could have – as a very astute gentleman on this issue has talked about – an elevated toll way where the people using the mass transit system pay for it. It would not only be accessible to cars, but it could also be available to the bus system, which we're subsidizing. The genius of it is that the buses could get off the elevated toll way and take people close to their destination, not requiring transfers and the use of two mass transit systems. We could deregulate transportation here in Hawaii. We're the only state in the nation that has a Public Utilities Commission that actually discourages people from entering the transportation marketplace with business initiatives.

"Mr. President and colleagues, there are a number of alternatives than a fixed guideway, mass transit, government monopoly system paid for by a tax increase that people of Hawaii cannot afford. I urge my colleagues, especially those who live in areas like I do, to vote 'no' against this because your constituents are certainly against it.

"Thank you, Mr. President."

Senator Hooser rose and said:

"Mr. President, very briefly, I just wanted to correct some significant misstatements of fact presented by the last two speakers speaking in opposition to this measure.

"Both of them said clearly that this is about fixed rail, that it mandates and requires fixed rail. I believe if they took the time to read the bill, they would see that is not the case. I don't even know if fixed rail is even mentioned in the bill. It talks about a locally preferred alternative for mass transit, and I just want to end it there.

"Thank you, Mr. President."

Senator Hanabusa requested her vote be cast "aye, with reservations," and the Chair so ordered.

Senator Hogue rose and said:

"Mr. President, could you please note that we'd like a Roll Call vote, please. Thank you."

Senators Hee, English, Chun Oakland, Ige, Kokubun and Taniguchi 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. 186 was adopted and H.B. No. 1309, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, and Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Slom, Trimble, Tsutsui, Whalen).

At 4:29 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.

### FINAL READING

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 152 (S.B. No. 294, S.D. 3, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 152 be adopted and S.B. No. 294, S.D. 3, H.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.

"I got a phone call from a resident on the Big Island and she was very upset with me. I would have preferred if she would have talked to her Senator, the Senator from the Big Island, but she was very upset with me because she said how could I have voted against the minimum wage. She was a poor person. She had worked at a minimum wage job before, in fact in a restaurant. She said the area was so poor that she didn't even get any tips. And she was having a hard time feeding her children. I tried to explain to her, as best I could, that the minimum wage increase, forced increase, will not take care of that problem and that the minimum wage, as we've discussed year, after year, after year, is basically an entry wage.

“By the statistics given by both the Department of Labor and Industrial Relations and the Clear Labor Organization up at the University of Hawaii, at any given time there’s no more than 2 to 3 percent of the working population that is affected by the minimum wage, and it changes. The whole idea is you’re not supposed to be locked into a minimum wage. A minimum wage is a training wage. It’s an entry wage. It’s not a living wage. Everybody understands that. It’s a place of getting your foot in the door. I don’t ‘think there’s any of us in here that have ever had . . . if we remember back to our first summer jobs or regular jobs, the whole idea was getting the job first to prove to the employer or prove to somebody that you could do it – that you were smart enough, you were strong enough, you were reliable enough, whatever it was. But first there had to be a job and there had to be an entry and you had to be able to get in there.

“Unfortunately, what the minimum wage does is destroy jobs at that very level, that very entry level where people need the opportunity to get there first foot in the door. And as they do a better job, they’re paid more, and if they’re not, they have the ability to walk, particularly in our economy now that we’re blessed by the fact that we have the lowest unemployment rate in the country – under 3 percent, that’s amazing. It is a worker’s market. In fact, employers compete for employees. And how do they compete? They compete with wages. They compete with benefits.

“And to have the Legislature or the Congress, for that matter, tell businesses what they must pay and what the conditions are, particularly when most of the members of the Legislature or of Congress have never undergone the riggers of having their own business and meeting a private payroll, it is very difficult. Again, of all the people that come down to these hearings, the vast majority, the overwhelming majority are opposed to forced compulsory minimum wage increases. Because what people that have never had a job don’t understand, even though we tell them year, after year, after year when this debate continues, is when you force up the minimum wage, you’re also forcing up employer mandates as well. It’s not just the amount that you pay. It’s the cost of all of the mandates such as workers compensation and temporary disability insurance and prepaid health and workers comp and social security and Medicaid matching. Why? Because they are all based on what the size of the payroll is and as the payroll goes up, the cost of these items go up as well.

“Surveys have shown that in Hawaii – which has more mandates, employer mandates than any other state in the union – the cost of those mandates, in addition to whatever the compensation rate is, generally is in an area of between 35 and 55 percent above whatever the wage is paid. So, when people come down here, not just restaurateurs but others, and they say that the cost is very difficult for them and very difficult for entering employees, we should listen to them.

“By the way, those of us that remember Lex Brodie’s survey that he did on the State Board of Education about five or six years ago showed that most new employees, and particularly those that are hired by small businesses because small business creates every two out of three new jobs in the State of Hawaii, for most of those new employees it takes the employer about 50 percent of the time to train that employee, in addition to whatever the demands and the procedures are of the job, in basic reading and mathematics and other skills which somehow were not acquired at the public school level. So, you’ve got on-the-job training. You’ve got compensation. You’ve got benefits as well, and then we want to force those amounts up.

“And in the restaurant industry, it’s a very special situation where the tip credit, as is true, is said that some states don’t

have it but most states do, and most states are higher than our current tip credit rate of 20 cents per hour. It’s a very important consideration because anybody that has ever worked in any restaurant – and I don’t care whether it’s on the Big Island, in a poor area, or whatever – any person that’s ever worked in a restaurant, they don’t work for salary or compensation, they work for tips. And if they are the least bit civil, let alone providing good service, a smile, and extra care, they make all of their money out of tips. So, to offset wages is not only a prudent and rational thing to do, but it is a realization of what the real world of economics are all about.

“So, here we are again telling businesses you must raise your minimum wage whether that person is actually worth that amount of money or not. It has this spiraling affect both upwards and downwards, because you have other employees, even though they’re getting more money they say, ‘well, I haven’t had a raise in awhile. I need a raise too.’ And the unions that are always at the forefront of pushing minimum wage increases, their workers, none of them are getting minimum wage, so you say they have no ax to grind, but of course they do because then they use that in future negotiations to try to push the raises ever higher.

“The cost of business is a cost that all of us as consumers pay. So, in addition to raising the general excise tax on poor people, you’re also going to raise the cost of goods and services, because to the extent that a business can, it will pass along additional cost – taxes, mandates, wages, whatever it is. To the extent that they cannot do that, they go out of business and then everybody loses – the business is not paying taxes and the employees do not have a job.

“Oftentimes, I hear people talking about compassion and sensitivity, and the most compassionate and sensitive thing to do is to have a business and investment climate that encourages more businesses, more competition, and more jobs to be created – not to put more roadblocks, more prohibitions, and more regulations in the way of both existing and new businesses, and particularly new entry level jobs. And that’s what we would do if we voted at this point to increase the minimum wage.

“Thank you.”

Senator Hooser rose in support of the measure and said:

“Mr. President, I rise in support of S.B. No. 294, minimum wage increase.

“Mr. President, we’re talking about raising Hawaii’s minimum wage to \$6.75, a 50 cents increase by January 1, 2006. I’m not the greatest at math sometimes. I kept doing it over and over again thinking it was going to be some huge amount, and 50 cents times 40 hours is \$20. I kept thinking it had to be more than that. It’s \$20 . . . \$20 a week we’re talking about raising the pay of the lowest paid people of our state. There are people here that think that that’s too much. It’s just beyond me, Mr. President.

“The misstatements of fact . . . I would say the previous speaker . . . you know, I was joshed for waving papers in the air, and the reason I’m waving papers is because I’m excited because I have the facts here, Mr. President. I have research. I have studies. I have the information that clearly refutes, and I could stand up here for a long time, but I won’t. The information that comes from 80’s research or points of views stuck in the 80’s about it’s bad for business, it’s bad for business, people don’t want it.

“The Pew Foundation, a nonpartisan organization, just completed a survey that says 82 percent believe that raising the

minimum wage is an important priority – 82 percent. Only the shrill voices of the extreme right wing conservatives still cling to the bad research and myths of the past, claiming that raising the minimum wage is bad for business.

“Hawaii has the lowest unemployment rate – that’s true – yet Hawaii ranks eighth, eighth in the nation for those holding multiple jobs. The people are working harder for less money.

“As the minimum wage stagnates . . . the minimum wage now is not even keeping up with inflation. If it kept up with inflation, it would \$7.64 today. So even the increases we’re considering passing today do not even keep up with inflation, Mr. President.

“Again, we’re not talking about a living wage – a wage that actually would take for a person to live a decent but basic life which is \$10.42 an hour. We’re talking about a sub-living wage and adding \$20 a week onto someone’s salary.

“This is about people, Mr. President. Minimum wage increases benefits for families and children. It lifts families out of poverty. Two out of three minimum wage workers are women. It was talked about all the people working in restaurants making all that money. I asked my staff to look in the Honolulu Advertiser and make an informal phone poll of different employers and this is not just restaurants, this is Blockbuster Video, Kentucky Fried Chicken, McDonalds, Aloha Airlines – \$7, wow, that’s a lot of money, K-Mart, Wal-Mart. These corporations are making billions of dollars in profits and paying minimum wage or just slightly over and we’re worried about paying them \$20 a week more.

“These are not teenagers alone. These are old people. These are senior citizens trying to eke out a living with their social security and make a little bit more money. When you go into McDonalds today, do you see all fresh faced teenagers? You might see some, but you see senior citizens. You see retirees.

“It’s time that we share our prosperity with low income workers. If not now, when? If not now, when? Hawaii is experiencing a spectacular economic boom period right now with expectations that this trend will continue, and we’re debating whether we want to pay or have these people earn another \$20 a week.

“For some in the chambers here, it’s like groundhog day from the 80s again. I don’t know if it’s the Gulf War syndrome or what, but it’s business is bad, business is bad. Every year it’s business is bad, business is bad. But the reality is business isn’t bad, business isn’t bad.

“Hawaii outperformed the United States in 2004 and is expected to continue this trend in 2005. Our economy is good. We have a booming economy. We have the lowest unemployment rate at 2.8 percent in the nation. We’ve led the nation for eight of the last twelve months. Bankruptcy filings have dropped for nine straight quarters. The real estate market is booming. Construction is booming. The visitor industry is booming. The Business Banking Council optimism index was at 138, the highest peak since it began. Bank of Hawaii’s business confidence survey suggested business confidence remains at peak levels. Business is booming. If not now, when? We’re talking about \$20 – \$20 a week for those that earn the very least in our community.

“The sky is not falling. Business is not bad. Business is not bad. Business is better than it’s ever been. If not now, when?

“The argument about when we raise the minimum wage, business is going to go bad. The truth is that when the federal

government raised the minimum wage in ’96 and ’97, unemployment fell. There was a slight increase in jobs even among teenagers, young adults, and others. It resulted in economic benefits to the working poor. It reduced turnover expenses, increased productivity for better, motivated, more stable workers.

“A growing body of empirical evidence in theoretical work has called into question the long held prediction that a higher minimum wage will reduce the number of jobs is from the Fiscal Policy Institute, 2004. In general, there is no valid research based rationale – no valid research based rationale for believing that state minimum wages cause measurable job losses. Policymakers should be aware that the facts clearly show that the benefits of such increases outweigh any potential cost. About 20 studies in the last decade show that modest hikes, \$20 a week, a modest hike in the minimum wage found no employment losses. This fact has been widely embraced since the 1995 studies, etc., etc.

“New Jersey was a very good study case. They found no employment losses – no employment losses – among New Jersey’s fast food restaurants when New Jersey increased the minimum wage. There are few credible reasons to oppose a minimum wage increase. This is a modest and responsible proposal to raise the wages of our lowest wage earners. The voices of business are extremely represented in this debate. Nationwide, they say that timing is not good. When is it ever good to raise the minimum wage if not now when business is booming and confidence is set for the coming years.

“Minimum wage is a tangible measure of how America views employer obligations to their workers. It sets a fair price when one side, the business, holds all the bargaining chips. I’ve been in business for many years and know what it’s like to make a payroll. Low-wage workers have little leverage, little voice, and little negotiating power in a low wage labor market. You try to organize in Wal-Mart and they fire you or they close the store. This is equally true for middleclass youth working to raise money for college as it is for a single mother supporting a family. Minimum wage is not just about helping the impoverished, it’s about fairness – the value of work and opportunity and the responsibility of employers.

“I encourage my colleagues on the Floor today to support \$20 a week for the people who need it the most and vote ‘yes’ on this bill. Thank you, Mr. President.”

Senator Trimble rose in opposition to the measure as follows:

“Mr. President, I rise to speak in opposition to this measure.

“Colleagues, I think it’s appropriate that the good Senator from Kauai retake economics 101. You have a choice between doing a mutatis mutandis analysis or ceteris paribus analysis. It is true that when you have a growing economy, you do not notice the effects of raising the minimum wage. But if this Body really were serious about the working poor, the lower middle class, then their votes earlier today would have been very different. They would have voted to raise the standard deduction. They would have introduced legislation like we did to raise the personal exemption and income tax. They would have lowered or eliminated the business tax.

“Mr. President, I support the concept of every worker earning \$100,000 a year, not in nominal terms but in real terms. You don’t get there by raising taxes. You get there by lowering taxes. The impact of raising the minimum wage will be felt most strongly on places, communities that are not in the urban Honolulu corridor. When you have a stimulated growing

economy in the urban corridor, you have problems with transportation. You have transportation congestion.

“You will have employers that find that they can operate at a breakeven or profitable basis by going out beyond the urban corridor because they can find workers that don’t want to travel into town and they can pay wages that are below the prevailing rate in the private sector in the urban corridor. This is the activity that we want to encourage. We want to encourage non-government employment growth in Ewa. We want to encourage it in Wahiawa, Kaunakakai, Hana. This is what happens in a growing economy when real estate prices, rents, and wages are above the average for the State. Employers look to go outside the urban corridor. That is what we need to happen.

“The title of the bill is wrong. We really should be calling this the part-time employment act of 2005, and let me tell you why. Members of this Body get up and say it is a shame that fewer people are covered by health coverage now than 30 years ago. If that really bothered them, then they would apply this rise in minimum wage to part-time workers and exempt those with health coverage. They do not.

“What happens to an employer’s cost of doing business, because of increases in the minimum wage and the domino effect it will have up the chain, when their cost of labor goes up? They will seek to reduce the number of fulltime workers and increase the number of part-time workers. That is why we have so many more residents than in any other State in the Union who will be fulltime workers working two to three part-time jobs. When they go and take part-time employment, they are actually taking jobs away that normally might go to teenagers or retired people. I don’t think that’s positive either.

“I’m going to be voting against this bill because of its impact on communities outside the urban corridor, because of its impact on teenage employment opportunity, on people that have already retired, and on people that have physical or mental disabilities that will have a harder time getting employed if we raise the minimum wage.

“Thank you, Mr. President.”

Senator Ihara rose with reservations and said:

“Mr. President, could you please note my reservations on this bill because it lacks an increased tip credit, and without a tip credit, the many great and local restaurants in Kaimuki and Kapahulu would be negatively impacted.”

The Chair so ordered.

Senator Kim rose with reservations also and said:

“Mr. President, will you also note reservations for me and also some of the comments of the previous speaker. Thank you.”

Senators Nishihara, Fukunaga, Hanabusa and Baker 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. 152 was adopted and S.B. No. 294, S.D. 3, H.D. 1, 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, 20. Noes, 5 (Hemmings, Hogue, Ige, Slom, Trimble).

## FINAL READING

### MATTERS DEFERRED FROM THURSDAY, APRIL 28, 2005

Conf. Com. Rep. No. 1 (S.B. No. 1483, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 1 was adopted and S.B. No. 1483, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 3 (S.B. No. 459, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 3 was adopted and S.B. No. 459, S.D. 2, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS,” 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. 19 (S.B. No. 1117, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 1117, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 24 (S.B. No. 1872, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, Conf. Com. Rep. No. 24 was adopted and S.B. No. 1872, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (S.B. No. 1699, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 45 was adopted and S.B. No. 1699, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (S.B. No. 1267, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 49 was adopted and H.B. No. 1267, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK MONITORING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (H.B. No. 1555, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 56 was adopted and H.B. No. 1555, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (H.B. No. 1238, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator English and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 1238, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 63 was adopted and H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 87 (H.B. No. 283, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 87 was adopted and H.B. No. 283, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 93 (H.B. No. 1301, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator English, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 93 was adopted and H.B. No. 1301, H.D. 1, S.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. 98 (H.B. No. 1668, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Conf. Com. Rep. No. 98 was adopted and H.B. No. 1668, S.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. 99 (H.B. No. 500, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 99 was adopted and H.B. No. 500, H.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 102 (S.B. No. 1592, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 102 was adopted and S.B. No. 1592, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 110 (S.B. No. 1451, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 110 was adopted and S.B. No. 1451, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING WATER QUALITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 132 (H.B. No. 168, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 132 was adopted and H.B. No. 168, H.D. 2, S.D. 1, 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. 136 (H.B. No. 841, S.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 136 was adopted and H.B. No. 841, 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, 25. Noes, none.

Conf. Com. Rep. No. 137 (H.B. No. 1556, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kokubun and carried, Conf. Com. Rep. No. 137 was adopted and H.B. No. 1556, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 141 (H.B. No. 260, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 141 was adopted and H.B. No. 260, S.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. 143 (H.B. No. 1597, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 143 was adopted and H.B. No. 1597, S.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. 145 (H.B. No. 19, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 145 was adopted and H.B. No. 19, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 155 (S.B. No. 944, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 155 was adopted and S.B. No. 944, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 156 (S.B. No. 945, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 156 was adopted and S.B. No. 945, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION 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. 158 (S.B. No. 1579, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 158 was adopted and S.B. No. 1579, S.D. 1, 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. 159 (S.B. No. 1580, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 159 was adopted and S.B. No. 1580, S.D. 1, 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. 164 (H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 164 was adopted and H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 167 (H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 167 was adopted and H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 170 (H.B. No. 115, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 170 was adopted and H.B. No. 115, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 175 (H.B. No. 1640, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 175 was adopted and H.B. No. 1640, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," 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. 12 (S.B. No. 673, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 12 was adopted and S.B. No. 673, S.D. 2, H.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, 25. Noes, none.

Conf. Com. Rep. No. 44 (S.B. No. 1660, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 44 was adopted and S.B. No. 1660, S.D. 2, 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 (Trimble).

Conf. Com. Rep. No. 50 (S.B. No. 116, S.D. 2, H.D. 2, C.D. 1):

Senator Hee moved that Conf. Com. Rep. No. 50 be adopted and S.B. No. 116, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Trimble rose with reservations and said:

"Mr. President, I stand to express reservations.

"We have a nursing shortage in this state. We came up with a nice piece of legislation and in the end we are appropriating, we are giving for this scholarship program because we have a nursing shortage, \$20,000 this year, nothing next year. I think the Senator from Waimanalo would say this is sham legislation.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 50 was adopted and S.B. No. 116, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," 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. 1732, S.D. 1, H.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 103 be adopted and S.B. No. 1732, S.D. 1, H.D. 1, C.D. 1, having been

read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"Is this about pork or being President? Is this about pork and being President?"

"Mr. President, I think it's appropriate, if we're concerned with natural disasters, that we list all natural disasters and from that list, based upon the exposure, we appropriate money to do them in order. Since this reasonable process was not followed, I'll be voting against this measure.

"Thank you."

Senator Kokubun rose to support the measure and said:

"Mr. President, I stand in support of this measure.

"Mr. President, we have been very, very concerned about the water quality and the flood situation at Lake Wilson, and we think this is an appropriate measure to address those issues. For one thing, as you know, and I hope as many of our colleagues know, Lake Wilson is used as an irrigation source for many of the agricultural lands in that area. For that reason, we are very, very concerned about the water quality, and we are also very concerned about the overflow of Lake Wilson and the damage that it can cause not only to communities, but also to the agricultural industry there.

"I ask all my colleagues to support this measure. Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 103 was adopted and S.B. No. 1732, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Conf. Com. Rep. No. 107 (S.B. No. 807, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 107 was adopted and S.B. No. 807, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," 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. 960, H.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 108 be adopted and S.B. No. 960, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill.



"I support the contents of the bill. The objective of the bill and what I object to is raiding the Hurricane Relief Fund by more than \$2 million.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 108 was adopted and S.B. No. 960, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 111 (S.B. No. 1250, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 111 was adopted and S.B. No. 1250, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS," 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. 682, S.D. 2, H.D. 3, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 112 be adopted and S.B. No. 682, S.D. 2, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Baker rose in support and said:

"Mr. President, I have remarks I'd like to have inserted in the Journal in support of this measure. Thank you."

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of S.B. No. 682.

"This is an important measure that will provide additional tools to monitor the sale of tobacco and ensure that minors are not able to purchase tobacco products thus helping to reduce the use of tobacco among Hawaii's youth. Studies have shown that 90 percent of current smokers began smoking before the age of eighteen. Meanwhile, cigarette companies are constantly targeting America's youth in their attempt to sell their deadly product to a new, younger market. Our best defense against these tactics is to provide enforcement agencies with a means of monitoring and limiting the sale of tobacco products. This bill offers provisions to do just that. S.B. No. 682 ensures strict standards for retailers who want to sell tobacco products and provides hefty penalties for those who do not comply with the law. The bill will establish a permit fee of \$20, not an onerous amount for retailers. More importantly, the bill will help us know when product is sold and ensure that product, without proper taxes paid, will not be sold.

"This is a very important measure from a public health standpoint and I want to thank the Attorney General and the Director of Taxation for their assistance in Conference to craft a bill on which we could all agree. The Center for Disease Control and Prevention lists measures like this as an important strategy to the prevention of underage smoking and as a deterrent to youthful addiction.

"S.B. No. 682 is an important public health bill. I urge all my colleagues to vote for this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 112 was adopted and S.B. No. 682, S.D. 2, H.D. 3, 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. 113 (S.B. No. 802, S.D. 2, H.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 113 be adopted and S.B. No. 802, 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 and stated:

"Mr. President, again I'm forced to rise in opposition to this bill.

"I supported the bill all through the legislative process until the Conference Committee until a special fund was inserted on page 8, and so I'll be voting 'no.'

"Thank you."

Senator Baker rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Perhaps the good Senator wasn't aware that the special fund was in there all along because this measure is to be funded totally by rebates from drug manufacturers. This is the bill that will establish a state pharmacy assistance program to take care of the dual eligibles who, come January 1, 2006, will not be eligible for Medicaid drug benefits any longer. They are going to be pushed off to Medicare, so they'll have to pay for their prescription drugs in the form of co-payments for the first time.

"The fund is designed to receive any of the rebates from drug manufacturers that the Director of Human Services is able to negotiate in order to pay the co-payments of formerly eligible Medicaid recipients.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 113 was adopted and S.B. No. 802, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 114 (S.B. No. 27, S.D. 1, H.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 114 be adopted and S.B. No. 27, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tsutsui.

Senator Chun Oakland rose to support the measure and said:

"Mr. President, I stand in support of this measure.

“This measure, in part, funds the Kapiolani Medical Center Women and Children’s Care Program, Child at Risk Evaluation Program. It is a program that provides comprehensive health assessment for children entering the Child Welfare Services System. With the funding in this bill and in another bill that we will be voting on, it will continue this important program that strengthens the Hawaii Child Welfare Service System.

“This is something that could not be funded or was not proposed to be funded in the executive budget, but we were able to find resources so that in fact the performance improvement plan that Hawaii is trying to achieve to improve our child welfare system will in fact be a positive thing.

“I also would like to note that in the committee report there is a sentence that references non-school hour programs that was inappropriately put into the committee report. I just wanted to note that for the record.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 114 was adopted and S.B. No. 27, S.D. 1, H.D. 1, C.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 118 (S.B. No. 1814, S.D. 2, H.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 118 be adopted and S.B. No. 1814, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Kim 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. 118 was adopted and S.B. No. 1814, S.D. 2, H.D. 2, C.D. 1, entitled: “A BILL FOR AN ACT RELATING TO IMPACT FEES,” 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. 119 (S.B. No. 1643, S.D. 2, H.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 119 be adopted and S.B. No. 1643, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kokubun.

Senator Ihara rose to speak in support of the measure with reservations as follows:

“Mr. President, I rise in support of this bill with reservations.

“I have reservations and, with my apologies, I have some annoyance about this bill because it is not in conformance with fundamental open government principles. There is a Section in the C.D. 1, Section 6, page 16, that exempts charter schools from Chapter 92, the sunshine law. This amendment was not in the House or Senate draft when it went into Conference and that is not an insurmountable problem because there’s Rule 12 of Conference Procedures that says exceptions to these procedures

may be made only with advance written approval of both the Senate President and the House Speaker, and there was no such advance approval.

“Nevertheless, on the substance I had asked the Office of Information Practices to tell me what the impact of this amendment was and I’ll quote from a letter from the Office of Information Practices. It says about this amendment, ‘Among other things, this means that charter school boards will not be required to allow non-school members, including parents of charter school children, to attend or offer testimony at their meetings. The charter school boards will not be required to announce publicly when they meet, where they’re meeting or what they’ll be considering. The charter school boards will not be required to keep minutes. In other words, decisions can be made by charter school boards with this amendment without public participation, public scrutiny, or public notice.’

“This concerns me and the bill I think is a good bill except for this, and it’s not enough of a problem to me – I hope we’ll fix it in the future – to vote ‘no.’ So, I’m voting in favor with reservations.

“Thank you.”

Senator Trimble 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. 119 was adopted and S.B. No. 1643, S.D. 2, 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, 25. Noes, none.

Conf. Com. Rep. No. 123 (S.B. No. 1620, S.D. 2, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 123 be adopted and S.B. No. 1620, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition and said:

“Mr. President, I rise in opposition to the bill.

“While I certainly support most of the human services appropriations, I don’t support the raiding of the rainy day fund to pay for them. Thank you.”

The motion was put by the Chair and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 1620, S.D. 2, H.D. 2, 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, 22. Noes, 3 (Hogue, Slom, Trimble).

Conf. Com. Rep. No. 125 (S.B. No. 617, S.D. 1, H.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 125 be adopted and S.B. No. 617, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Trimble rose in opposition to the measure as follows:

"Mr. President, I stand in opposition to this measure because it exempts from the payment of central service and department assessments, and I believe that we should look to the Legislative Auditor to make a determination about all funds and not just exempt them from case to case as time goes by.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 617, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETER SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Trimble).

Conf. Com. Rep. No. 127 (S.B. No. 813, S.D. 2, H.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 127 be adopted and S.B. No. 813, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition as follows:

"Mr. President, I rise in opposition to this bill.

"Originally, this bill had to do with unemployment compensation benefits and the federal Reed Act, but it has been amended tremendously and one of the sections mandates that the Oahu Workforce Investment Board must partner with Leeward Community College to provide federal Wagner-Peyser services for immigrants from the Freely Associated States of Micronesia. We talked about this before as a separate measure over the last couple of years. To mandate and force the development board to do this is I think is wrong.

"Even more wrong is the fact that out of this bill, \$1,650,000 shall be allocated to the Hawaii Workforce Investment Board provided that it shall partner with the DLIR to provide Wagner-Peyser services for the eradication of coqui frogs. Mr. President, I think we should kill the little devils or stir-fry them, as the Mayor of the Big Island says, but to take money out of the unemployment compensation fund, which is paid for entirely by employers, under the guise of expanding unemployment benefits, for coqui frogs is wrong, wrong, wrong!

"Thank you."

Senator Trimble rose in opposition also and said:

"Mr. President, I think the good Senator from Hawaii Kai missed one point. This measure also says that no money will be released to DLIR until the total amounts to be allocated to the county have been already released, and I think that's wrong also.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 127 was adopted and S.B. No. 813, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hogue, Slom, Trimble).

Conf. Com. Rep. No. 135 (H.B. No. 109, H.D. 1, S.D. 2, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 135 be adopted and H.B. No. 109, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Hooser rose in support and said:

"Mr. President, I would like remarks in support inserted into the Journal please."

The Chair having so ordered, Senator Hooser's remarks read as follows:

"I rise to speak in support of H.B. No. 109.

"It is my understanding that a prior conference draft of this bill would have allowed country clubs and related facilities that had been previously approved by the county to be grandfathered. I appreciate the conferees removing this language. Had the language remained in the bill, it may have caused this body to inadvertently interfere in the on going Hokulia litigation. As passed by the conferees, however, it is my understanding that it will have no effect on the Hokulia litigation. I therefore wholeheartedly support this measure.

"I disagree with this measure's Conf. Com. Rep. No. 135, which states:

'It is the intent of your Committee on Conference that section 205-4.5(d), Hawaii Revised Statutes, also applies to golf-related facilities as a permitted use within the agricultural district if approved by a county before July 1, 2005.'

"That language was REMOVED from a previous conference draft of the bill and is not contained in the measure before us today. The intent of this measure is to only allow golf courses and golf driving ranges – not other facilities – in the ag district if they received final approval by a county prior to July 2005."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 135 was adopted and H.B. No. 109, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 139 (H.B. No. 1528, H.D. 2, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 139 be adopted and H.B. No. 1528, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Trimble rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure because I see no relationship in terms of the level of responsibility and the size of the organization between the head of various legislative agencies and that of the Director of the Department of Health – a department that has the budget of \$1.1 billion and whose employees number approximately 3,200. And because I don't see any nexus, I'm compelled to vote against this measure.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 139 was adopted and H.B. No. 1528, H.D. 2, 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, 23. Noes, 2 (Hogue, Trimble).

Conf. Com. Rep. No. 142 (H.B. No. 263, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 142 be adopted and H.B. No. 263, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Hogue rose with reservations and said:

"Mr. President, please note my reservations on this particular measure.

"I have no problem with the fact that we're going to end up making an appropriation for these workers. My reservations have to do with the fact that I think we need to repeal the binding arbitration process and I wanted to note that for the record.

"Please note my reservations. Thank you."

Senator Kanno rose in support and said:

"Mr. President, I would like to have some comments inserted into the Journal in support."

The Chair having so ordered, Senator Kanno's remarks read as follows:

"Mr. President, I rise to speak in support.

"The Governor has spoken out against the binding arbitration award, claiming that the arbitrator made many mistakes in formulating the award, including that inappropriately considering the wages paid to employees outside of the State. She has also intimated that the award is indicative of a trend of binding arbitration that results in totally depleting state revenues increases in order to pay for collective bargaining salary increases.

"The Governor's criticism of the arbitrator's deliberations is misplaced, as the Hawaii Revised Statutes, specifically provides that a factor proper for the arbitrator's consideration is the 'comparison of wages, hours, and conditions of employment of the employees involved in the arbitration proceeding with the wages, hours, and conditions of employment of other persons performing similar services, and of other state and county employees in Hawaii.' Additionally, that same statute also authorizes the arbitrator to consider any other factors that are commonly utilized in determining wages, hours, and conditions of employment in collective bargaining, mediation, or arbitration in public employment. Therefore, if the examination of wages of other employees performing services similar to the HGEA employees outside of Hawaii was warranted, the arbitrator could have properly considered this.

"Mr. President, the Governor has not similarly attacked comparable pay increases that have also recently been authorized by the Governor for other bargaining units, including a 9.56 percent pay increase over the next two years for teachers, an arbitration award of a 2 percent increase every six months over a period of two years for firefighters, and an arbitration

award of 16 percent over a period of four years for police officers. The pay increases provided in this measure for HGEA employees is completely in line with those provided for these units.

"Additionally, the Governor orchestrated the unprecedented agreement with the University of Hawaii Professional Assembly, which provided for a 31 percent increase over a six-year period. Within the UHPA agreement, year four yields a 5 percent increase, of which the State is responsible for 4 percent; year five yields a 9 percent increase, of which the State is responsible for 6 percent; and year six yields an 11 percent increase, of which the State is responsible for 8 percent. Although the University will bear a portion of the cost in years four through six, the State is responsible for the majority of the increase, and they are greater than the HGEA raises.

"Mr. President, these numbers demonstrate that the HGEA raises are not in any manner extraordinary. Indeed, it is the Governor herself who set the bar in the 4-5 percent range for salary increase through negotiations and the approval of arbitrated agreements with the other bargaining units.

"Finally, and most importantly, the HGEA employees deserve the pay increases. They provide valuable services essential to the continued provision of effective and efficient government operations, and we must always endeavor to properly compensate these dedicated public servants in recognition of their hard work and commitment.

"Mr. President, this measure represents a fair award for adequately compensating our valued state employees. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 142 was adopted and H.B. No. 263, S.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, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 144 (H.B. No. 1599, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 144 was adopted and H.B. No. 1599, S.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, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 146 (H.B. No. 1308, H.D. 1, S.D. 2, C.D. 1):

Senator Kokubun moved that Conf. Com. Rep. No. 146 be adopted and H.B. No. 1308, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to the bill.

"Again, this is another tax increase bill. This time it's conveyance tax. The argument is, well it's only for the expensive properties of \$600,000 or more that will go up, but

last time I checked, that is the range of the median price of housing on both Oahu and the neighbor islands.

“Thank you.”

Senator Kokubun rose to speak in support and stated:

“Mr. President, I rise in support of this measure.

“Mr. President, I think this is a landmark issue for this Legislative Session. I want to really appeal to my colleagues here to support this measure and I think I will get their support.

“We have always looked at the dynamic change that is going on here in Hawaii and we really need to take the appropriate steps to preserve some of our significant lands for future generations. Mr. President, this bill will allow us to do that.

“Yes, it is pegged to an increase to the conveyance tax. Although, frankly, our research indicates that by using the \$600,000 figure as a threshold, we have determined that a vast majority, over 90 percent of the sales that took place in Hawaii in 2004, actually were below the \$600,000 threshold. So we need to remind everyone that in fact the conveyance tax rate for purchases below \$600,000 will remain as it is, and I think in that regard it will not have a negative impact in terms of raising the conveyance tax for over 90 percent of the subject transactions.

“So again, I think the value or the benefit that this will provide for the future generations of Hawaii is extremely essential and I think that this is a necessary bill that we must pass.

“Thank you.”

Senator Menor rose in favor with reservations and said:

“Mr. President, I just want the record to note the fact that I’ll be voting in favor of this measure, but with reservations.”

Senator Hemmings rose to speak against the measure and said:

“Mr. President, I rise to speak against this bill.

“Mr. President, first of all I want to laud the Chairman of the Water, Land, and Agriculture Committee for this noble effort in saving legacy lands, but where I part company with the Majority Party is increasing taxes to pay for it. It seems that every time we have a goal that is something that would benefit our people, the only solution we have is to raise the tax somewhere to pay for it when there are clearly alternatives.

“As I spoke about the alternatives to raising the excise tax for a fixed rail system, there are alternatives to this where we could indeed preserve legacy lands or those lands that we deem special for future generations. Number one alternative is to trade land. The biggest landowner in the State of Hawaii is the State of Hawaii. We do have a great amount of land that could be traded easily for some lands that we deem legacy lands. Another alternative is tax credits – give the owners of this land tax credits to relinquish it to the state so that the taxpayers would not have to have an increase in their taxes to help pay for it. Another alternative, and this is making more and more sense, is to have the Hawaii Tourism Authority take out of their \$60 million-plus budget every year some money to help pay to preserve the product that everybody here loves so much – the product being the natural beauty and legacy lands of Hawaii.

“We’ve already, in my estimation, hit the point of diminishing returns with visitor arrivals. We’re putting band-aids over problems as result of too many tourist, such as a number of bills that were passed to preserve the Waianae coast with the inundation of the tourist industry. Maybe rather than promoting more tourists coming here, we could use that considerable sum of the money to partially pay for legacy lands.

“Another alternative is partnerships with companies that are like Nature Conservancy where you have public/private partnerships. It is a laudable goal and the Chairman of the Committee and the Vice-Chair, I might add, have done an excellent job with this bill. It’s unfortunate we have to pay for tax increases. I do want to dispute the tax increase being for a very minor number of people. It kicks into properties over \$600,000 and the medium priced home on Maui right now is over \$600,000. On Oahu it’s \$550,000, so this will impact a lot of people that are trying to buy a home.

“It is a tax increase. The resources are there and alternatives are there to pay for legacy lands without any tax increase, therefore I will be voting ‘no.’ Thank you, Mr. President.”

Senator Trimble rose to speak in opposition and said:

“Mr. President, I also rise in opposition to the measure.

“Great title. I do want to note that the State of Hawaii already owns, I believe, about 1/3 of the land in the state, and so I would like to get some sense going forward how much more land do we have to acquire until we’re satisfied. We can always find some parcel someplace that a case can be made that it should be acquired by the state.

“But the thing that’s even more troubling is that if all the money that was going to be collected, all the \$36 million that was going to be collected was going to go for the purchase of legacy land, a good case could be made, but it appears that 35 percent is going to be transferred into the state general fund. So, one could say that we’re raising the conveyance tax so that we can pay our public sector employees the increase in wages that has just been granted. I think that’s wrong.

“Thank you, Mr. President.”

Senator Hooser rose in support of the measure and said:

“Mr. President, I rise in support with just some brief remarks.

“I’d like to make a point for the record that the Counties of Maui and Kauai, two or three years ago, overwhelmingly by referendum supported the concept of using county funds for similar purposes and this is a wonderful addition to that effort. It will allow the community to leverage funds from different sources to preserve open space and buy property.

“I’d just like to comment that it’s not all about just buying land, sometimes it’s preserving a waterfall or preserving a trail to a beach. Those of us that live in rural communities know that these types of assets and natural resources are slipping away far, far too quickly. There are many in my community who can’t go fishing where they used to go fishing. You can’t see the view where you used to see it, and perhaps living in urban Honolulu you forget that sometimes. I know that being here and working during the Session, sometimes I’m in this building what seems like 24 hours a day, but when I go home, as I’m sure many of you who live in the rural areas know, you really appreciate the value of a view, the value of public access, the value of a waterfall.

"These funds will go towards preserving those things because we can't get them back, Mr. President and colleagues. Once they are gone, they're gone, and we need to think and preserve the future for multiple generations from now, not just today.

"In addition, Mr. President, I'd like to say that there's a direct nexus, in my opinion in my community, between these funds and the use to which they are going to be put. In my community, I would wager that if you did a median sales price of homes by local residents, you would find the local residents aren't buying too many homes these days and the vast majority of the homes being purchased in my community – I can't speak for every district – are out-of-state investors, speculators, vacation homes and those are the same homes, the same developments that are blocking off these accesses, buying up exciting local residences and driving up the cost of housing.

"We have a project in our community now with 1,500 homes, all of them in excess of \$1 million and all of them for vacation rentals. None of them will be for local residents. I believe these people deserve and can afford to pay to help preserve the natural resources.

"One element that's missing in the debate so far is the impact on affordable housing. This bill will result in approximately \$10 million into the rental housing trust fund – a significant amount of money that will be used to build new affordable housing units throughout the state.

"It's a good bill. It's good for the environment. It's good for affordable housing, and for those reasons and others, I encourage my colleagues to vote in support. Thank you."

Senator Kokubun rose in rebuttal and said:

"Mr. President, if I may rise in brief rebuttal.

"The good Senator from Waikiki did mention the fact that there is money going into the general fund from the conveyance tax revenues. But just for the record, Mr. President, at the current time, the distribution formula is 50 percent of the revenues from the conveyance tax go into the general fund. The way we have now redistributed the money is that only 35 percent – 15 percent less – will be going into the general fund because this Legislature saw the need to support the legacy lands program as well as to provide additional money for our rental housing trust fund to ensure that we will be able to develop more affordable units for those in need of housing.

"Thank you, Mr. President."

Senator Hemmings rose and said:

"Mr. President, real briefly to set the record straight.

"Legacy lands and the state ownership is allegedly an excuse for preserving these lands. I want the record to show some of the properties that are currently owned by the state that local people have a difficult time getting to. One is this place called Hanauma Bay – a place where, when I was a kid, we used to go and play. There's a blowhole there called toilet bowl. You can't get there anymore – too many tourist.

"On the beautiful Island of Kauai, in my estimation, the North Shore of Kauai is probably one of the most beautiful places on earth. There is a state trail there at Haena at the end of the road. It's really fun to hike into Hanakapiai, but guess what – it's state owned; it should be protected – you have to get there at about 6:30 or 7:00 in the morning to get parking so you can hike into the trail. The state owns it. Could we call it

legacy lands? Has the state steward been preserving those lands? No. We're spending \$60 million to bring more tourists to close off that trail even more for local people.

"How about a trail owned on this island? We're all local people. We love to go hiking. Try to go to Manoa Falls . . . can't do it. It's state owned land. You might say it's a legacy land. It's a beautiful falls, similar to the ones spoken about by the good Senator from Kauai . . . can't get there.

"Raising taxes for the state to acquire land under the guise that the state is going to protect it as legacy lands is just not true and it doesn't make sense. I would feel a lot better if organizations like the Nature Conservancy and others who are professionals at protecting resources like this had title to it, rather than the State of Hawaii.

"Thank you, Mr. President."

Senator Baker rose in support of this measure as follows:

"Mr. President, I rise in support of this measure.

"I think the good Senator from the other side of the island (laughter) actually made a case for this bill when he talked about the importance of partnering with nonprofits and folks like the Nature Conservancy because that's exactly what's envisioned by this bill.

"On Maui, we have the Maui Coastal Land Trust and they're a private, nonprofit. Maui Coastal Land Trust has been partnering with the County of Maui and with private land owners and others as well to acquire significant lands to hold them in trust to make sure that they stay an open space and they're protected.

"The funding mechanism and the funding provided in this bill will actually encourage more efforts on the part of the Nature Conservancy and the Maui Coastal Land Trust to do just the kinds of things that the good Senator was concerned about. With this bill we can have these significant resources preserved for all of us to enjoy.

"I urge all my colleagues to vote 'yes' on this bill."

At 5:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:31 o'clock p.m.

Senator Hee rose at this time and said:

"Mr. President, I move the previous question."

Senator Whalen stated:

"I second the motion."

The motion to move the previous question was then put by the Chair and carried by not less than three-fifths vote of all the members to which the Senate is entitled.

The President then said:

"Could we have a short recess please?"

Senator Whalen interjected:

"Point of order. I don't think we can. The motion carried, therefore we have to vote now."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 146 was adopted and H.B. No. 1308, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hemmings, Hogue, Ige, Slom, Trimble, Whalen).

Conf. Com. Rep. No. 166 (H.B. No. 844, H.D. 1, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 166 be adopted and H.B. No. 844, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the measure and said:

"Mr. President, I'll be voting 'no' on this bill because it does include a special fund. Although it says it's a fund outside of the regular fund, it is a cadet teacher's special fund."

Senator Sakamoto rose to speak in favor of the measure and said:

"Mr. President, I rise in favor of this bill just briefly.

"The teacher cadet program, for which high school students were here a few weeks ago, is an excellent program. This doesn't fund it, but creates a structure.

"It also urges the University of Hawaii to get teachers through their system quicker, ideally in four years. It also has a provision for the department to pay the new hired teachers quicker even if they just pay them partially. There are several parts dealing with licensing reciprocity with the Teacher Standards Board.

"I feel or some of us feel that the teacher shortage or retaining teachers is one of the most important things we need to do now to help education, so I urge everybody to vote in support.

"Mr. President, normally I do some sort of a matrix of education bills, can this be inserted into the Journal? And earlier when I was talking about H.B. No. 100, I have a similar insert, can that be included as well?"

The Chair having so ordered, Senator Sakamoto's inserts are identified as ATTACHMENTS "A" and "B" to the Journal of this day.

Senator Hemmings rose in favor of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"For the record, I want to set the record straight regarding some myths about public education. It wasn't too long ago that the mantra of those wishing to throw more money at public education was saying it was under-funded. We did point out through the budget process that with close to \$2 billion and 182,000 children, that's over \$10,000 per child in the public education system. Of course the problem with the money is not that it's not enough – the problem is management.

"Regarding the alleged teacher shortage, there are a number of perspectives on it. But probably the best are the numbers again – there are over 13,000 teachers that are members of the

Hawaii State Teachers Association, but only a little over 9,000 that are in the classrooms. The rest are in the bureaucracy.

"The real problem with education is not lack of money and not lack of good teachers, it's lack of good management and nothing has been done to change that.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 166 was adopted and H.B. No. 844, H.D. 1, 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, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 168 (H.B. No. 1304, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Menor and carried, Conf. Com. Rep. No. 168 was adopted and H.B. No. 1304, H.D. 1, S.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, 4 (Hemmings, Hogue, Slom, Whalen).

Conf. Com. Rep. No. 171 (H.B. No. 160, H.D. 2, S.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 171 be adopted and H.B. No. 160, H.D. 2, S.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 said:

"Mr. President, I rise in opposition to this particular measure.

"Because I said nothing is more blessed than those who are brief, I said that earlier in the Session, I will insert my comments into the Journal. Thank you."

The Chair having so ordered, Senator Hogue's remarks read as follows:

"Mr. President, I rise to speak in opposition to this bill.

"I object to this bill's attempt to micromanage DCCA and take away much of their autonomy, even though DCCA is widely viewed in the business community as one of the best run agencies in state government. In particular, I strongly feel we should not cap the assessments of the insurance sub-account at \$5 million per year in perpetuity. This cap feels arbitrary – it was at \$4 million in a prior draft, now it's at \$5 million. How was this number arrived at? Did the Conference Committee throw darts or go Jan-Ken-Po? If members of this Legislature feel that DCCA is overcharging for a particular insurer, why not just meet with Mark Recktenwald and talk about how they calculated the assessment and whether those charges are appropriate? We've seen ample evidence that DCCA is eager to lower charges whenever justified – why are we trying to second-guess the experts here without first talking to them?"

"I urge all my colleagues to vote 'no.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 171 was adopted and H.B. No. 160, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

COMPLIANCE RESOLUTION FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hemmings, Hogue, Slom, Trimble).

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1904 (Gov. Msg. Nos. 525, 526 and 533):

Senator Sakamoto moved that Stand. Com. Rep. No. 1904 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 Advisory Board on Veterans' Services of the following:

WILLIAM W. DAVES, term to expire June 30, 2009 (Gov. Msg. No. 525);

HERRING K. KALUA, term to expire June 30, 2009 (Gov. Msg. No. 526); and

MARVIN R. KOGA, term to expire June 30, 2009 (Gov. Msg. No. 533),

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 (Kanno).

Stand. Com. Rep. No. 1905 (Gov. Msg. Nos. 663, 664, 665, 666, 667 and 668):

Senator Sakamoto moved that Stand. Com. Rep. No. 1905 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 Hawaii Teacher Standards Board of the following:

WRAY JOSE, term to expire June 30, 2006 (Gov. Msg. No. 663);

CHARLENE H. MIYASHIRO, term to expire June 30, 2008 (Gov. Msg. No. 664);

STEVE NAKASATO, term to expire June 30, 2007 (Gov. Msg. No. 665);

ANNETTE NISHIKAWA, term to expire June 30, 2007 (Gov. Msg. No. 666);

CATHERINE H. PAYNE, term to expire June 30, 2007 (Gov. Msg. No. 667); and

FAIRFAX A. REILLY M.ED., term to expire June 30, 2008 (Gov. Msg. No. 668),

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 (Kanno).

Stand. Com. Rep. No. 1906 (Gov. Msg. No. 820):

Senator Baker moved that Stand. Com. Rep. No. 1906 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 DUANE M. ILSTRUP to the Health Planning Council, Hawaii County Subarea, term to expire June 30, 2009, 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 (Kanno).

Stand. Com. Rep. No. 1907 (Gov. Msg. No. 573):

Senator Baker moved that Stand. Com. Rep. No. 1907 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 GARY SIMON to the Policy Advisory Board for Elder Affairs, term to expire June 30, 2009, 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 (Kanno).

Stand. Com. Rep. No. 1908 (Gov. Msg. Nos. 577, 578 and 579):

Senator Baker moved that Stand. Com. Rep. No. 1908 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 Statewide Health Coordinating Council of the following:

LILI BRYAN-CONANT, term to expire June 30, 2009 (Gov. Msg. No. 577);

JOANNE H. KEALOHA, term to expire June 30, 2009 (Gov. Msg. No. 578); and

VIRGINIA PRESSLER MD, MBA, FACS, term to expire June 30, 2006 (Gov. Msg. No. 579),

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 (Kanno).

Stand. Com. Rep. No. 1909 (Gov. Msg. No. 752):

Senator Baker moved that Stand. Com. Rep. No. 1909 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 G.M. MIKE DURANT to the Mental Health and Substance Abuse, Oahu Service Area Board, term to expire June 30, 2008, 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 (Kanno).

Stand. Com. Rep. No. 1910 (Gov. Msg. Nos. 753, 754, 755, 756, 757, 758, 759 and 760):

Senator Baker moved that Stand. Com. Rep. No. 1910 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 Mental Health of the following:

GARY L. BLAICH MD, term to expire June 30, 2008 (Gov. Msg. No. 753);

SUSAN A. COOPER, term to expire June 30, 2009 (Gov. Msg. No. 754);

LEIALOHA G. K. JENKINS, term to expire June 30, 2007 (Gov. Msg. No. 755);

ALVA O. KANEAIKALA, term to expire June 30, 2009 (Gov. Msg. No. 756);

KUULEI A. KILIONA, term to expire June 30, 2008 (Gov. Msg. No. 757);

COLLEEN KU'ULANI MIYASHIRO, term to expire June 30, 2007 (Gov. Msg. No. 758);

PAULA T. T. MORELLI PHD, term to expire June 30, 2009 (Gov. Msg. No. 759); and

PIHANALANI N.E.J. NAPOLEON-GRAMBUSCH, term to expire June 30, 2007 (Gov. Msg. No. 760),

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 (Kanno).

Stand. Com. Rep. No. 1911 (Gov. Msg. No. 816):

Senator Menor moved that Stand. Com. Rep. No. 1911 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 KEITH ROLLMAN to the Cable Advisory Committee, term to expire June 30, 2008, 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 (Kanno).

Stand. Com. Rep. No. 1912 (Gov. Msg. No. 819):

Senator Menor moved that Stand. Com. Rep. No. 1912 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 RILEY WILLIAM SMITH PE to

the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, term to expire June 30, 2009, 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 (Kanno).

Stand. Com. Rep. No. 1913 (Gov. Msg. No. 823):

Senator Menor moved that Stand. Com. Rep. No. 1913 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 WILLIAM G. OBANA MD to the Board of Medical Examiners, term to expire June 30, 2006, 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 (Kanno).

Stand. Com. Rep. No. 1914 (Gov. Msg. Nos. 488, 489, 490, 492, 493, 494, 495 and 496):

Senator Hee moved that Stand. Com. Rep. No. 1914 be received and placed on file, seconded by Senator Inouye and carried.

Senator Hee then moved that the Senate advise and consent to the nominations to the Hawaii Commission for National and Community Service of the following:

JANICE S. BOND, term to expire June 30, 2009 (Gov. Msg. No. 488);

ROBERT I. CROWELL, term to expire June 30, 2009 (Gov. Msg. No. 489);

DENNIS M. DUNN, term to expire June 30, 2009 (Gov. Msg. No. 490);

MABEL FERREIRO-FUJIUCHI, term to expire June 30, 2008 (Gov. Msg. No. 492);

RYAN R. PERREIRA, term to expire June 30, 2009 (Gov. Msg. No. 493);

LEE A. ROMBAOA, term to expire June 30, 2009 (Gov. Msg. No. 494);

RALPH STUEBER, term to expire June 30, 2008 (Gov. Msg. No. 495); and

TINA AULANI WILHELM, term to expire June 30, 2009 (Gov. Msg. No. 496),

seconded by Senator Inouye.

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

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

Stand. Com. Rep. No. 1915 (Gov. Msg. No. 699):

Senator Baker moved that Stand. Com. Rep. No. 1915 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 MORGAN to the Disability and Communication Access Board, term to expire June 30, 2009, 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 (Kanno).

Stand. Com. Rep. No. 1916 (Gov. Msg. Nos. 702 and 703):

Senator Baker moved that Stand. Com. Rep. No. 1916 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 Emergency Medical Services Advisory Committee of the following:

DAVID F. MOORE, term to expire June 30, 2009 (Gov. Msg. No. 702); and

DANIEL E. SHAAL, term to expire June 30, 2008 (Gov. Msg. No. 703),

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 (Kanno).

Stand. Com. Rep. No. 1917 (Gov. Msg. Nos. 817 and 818):

Senator Baker moved that Stand. Com. Rep. No. 1917 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 VENKATARAMAN BALARAMAN to the Drug Product Selection Board, terms to expire June 30, 2005, and June 30, 2009, 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 (Kanno).

Stand. Com. Rep. No. 1918 (Gov. Msg. No. 821):

Senator Baker moved that Stand. Com. Rep. No. 1918 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 VALERIE L. SIMONSEN to the Health Planning Council, Maui County Subarea, term to expire June 30, 2009, 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 (Kanno).

Stand. Com. Rep. No. 1919 (Gov. Msg. No. 706):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1919 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of CALVIN T. CHINEN to the Commission on Fatherhood, term to expire June 30, 2005, seconded by Senator Ihara.

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

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

Stand. Com. Rep. No. 1920 (Gov. Msg. Nos. 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735 and 736):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1920 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Statewide Council on Independent Living of the following:

WINNIFRED AOKI, term to expire June 30, 2008 (Gov. Msg. No. 723);

RACHEL CORDAY, term to expire June 30, 2008 (Gov. Msg. No. 724);

BARBARA FISCHLOWITZ-LEONG, term to expire June 30, 2008 (Gov. Msg. No. 725);

DARA Y. FUKUHARA, term to expire June 30, 2008 (Gov. Msg. No. 726);

FRANCINE M. KENYON, term to expire June 30, 2008 (Gov. Msg. No. 727);

VIRGINIA M. KLINE, term to expire June 30, 2008 (Gov. Msg. No. 728);

KEALOHA LAEMOA, term to expire June 30, 2008 (Gov. Msg. No. 729);

MARGARET LEVY-DOHANOS, terms to expire June 30, 2005, and June 30, 2008 (Gov. Msg. Nos. 730 and 731);

CHARLOTTE G. SMITH, term to expire June 30, 2008 (Gov. Msg. No. 732);

DIANA C. TIZARD, term to expire June 30, 2008 (Gov. Msg. No. 733);

ANDRICK C. TONG, term to expire June 30, 2008 (Gov. Msg. No. 734);

LINDA ANN WATSON, term to expire June 30, 2006 (Gov. Msg. No. 735); and

ED WEIL, term to expire June 30, 2008 (Gov. Msg. No. 736),

seconded by Senator Ihara.

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

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

**FINAL ADOPTION**

S.C.R. No. 68, S.D. 1, H.D. 1:

On motion by Senator Hee, seconded by Senator Inouye and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 68, S.D. 1, and S.C.R. No. 68, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF AND ADDRESS VARIOUS MATTERS RELATING TO THE ADEQUACY OF THE MAINTENANCE, OPERATION, AND MANAGEMENT OF THE MAUNA KEA SCIENCE RESERVE," was Finally Adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.C.R. No. 134, S.D. 1, H.D. 1:

On motion by Senator Kokubun, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 134, S.D. 1, and S.C.R. No. 134, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT KEEHI SMALL BOAT HARBOR FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY HONOLULU MARINE, INC., FOR A COMMERCIAL SHIP REPAIR FACILITY," was Finally Adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.C.R. No. 140, H.D. 1:

On motion by Senator English, seconded by Senator Hanabusa and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 140 and S.C.R. No. 140, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL, WITH THE ASSISTANCE OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL AND THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER, TO DEVELOP AND PROMULGATE A GUIDANCE DOCUMENT ON INCLUDING PRINCIPLES OF ENVIRONMENTAL JUSTICE IN ALL PHASES OF ENVIRONMENTAL REVIEW UNDERTAKEN PURSUANT TO CHAPTER 343, HAWAII REVISED STATUTES," was Finally Adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.C.R. No. 191, 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.C.R. No. 191 and S.C.R. No. 191, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE PERFORMANCE-BASED INCENTIVES WHEN CONTRACTING WITH EDUCATION SERVICE PROVIDERS FOR SCHOOL RESTRUCTURING UNDER THE NO CHILD LEFT BEHIND ACT," was Finally Adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.C.R. No. 200, S.D. 1, H.D. 1:

On motion by Senator Hee, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 200, S.D. 1, and S.C.R. No. 200, S.D. 1,

H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS RELATING TO THE FEASIBILITY OF STEM CELL RESEARCH FOR HAWAII," was Finally Adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

**THIRD READING**

Stand. Com. Rep. No. 1857 (H.B. No. 180):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1857 was adopted and H.B. No. 180, 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, 23. Noes, 2 (Slom, Whalen).

Stand. Com. Rep. No. 1858 (H.B. No. 465, H.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1858 was adopted and H.B. No. 465, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARDS OF REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1859 (H.B. No. 497, H.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1859 was adopted and H.B. No. 497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS," 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. 1860 (H.B. No. 632):

On motion by Senator Taniguchi, seconded by Senator Tsutsui and carried, Stand. Com. Rep. No. 1860 was adopted and H.B. No. 632, 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.

At 5:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:43 o'clock p.m.

Senator Taniguchi, Chair of the Committee on Ways and Means, requested that the referral of H.C.R. No. 172 to the Committee on Ways and Means be waived.

Senator Taniguchi noted:

"Mr. President, H.C.R. No. 172, H.D. 1, requests the auditor to perform a sunrise review of the regulation of payday lenders and deferred deposit check cashiers.

"The reason for this waiver is that there are no financial obligations as we can see at this point."

The Chair then granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for adoption on Thursday, May 5, 2005:

H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PAYDAY LENDERS AND DEFERRED DEPOSIT CHECK CASHERS."

**ADJOURNMENT**

At 5:44 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 10:00 o'clock a.m., Thursday, May 5, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

ATTACHMENT "A"

**Measures Passed Out  
of Conference**

**EDM Committee  
May 3, 2005**

<p><b>FACILITIES/REPAIR &amp; MAINTENANCE</b></p> <p>SB 1660 SD2 HD1 CD1 School Facilities; transfers management - <i>DOE</i> to DOE                  SB 1814 SD2 HD2 CD1 Impact Fees Working Group to revise funding for school construction                  HB 1295 HD2 SD2 CD1 King Intermediate; Asbestos testing for all projects                  HB 100 HD1 SD1 CD1 \$280 million in CIP - including \$100 million for school R &amp; M \$460,000 for 3 Rs</p> <p><b>SPECIAL PURPOSE REVENUE BONDS</b></p> <p>SB 1483 SD1 HD1 CD1 Waimea Country School                  HB 1555 HD1 SD1 CD1 Hualalai Academy</p>	<p><b>PARENT / COMMUNITY</b></p> <p>SB 1253 SD1 HD1 CD1 School Community Councils - clarifies language</p> <p><b>CHARTER SCHOOLS</b></p> <p>SB 1643 SD2 HD2 CD1 Charter Schools Omnibus improves funding and administration of charter schools</p>	<p><b>STUDENTS</b></p> <p>SB 1816 SD2 HD2 CD1 Substance Abuse; Task Force                  HB 1550 HD1 SD1 CD1 Glucagon - Diabetes treatment for students                  SB 778 SD1 Emergency Appropriation; Autism ACT 6                  SB 1394 SD2 HD2 CD1 Federal Revenue Maximization Joint effort DOE/DHS/DOH                  HB 100 HD1 SD1 CD1 Substance Abuse</p>	<p><b>TEACHERS</b></p> <p>HB 844 HD1 SD2 CD1 Teacher Shortage Omnibus Teachers/UH/HTSB Improves "pipeline" to teaching profession                  SB 1250 SD2 HD2 CD1 Substitute Teachers; Per Diem Pay \$119/\$130/\$140                  SB 639 SD2 HD1 CD1 Housing; DOE Managed teacher housing moved from HCDC to DOE</p>	<p><b>ADMINISTRATION</b></p> <p>HB 841 SD2 CD1 Omnibus Misc. Information Technology - \$1,000,000 Workforce Development Council                  SB 1661 SD2 HD2 CD1 IDEA Compliance                  HB 843 HD1 SD1 CD1 School Lunch; Price Minimum Wage/ School Workers                  HB 758 HD2 SD2                  HB 1614 HD1 SD2 CD1 Civil Service; DOE Employees (LBR/EDM)                  HB 100 HD1 SD1 CD1 12 Month Principals</p>
<p><b>LEARNING</b></p> <p>HB 1300 HD2 SD2 CD1 Early Childhood Education Task Force                  SB 1018 SD1 HD1 CD1 Licensing; Private Preschools (HMS/EDM)                  SB 1249 School-To-Work Executive Council ACT 19                  HB 100 HD1 SD1 CD1 Almost \$40,000,000 Department of Education budget</p>	<p><b>MILITARY</b></p> <p>HB 8 HD1 Medal of Honor for Hawaii connected soldiers                  HB 115 HD1 SD2 CD1 Military Omnibus Vets's Cemetery funding UH Re-entry Uniform Allowance                  HB 295 HD2 SD2 CD1 Prof. and Vocational Licensing grace period increased                  HB 1029 SD2 Funds veterans' Newsletter</p>			

**Further Information**

Please visit the following website: <http://www.capitol.hawaii.gov/> and go to bill status and documents; the bill information can be obtained.

Please call our office if you should have further questions.  
 Senator Norman Sakamoto  
 Chair, Senate Committee on Education & Military Affairs  
 Phone: 586-8585 Fax: 586-8588  
 Email: [sensakamoto@capitol.hawaii.gov](mailto:sensakamoto@capitol.hawaii.gov)

ATTACHMENT "B"

2005 LEGISLATIVE BILLS			
HOUSING	EMPLOYMENT	EDUCATION	SUSTAINABILITY
SB 797 SD1 HD1 CD1 HCDC; housekeeping Amendment	SB 294 SD3 HD1 CD1 Minimum Wage	HB 1300 HD2 SD2 CD1 Early Childhood Education	SB 1592 SD1 HD2 CD1 2050 Sustainability Plan for Hawaii (\$)
SB 117 HD2 CD1 HCDC; Housing Development Contracts; Pukolili Village	SB 962 SD2 HD2 CD1 Prevailing Wages	HB 1608 HB1 SD2 CD1 VEBA Trust; Authorized	HB 109 HD1 SD2 CD1 Rural Lands; Golf Courses in Agricultural Districts (\$)
HB 931 HD1 SD2 Leasehold Conversion; Sustainable Affordable Housing; Exempt	HB 1758 HD1 SD1 CD1 Unemployment Benefits; Social Security Pension Payments	SB 1814 SD2 HD2 CD1 Impact Fees	HB 1308 HD1 SD2 CD1 Acquisition of Land for Conservation and Environmental Protection
HB 19 HD2 SD2 CD1 UH; Student Housing	HB 162 HD2 SD1 CD1 Public Works; Small Business Set-Asides	SB 1018 SD1 HD1 CD1 Licensing; Private Preschools	HB 422 HD2 SD2 CD1 Commercial Passenger Vessels; Discharges; DOH \$
SB 179 SD3 HD2 CD1 Housing Omnibus (\$)	HB 1305 HD1 Equal Pay	SB 1643 SD2 HD2 CD1 Charter School Omnibus	HB 1301 HD1 SD2 CD1 Coqui Frog Eradication
HB 1413 HD1 SD1 Hawaiian Homes Commission Act; Private Mortgage Insurance	SB 813 SD2 HD2 CD1 Unemployment Trust Fund; Reed Act Funds; (\$)	HB 844 HB1 SD2 CD1 Teacher Retention/ Recruitment	HB 1640 HD3 SD2 CD1 Important Agricultural Lands; Identification and Designation (\$)
<b>TRANSPORTATION</b>	SB 1352 SD1 HD1 CD1 Collective Bargaining		SB 1554 SD1 HD2 CD1 Environmental Workforce
HB 1309 HD2 SD1 Public Transit; County Surcharge on State	<b>DRUG/ICE &amp; CRIME</b>	<b>UH</b>	<b>ENERGY/ENVIRONMENT</b>
HB 150 HD2 SD1 CD1 Driver Licensing; Provisional Licenses; Persons Under 18	SB 1100 SD2 HD1 CD1 Related to Pseudoephedrin oversight of sales	SB 1257 SD2 HD2 CD1 UH; Board of Regents; Candidate Advisory Council	HB 606 HD1 SD2 CD1 Renewable Energy Systems Over 10kw; Interconnection Standards
HB 438 HD1 SD2 CD1 Traffic Offenses; Pedestrian in Crosswalks	HB 1733 HD2 SD2 CD1 Crimes; DNA Testing; Retention of Evidence; Post-Conviction Relief	SB 1256 HD1 Constitutional Amendment; UH; Board of Regents	SB 1003 SD2 HD2 CD1 Net Energy Metering; Remove System Cap; Eligible Customer Generators
	SB 708 SD2 HD2 CD1 Sex Offenders; Registration; Notification (\$)	SB 667 SD2 HD2 Emergency Appropriation for Flood Losses	SB 1427 SD1 HD2 CD1 State Procurement; Alternative Fuel Vehicles
<b>HEALTH</b>	HB 919 HD1 SD2 Use of Intoxicants; Forfeiture of Vehicle	HB 19 HD 2 SD2 CD1 UH; Student Housing	
HB 683 HD1 SD2 Making an emergency appropriation to the Dept. of Health for the Adult Mental Health Division ACT 43	<b>PROCUREMENT</b>	<b>BUDGET</b>	<b>CAMPAIGN SPENDING</b>
	SB 1843 SD1 HD2 CD1 Procurement; Indemnification; Construction Professional	HB 100 HD1 SD1 CD1 Provide for operating and capital improvement appropriations and authorizations for agencies in the Executive Branch for the fiscal biennium biennium 2005-2007 (CD1)	HB 1747 HD1 SD1 CD1 Campaign Spending; Campaign Contributions; Limitations
HB 1304 HD1 SD2 CD1 Healthcare Task Force	SB 1127 SD1 Public Procurement Code- Streamline		
SB 761 SD2 HD1 CD1 Mental Health – <i>redefines serious mental illness</i>	SB 1038 SD2 HD1 CD1 Hawaii Procurement Institute; UH; (\$)*		
	SCR 106 SD2 HD1 Legislative Task force: Hawaii Public Procurement Code - 4/30/05 Notice of Adoption		

SIXTIETH DAY

Thursday, May 5, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:10 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Shigenori Makino, Honpa Hawaii Betsuin, 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. 858 to 861) were read by the Clerk and were placed on file:

Gov. Msg. No. 858, dated May 3, 2005, transmitting her statement of objections to Senate Bill No. 74 which she has returned to the Senate without her approval and which reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU

May 3, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 74

Honorable Members  
Twenty-Third 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. 74, entitled ‘A Bill for an Act Relating to Highway Safety.’

The purpose of this bill is to allow drivers who are at least eighteen years of age to be issued commercial driver’s licenses to drive in intrastate commerce, except vehicles to be used in the (1) transportation of passengers in school vehicles, (2) operation of larger trailer-type vehicles (over 26,100 GVW), and (3) transportation of hazardous materials.

I am vetoing this measure based on extensive research that has unequivocally demonstrated it is not sound public policy to use inexperienced drivers to operate large commercial vehicles. The data come from studies of young truck drivers overseas and in those few states that legally permit drivers under age 21 to operate trucks in intrastate commerce.

Numerous studies compiled by the National Center for Statistics and analysis have documented that younger drivers have more accidents. For example, according to the Insurance Institute for Highway Safety, the rate of motor vehicle deaths per 100,000 drivers age 18 to 20 was nearly twice that of drivers ages 21 and older. Studies of young people driving trucks show that there are 4.3 to 6.2-fold increases in the fatal crash risk among drivers younger than 21. The Insurance Institute for Highway Safety along with the Center for Army Lessons Learned reported that during Operations Desert Storm and Desert Shield soldiers younger than 21 were hospitalized for motor vehicle accidents five times more often than soldiers 40 years or older. A 1996 University of Michigan study found younger truck drivers have more moving violations than those

at an older age and a higher proportion of accidents involving loss of vehicle control.

The issue of how old a person must be to drive a large truck or bus has been debated frequently at the national level. Federal statutes require that drivers must be at least 21 years of age to qualify to drive interstate commercial vehicles. This rule was reaffirmed as a federal policy as recently as 2003. Forty-four states recognize the same standard for intrastate vehicles.

Despite efforts by the Legislature to restrict the types of commercial vehicles younger drivers could operate in Hawaii, this legislation contradicts the premise behind the graduated driver’s license program. That program recognizes that younger drivers are prone to take more risks and jeopardize both themselves and others on our roadways.

While the industry is understandably concerned with the shortage of commercial drivers, there is no demonstrated evidence this bill would alleviate these concerns. On balance, the safety and welfare of the people of Hawaii must be our first and foremost priority.

For the foregoing reasons, I am returning Senate Bill No. 74 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii”

Gov. Msg. No. 859, informing the Senate that on May 3, 2005, she signed into law Senate Bill No. 1235 as Act 40, entitled: “RELATING TO ELDERLY CARE.”

Gov. Msg. No. 860, informing the Senate that on May 3, 2005, she signed into law House Bill No. 555 as Act 41, entitled: “MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE.”

Gov. Msg. No. 861, informing the Senate that on May 3, 2005, she signed into law House Bill No. 556 as Act 42, entitled: “MAKING AN EMERGENCY APPROPRIATION FOR WIRELESS ENHANCED 911.”

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 36 and 37) were read by the Clerk and were placed on file:

Dept. Com. No. 36, from the Department of Education dated April 26, 2005, transmitting the 2004 Superintendent’s 15<sup>th</sup> Annual Report.

Dept. Com. No. 37, from the State Auditor dated May 3, 2005, transmitting a report, “Financial Audit of the Department of the Attorney General,” (Report No. 05-04).

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 776 to 794) were read by the Clerk and were placed on file:

Hse. Com. No. 776, informing the Senate that the following bills passed Final Reading in the House of Representatives on May 3, 2005:

H.B. No. 19, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 100, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 109, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 115, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 125, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 140, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 150, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 160, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 162, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 164, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 168, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 260, S.D. 1, C.D. 1;  
 H.B. No. 263, S.D. 1, C.D. 1;  
 H.B. No. 278, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 283, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 295, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 320, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 325, S.D. 2, C.D. 1;  
 H.B. No. 332, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 384, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 390, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 393, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 408, 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. 438, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 460, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 477, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 500, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 502, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 551, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 553, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 606, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 631, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 712, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 769, H.D. 3, S.D. 2, C.D. 1;  
 H.B. No. 785, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 806, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 841, S.D. 2, C.D. 1;  
 H.B. No. 843, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 844, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 852, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 864, S.D. 1, C.D. 1;  
 H.B. No. 895, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 931, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1017, H.D. 3, S.D. 2, C.D. 1;  
 H.B. No. 1051, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1201, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1202, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1224, S.D. 1, C.D. 1;  
 H.B. No. 1235, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1236, S.D. 1, C.D. 1;  
 H.B. No. 1238, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1276, H.D. 3, S.D. 1, C.D. 1;  
 H.B. No. 1295, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1300, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1301, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1304, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1308, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1309, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1317, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1320, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1378, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 1430, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1462, S.D. 1, C.D. 1;  
 H.B. No. 1476, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1528, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1548, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1550, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1554, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1555, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1556, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1597, S.D. 1, C.D. 1;  
 H.B. No. 1599, S.D. 1, C.D. 1;  
 H.B. No. 1608, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1614, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1640, H.D. 3, S.D. 2, C.D. 1;  
 H.B. No. 1641, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1659, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1668, S.D. 1, C.D. 1;  
 H.B. No. 1672, S.D. 1, C.D. 1;  
 H.B. No. 1709, S.D. 1, C.D. 1;  
 H.B. No. 1733, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 1745, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1750, S.D. 2, C.D. 1;  
 H.B. No. 1758, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1;  
 S.B. No. 3, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 27, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 55, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 76, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 77, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 116, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 117, H.D. 2, C.D. 1;  
 S.B. No. 118, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 121, H.D. 1, C.D. 1;  
 S.B. No. 122, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 179, S.D. 3, H.D. 2, C.D. 1;  
 S.B. No. 212, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 294, S.D. 3, H.D. 1, C.D. 1;  
 S.B. No. 459, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 556, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 568, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 617, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 639, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 669, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 673, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 682, S.D. 2, H.D. 3, C.D. 1;  
 S.B. No. 693, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 700, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 702, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 708, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 738, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 754, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 761, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 791, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 797, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 802, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 807, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 813, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 817, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 944, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 945, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 956, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 960, H.D. 1, C.D. 1;  
 S.B. No. 962, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1003, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1018, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1038, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1100, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1117, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1132, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1194, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1250, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1253, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1257, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1262, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1267, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1285, S.D. 2, H.D. 1, C.D. 1;



S.B. No. 1348, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1349, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1352, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1362, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1378, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1394, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1420, S.D. 2, H.D. 3, C.D. 1;  
 S.B. No. 1427, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1451, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1453, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1473, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1483, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1579, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1580, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1592, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1620, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1643, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1660, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1661, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1685, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1699, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1702, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1721, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1729, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1732, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1772, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1778, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1780, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1796, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1798, H.D. 1, C.D. 1;  
 S.B. No. 1808, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1814, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1816, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1843, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1872, H.D. 1, C.D. 1;  
 S.B. No. 1876, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1877, H.D. 1, C.D. 1;  
 S.B. No. 1883, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1889, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1891, S.D. 2, H.D. 2, C.D. 1; and  
 S.B. No. 1903, S.D. 1, H.D. 1, C.D. 1.

Hse. Com. No. 777, returning S.C.R. No. 17, S.D. 2, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 778, returning S.C.R. No. 49, S.D. 1, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 779, returning S.C.R. No. 51, S.D. 1, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 780, returning S.C.R. No. 76, S.D. 1, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 781, returning S.C.R. No. 93, S.D. 2, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 782, returning S.C.R. No. 109, S.D. 1, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 783, returning S.C.R. No. 173, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 784, returning S.C.R. No. 197, S.D. 1, which was adopted by the House of Representatives on May 3, 2005.

Hse. Com. No. 785, returning S.B. No. 61, S.D. 1, which passed Third Reading in the House of Representatives on May 3, 2005.

Hse. Com. No. 786, returning S.B. No. 620, S.D. 1, which passed Third Reading in the House of Representatives on May 3, 2005.

Hse. Com. No. 787, returning S.B. No. 1127, S.D. 1, which passed Third Reading in the House of Representatives on May 3, 2005.

Hse. Com. No. 788, returning S.B. No. 1345, S.D. 1, which passed Third Reading in the House of Representatives on May 3, 2005.

Hse. Com. No. 789, informing the Senate that the House reconsidered its actions taken on April 14, 2005, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 85, H.D. 2 (S.D. 2);  
 H.B. No. 450, H.D. 2 (S.D. 2);  
 H.B. No. 1029 (S.D. 2); and  
 H.B. No. 1740, H.D. 1 (S.D. 2).

Hse. Com. No. 790, 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 on May 3, 2005:

H.B. No. 20, S.D. 1;  
 H.B. No. 161, H.D. 1, S.D. 1; and  
 H.B. No. 1749, H.D. 2, S.D. 2.

Hse. Com. No. 791, informing the Senate that the House reconsidered its actions taken on April 28, 2005, in disagreeing to the amendments proposed by the Senate to H.C.R. No. 100, H.D. 1, and has on May 3, 2005, agreed to the amendments to H.C.R. No. 100, H.D. 1, S.D. 1.

Hse. Com. No. 792, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.C.R. No. 229, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.C.R. No. 229, H.D. 1, S.D. 1, was finally adopted in the House of Representatives on May 3, 2005.

Hse. Com. No. 793, informing the Senate that the House has discharged all conferees to the following House concurrent resolutions:

H.C.R. No. 100, H.D. 1, S.D. 1; and  
 H.C.R. No. 229, H.D. 1, S.D. 1.

Hse. Com. No. 794, 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 May 3, 2005:

H.C.R. No. 3, H.D. 1, S.D. 1;  
 H.C.R. No. 10, H.D. 1, S.D. 1;  
 H.C.R. No. 67, S.D. 1;  
 H.C.R. No. 200, H.D. 1, S.D. 1; and  
 H.C.R. No. 222, H.D. 1, S.D. 1.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1921 (Gov. Msg. Nos. 709, 710, 711, 712 and 713):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1921 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council of the following:

ANDY P. ANCHETA MPH, term to expire June 30, 2009 (Gov. Msg. No. 709);

SUSAN K. FORBES DRPH, term to expire June 30, 2009 (Gov. Msg. No. 710);

CREIGHTON LIU, term to expire June 30, 2009 (Gov. Msg. No. 711);

SARAJEAN TOKUNAGA, term to expire June 30, 2009 (Gov. Msg. No. 712); and

PATRICIA UYEHARA-WONG, term to expire June 30, 2009 (Gov. Msg. No. 713),

seconded by Senator Tsutsui.

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

Ayes, 18. Noes, none. Excused, 7 (Baker, Fukunaga, Hanabusa, Ige, Ihara, Kim, Sakamoto).

Stand. Com. Rep. No. 1922 (Gov. Msg. Nos. 715 and 716):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1922 be received and placed on file, seconded by Senator Tsutsui and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Health Planning Council, Hawaii County Subarea of the following:

LORI CANNON-SALIS RN, CCRN, CRFN, MSN, term to expire June 30, 2009 (Gov. Msg. No. 715); and

KARLSON PUNG, term to expire June 30, 2009 (Gov. Msg. No. 716),

seconded by Senator Tsutsui.

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

Ayes, 18. Noes, none. Excused, 7 (Baker, Fukunaga, Hanabusa, Ige, Ihara, Kim, Sakamoto).

Stand. Com. Rep. No. 1923 (Gov. Msg. No. 721):

Senator Kanno moved that Stand. Com. Rep. No. 1923 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ERNEST BALATINCZ STS CHST to the Hoisting Machine Operators Advisory Board, term to expire June 30, 2009, seconded by Senator Taniguchi.

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

Ayes, 18. Noes, none. Excused, 7 (Baker, Fukunaga, Hanabusa, Ige, Ihara, Kim, Sakamoto).

Stand. Com. Rep. No. 1924 (Gov. Msg. Nos. 791 and 792):

Senator Kanno moved that Stand. Com. Rep. No. 1924 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

JAMES C. TOLLEFSON, term to expire June 30, 2009 (Gov. Msg. No. 791); and

GLENN H. YAMASAKI KIMURA, term to expire June 30, 2008 (Gov. Msg. No. 792),

seconded by Senator Taniguchi.

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

Ayes, 18. Noes, none. Excused, 7 (Baker, Fukunaga, Hanabusa, Ige, Ihara, Kim, Sakamoto).

Stand. Com. Rep. No. 1925 (Gov. Msg. No. 626):

Senator Kanno moved that Stand. Com. Rep. No. 1925 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of EMORY J. SPRINGER to the Hawaii Labor Relations Board, term to expire June 30, 2011, seconded by Senator Taniguchi.

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

Ayes, 18. Noes, none. Excused, 7 (Baker, Fukunaga, Hanabusa, Ige, Ihara, Kim, Sakamoto).

At 11:17 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.

Stand. Com. Rep. No. 1926 (Jud. Com. No. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 1926 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 JENNIFER L. CHING 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 in support of the nominee and said:

"Mr. President, I stand in of Jud. Com. No. 2, submitting for consideration and confirmation to the District Court of the First Circuit, State of Hawaii, Judicial Nominee Jennifer L. Ching.

"Mr. President, members, Jennifer Ching came down at, for lack of a better description, the eleventh hour of this Session. I'd first like to thank the members of the Judiciary Committee for taking the time to hear the nominee and also for those members who took the time out to meet the nominee at a coffee hour and making time for her during that period of time. As

you all know, we have the constitutional time constraints and I'm very glad that we were able to cooperate and get Jennifer Ching out. The primary reason is that she is an excellent candidate and one that I hope that we will all consent to today.

"Jennifer Ching is a local girl. The good Senator from Maunawili and the good Senator from Volcano share one thing in common with her and that of course is she is a Punahou graduate. She went to Lewis and Clark and got her Bachelor's as well as her law degree. Upon return to Honolulu, she practiced for a predominantly labor firm of Gill Park Park & Kim and then to a corporate law firm of Chun Kerr & Dodd. From 1982 to the present time, Jennifer Ching has been practicing in the prosecutor's office.

"Jennifer is described by one of her colleagues and the people who came before us in an extremely positive light. This one person said of her, 'as supervisor of the domestic violence and family court teams, Ms. Ching treats those she supervises with great care and respect. Despite carrying a full caseload, Ms. Ching routinely assigns the most difficult cases to herself instead of passing them off to others. During the past 15 years, there were several instances where her team was shorthanded for months and when new deputies without much experience were assigned to work under her, notwithstanding whatever difficult circumstances she faced, Ms. Ching rose to the occasion.'

"Mr. President, for those who were not able to meet with Ms. Ching, I want you to know that your first impression is that she's such a bubbly person. She's so excited about the prospect of being a judge. That's okay, except you've got to realize she's being excited about being a prospect of a family court judge on a district court level. Now that means she has to have certain characteristics to continue in that positive mode – one is a lot of patience, a lot of compassion, and just sheer fortitude, because one of the things that Ms. Ching has done over these years, and you must meet her and look at her disposition to wonder why and how can she continue to do it, she now does family court for the prosecutors and probably in the most difficult of areas, the abuse – helping children, as she said, who have been hurt and who need to be understood.

"Ms. Ching said something very interesting. I asked her a question about why this kind of work doesn't get to her after a while, because she's so positive about it. I said you're seeing probably the worst that you would want to see in society – children being hurt, children being abused – and she's a mother herself. And she said she has found that it is her commitment to family that has given her that inner strength to do what she does.

"One of the funniest things she said was that after she became a prosecutor and went through all of this, she thanked her mother and she told her mother she was very grateful for an uneventful childhood, because it is that uneventful childhood that has managed to so well ground her that she can do what she does.

"Mr. President, for the past two nominees, Mr. Nacino and Ms. Ching, your Committee on Judiciary and Hawaiian Affairs were very impressed by them because the district court level is really the people in the trenches, continually in the trenches. They are the ones who most people come in contact with.

"I must add, Mr. President, I don't believe that we could have a better person going on to the family court, which we know has been plagued with trouble, than someone like Jennifer Ching. And for that reason, Mr. President, I ask that you and my colleagues join me in consenting to the nomination of

Jennifer Ching to the District Court of the First Circuit of the State of Hawaii.

"Thank you, Mr. President."

Senator Slom rose to speak in support of the nominee and stated:

"Mr. President, colleagues, I rise also in support of the nominee, Jennifer Ching.

"I first want to thank the Chair of the Judiciary Committee and Judiciary Committee members for expediting this matter, because as we all know, we certainly need more and better judges. With Jennifer Ching, we have one of the best possible judges we could have.

"The good Chair of the Judiciary Committee gave you a lot of her background. I want to remind you she's been a prosecuting attorney for 23 years and she's been assigned to all major trial divisions, including the career criminal unit, so she has a great deal of experience in that area as well.

"The last 14 years at the prosecutor's, she has spent that, as was mentioned, with the family court. She's handled many sexual assault cases, particularly those involving child victims. I think many people may recall that probably the most important incident that she was involved in, the best known case, involved a defendant mother who had abandoned her 15-month old child near Lake Wilson. The child was found luckily because some passersby had seen the child. The child was bruised, dehydrated, eaten by maggots, and was discovered barely alive. Jennifer professionally and methodically prepared the case, and in the end provided a great service to the child and the community with the conviction of the mother and with more attention to the responsibility of parents. She has a strong commitment to families and children, and as the Chair said, she is a mother herself. That commitment, combined with the legal skills and the great experience, will allow her to make a significant impact on the lives of our children and families that will come before her as a family court judge.

"I hope she's able to retain her humor. I hope she's able to retain her bubbly personality and her positive outlook. Actually, I have no doubt that she will. It's going to be a real challenge, because as the Chair of the Committee says, the district court really is where the rubber meets the road. That's where you get all kinds of cases and that, for most people, is their first experience with the judiciary and the judicial system. And so, we try to have the very best possible people as gatekeepers. Nobody could be better than Jennifer Ching.

"We offer her our support, and besides, we know she's very judicious and makes good decisions because she decided for herself and her family to move and live in Hawaii Kai, and what better decision could she make. (Laughter.) So, I urge all my colleagues to support and unanimously confirm Jennifer Ching as our next judge.

"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 (Hee, Menor).

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

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.

#### ADOPTION OF RESOLUTION

H.C.R. No. 172, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PAYDAY LENDERS AND DEFERRED DEPOSIT CHECK CASHERS," was adopted.

#### SENATE RESOLUTION

The following resolution (S.R. No. 137) was read by the Clerk and was disposed of as follows:

Senate Resolution

No. 137 "SENATE RESOLUTION AMENDING RULE 31 OF THE SENATE OF THE TWENTY-THIRD LEGISLATURE OF THE STATE OF HAWAII."

Offered by: Senators Kim, Hanabusa, Sakamoto, Kokubun, Tsutsui, Hee, Hooser, English, Nishihara, Chun Oakland, Taniguchi.

Senator Hee moved that Senate Rule 85(1) be suspended, seconded by Senator Kokubun.

Senator Kokubun stated:

"I request a Roll Call vote, please."

Senator Hee noted:

"Mr. President, members, the reason for the suspension of Rule 85(1) is in order for us to consider S.R. No. 137. Thank you."

The motion 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, Bunda, Espero, Fukunaga, Hemmings, Hogue, Ige, Ihara, Inouye, Kanno, Menor, Slom).

At 11:59 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.

Senator Hee moved that S.R. No. 137 be adopted, seconded by Senator Kokubun.

Senator Kokubun stated:

"Mr. President, again I request a Roll Call vote."

Senator Hee rose in support of the resolution and said:

"Mr. President, members, the reason for the matter before us is to clarify the self-governance of the Senate. In order to do so, the majority of the vote just taken has agreed that to the extent that the Senate wishes to call itself back, this resolution must be acted upon. Without going into too much detail other than that,

Mr. President, we wish to thank you for allowing us to offer this resolution.

"Thank you."

Senator Hemmings rose in opposition and said:

"Mr. President, rise to speak against this resolution.

"Mr. President, I, too, want to be honest. This resolution is about power. It's about who the face of this Senate is going to be. And quite frankly, the face I'm looking at across the aisle is not the face I want to have lead this Senate. I'll be voting 'no' against this resolution."

Senator Hee rose and said:

"Mr. President, actually, this isn't about that at all. This is about the effort of the Senate to call itself back into Session, nothing more.

"Thank you."

Senator Hemmings rose again and stated:

"Mr. President, what you just heard is just exactly what the people of Hawaii don't want in politics – and that is double-dealing, backdoor deals, and I stand by my assertion.

"Thank you."

The motion was then put by the Chair and carried, Roll Call vote having been requested, S.R. No. 137 entitled: SENATE RESOLUTION AMENDING RULE 31 OF THE SENATE OF THE TWENTY-THIRD LEGISLATURE OF THE STATE OF HAWAII, was adopted on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Baker, Bunda, Espero, Fukunaga, Hemmings, Hogue, Ige, Ihara, Inouye, Kanno, Menor, Slom).

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 131 to 136) were read by the Clerk and were disposed of as follows:

Senate Resolution

No. 131 "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK."

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Hee, seconded by Senator Hogue and carried, S.R. No. 131 was adopted.

No. 132 "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 Hee, seconded by Senator Hogue and carried, S.R. No. 132 was adopted.

No. 133 "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE."

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Hee, seconded by Senator Hogue and carried, S.R. No. 133 was adopted.

No. 134 "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWENTY-THIRD LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF."

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Hee, seconded by Senator Hogue and carried, S.R. No. 134 was adopted.

No. 135 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT."

Offered by: Senators Hanabusa, Hemmings.

On motion by Senator Hee, seconded by Senator Hogue and carried, S.R. No. 135 was adopted.

No. 136 "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 Hee, seconded by Senator Hogue and carried, S.R. No. 136 was adopted.

Senator Hee rose and said:

"Mr. President, I want to announce that having come back to this Body this year, I've enjoyed being with the members of this Body. I've enjoyed you, Mr. President, and your staff. I want to thank everyone who is involved with the Senate and to the extent that we've done the work of the people, I'm very grateful.

"Thank you, Mr. President."

Senator Nishihara rose on a point of personal privilege as follows:

"Mr. President, may I rise on a point of personal privilege?"

"Mr. President and colleagues, as the newest member of the Senate, I have been asked on a number of occasions what I thought of the process of the Legislature and what I made of the workings of the Senate. It is a subject I have given a great deal of thought over the past 60 days that we have been in Session. When I arrived here in early November of last year after winning a seat against a formidable incumbent, I was given his office temporarily until everything got sorted out. I had to hire an entire new staff, acquire new furnishings for the office, and orient myself to my new setting. Throughout those days that followed, I was shown nothing but kindness and genuine offers of assistance, of which I am very grateful. I knew some of you by name and many others only by your offices and political persuasion. I made it my goal to learn more about all of you to the extent possible in this political milieu.

"I was determined to keep my sense of balance and be as honest as anyone can be in developing relationships that require trust. I feel I have succeeded for the most part. I was not placed in the position of chairmanship or other roles of party leadership. It was as it should be for anyone new coming into a new environment – learn the lay of the land, learn the rules of the game, listen more than speak, be open to different points of

view, treat all with respect that all deserve, be congenial, be a good Legislator.

"I came with the belief that it was in the development of mutual trust and shared interest, the human need for developing civil societies and alliances, that the political realm is part and parcel of a democratic process. It is bewildering to one who is new to or not a member of this elite club.

"Like Alice in Wonderland, not all one sees is as it seems, but even Alice found that there are still rules. This Body works within a framework of rules. Laws are crafted within the confines of those rules and the relationships and agreements that bind all of them together.

"I came into this office as the newest, although one of the oldest, but not necessarily the wisest member of the Senate. Age brings years of experience not always transferable to the job. Wisdom, I hope, comes out of that experience. This Session was, I feel and believe, successful for all of us. If we view ourselves as part of the larger body, the institution of the State Senate, those bills that become enacted which are good for the whole society are a credit to all of us. Bills which weren't enacted turn out to be misdirected, ineffectual, or in retrospect, bad. We suffer individually as well as collectively.

"The public, to which we frequently refer to as the reason we are here, seems at times distant or not distant enough. Special interest, lobbyists, ordinary citizens, advocates of all stripes are part of this bubbling political stew set on a 60-day timer. It's a wonder that good legislation shines through.

"Much was said recently about going on faith. I think we all need to do it from time to time. We are all well-meaning souls trying to do the best way we know. Nothing is dead until the sounding of the final gavel. That which is alive at the end may at a future date be in limbo or dead with the stroke of a pen.

"That is what I learned in my kindergarten year in the Senate. I look forward to returning for my first grade year next Session. Thank you, Mr. President."

Senator Hemmings rose on a point of personal privilege and said:

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

"I'd like to make some closing statements. I don't believe this Session is finished with the final gavel today, Mr. President. I believe the ill-conceived and quite divisive resolution that was just passed is going to lead to more subterfuge and petty politics at the expense of open, honest, and honorable government.

"Mr. President, I've disagreed with you on a number of issues, and for the five years that I've been here, we have fought tooth and nail with many of my colleagues across the aisle that have different political ideologies, but in years prior to this year, they've always been honorable fights, and they've always been fights that I am proud to have participated in. I've always been able to stand up at the end of the day and shake hands with each one of you and say 'good job.' We spoke our piece; we had our say; we made our decisions accordingly. And on occasion, under your leadership decisions weren't decided in the Majority Party caucus room behind closed doors. Decisions were made out here on the Floor, oftentimes, with an open and honest vote in the true democratic process.

"Mr. President, we started out this Session with high hopes. The people of Hawaii were enjoying economic prosperity and looking quite confidently to the future. The Council on

Revenues projected a surplus of money coming into the state coffers. We shared your high hopes, Mr. President, in your opening day speech that maybe we could do things that needed to be done to help the poor working men and women of Hawaii – such as reducing their taxes; such as adequately funding human service programs; such as giving the sick, the poor, and the hungry relief from paying taxes. But what happened to the surplus? It was consumed – all of it and then some – by collective bargaining pay raises.

“I say to organized labor, ‘hooray for you!’ You did what you have to do. Labor leaders represented their unions quite adequately, pushed as hard as they could, and got what they wanted. But unfortunately, I can’t say the same for us. We did not do what is best for the people of Hawaii. Even organized labor is going to get more money put in one pocket, but more taken out of the other with increased taxes and financial burdens that are heaped on the working men in Hawaii, especially the poor, the hungry, and the sick by what we’ve done with this Legislature.

“So Mr. President, I would like to say a job well done, but I cannot honestly stand up and say that to the people of Hawaii. I can say on a positive note that we did do some things that we can be proud of. We did change some laws governing the criminal justice system. The DNA registry has been enacted. The Megan Law has been enacted. Unfortunately, the wire tap law fell by the wayside. We did protect competition in the marketplace with the inter-island ferry. And quite frankly, there may have been a few other things that we can be proud of.

“Mr. President, in closing, I do have to say, because if there is anybody I have to be honest with, I have to first be honest with myself, and hopefully that will translate to honesty with the people that sent me here. This Session, especially the last couple of weeks, this Senate that I’ve been so proud of, face has been one of bickering, fighting, arguing, not an honorable face. The face of the Senate has changed its complexion. We have a Senate now that’s going the way of old guard politics or maybe the way that OHA used to be run where people take care of themselves in high office and those who are supposed to serve are left to fend for themselves.

“Mr. President, in closing, I want to say that the health and prosperity of Hawaii so largely depends on what we do here, and this system sorely needs the checks and balances of a two-party system. But more than that, Mr. President, it needs honesty and integrity in leadership, and Mr. President, for that, I thank you.”

Senator Hee rose on a point of personal privilege as follows:

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

“I’ve sat here during the whole Session and listened to the whining and clichés of ‘Mr. Senator, look at me. Woe is me. Poor me. Help me.’ And for the most part, I sat quietly. I think, though, when one brings into question the Office of Hawaiian Affairs, I want to be very clear that if the previous speaker was speaking about me, the record is clear that while I was there, the portfolio was \$19 million to a high of \$400 million – it’s not there today; that while I was there, we put into place a system of money managers, of custodians, and of consultants mirrored by and recommended by the financial institutions. And while I was there, the Office of Hawaiian Affairs purchased the model for indigenous languages internationally called Nawahi`okalani`opu`u; that while I was there at the revitalization of the piko, of the state, of our culture, of that which the economy is driven upon, of that which the visitors come to be a part of, of the spirit that so many call aloha

was fostered and was given new life and breathe by the Office of Hawaiian Affairs.

“Through the help of those here and its leaders like yourself, the Office has continued to prosper. It has, without question, its share of mistakes. All state departments have that regardless of the party upon which the Governor resides. It has its kaskio. Every department has its share.

“Let there be no doubt irregardless of my brother from Punahou –he kanaka koko ole; my brother from Outrigger – he kanaka haole. Let us be clear that the last thing the kanaka need is an outsider telling the insider what’s wrong with it. We do the best we can and I am proud, clichés notwithstanding, of my 12 years of service to the Office of Hawaiian Affairs, its beneficiaries, and the State of Hawaii.

“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.

“Remarks by the Majority Floor Leader notwithstanding, I don’t think that we’re here today to have a referendum on any one individual or past performances, but we certainly have to review our own performances and we have to go back to our constituents. And when the remark is made that all we hear is whining and clichés, since apparently this side of the aisle seems to be the only side that always stands up for discussion and open debate and asks questions and very seldom gets answers, I think that really is the issue.

“I don’t think the public is concerned about out petty individual differences here, but I think that they are concerned about the elitism that has been demonstrated and brought into discussions this year. And this discussion about insiders and outsiders . . . gee, I thought we were all part of the same system, and I thought that our role here and our purpose here is to give voice to those people that call us and beg us to help them. But it seems that we have not listened to them this Session and that gives grave cause for concern, not individual circumstances and political ambitions.

“We’ve had ethical issues and problems raised. They have not been addressed and so they still linger. We have seen good people come forward to volunteer to help lead our community and we’ve seen them trashed and skewered and slandered in this Body. We should be concerned about that rather than outside agencies and about personal remarks.

“We all talked about tax relief and relieving the burden on our people at the beginning of this Session, particularly the least among us – the poor, the disenfranchised, the disabled. And after all is said and done in this Session, Mr. President, we did not do that. We did not lessen their burden – we increased it. We did not improve our business climate – we made it murkier. We did not, as the result of our ethics training, come out of here showing the public that indeed we were more ethical as a group.

“I share the pride in this Body that the good Senate Minority Leader spoke about, and what that means is that we all have an obligation not to each other as much as we have to the public, to the people that send us here, to the people that pay for us, to the people that still have that faith that we will do the right thing. And in the end, that’s what we should be addressing and that’s what we should be talking about. Instead, we’re not.

“And so, for many people, this Session has turned out to be disappointing, disgusting, disingenuous. And that’s sad,

because I know my colleagues work hard and I know that basically they want to do the right thing. But when the right thing is right in front of our faces and it always comes down, it seems to come down to just a straight party-line vote.

“In the nine years that I’ve been privileged to be here, Mr. President, this is the only year that I can remember – and I keep every vote – it’s the only year that we’ve had so few divisions on issues – personalities, we’ve had plenty – but on issues. Most of the votes were 20 to 5 or 19 to 6. I can remember the heady days when we would debate issues for hours and then the vote on the issues would be 13 to 12 or 14 to 11. But this year there seemed to be a reluctance to debate many of these issues in public, and that’s where these issues should be debated – in Committee and on this Senate Floor. And that’s how we should be judged.

“And before anybody has fundraisers or anybody sends out fundraising tickets, we should allow the people that buy those tickets to see what we’ve actually done. Have we made things better? Have we kept them the same or have we made them worse? And then, and only then, should people say yeah, I really liked what you did; you really stood up; you stood your ground; you had some things I disagree with, but you had some things I agreed with. The public will make the final decision.

“But I feel sad that on this last day that we’ve come to a point where it is about politics and it is about personalities in this Body among us 25, and we have been ignoring the public outside. Many of them have given up. Many of them don’t feel that we have the moral fiber and the political backbone and will to stand up and do what’s right. I think we do . . . but I don’t think that we’ve shown that this Session.

“And so, to call these issues to public debate is not whining. It’s not complaining. It’s not sniveling. It’s calling to everyone’s attention what our responsibility is and what we should be doing, Mr. President.

“So, to leave on a positive note, yesterday was the past and prologue. We still have many things that we can do and most of us work during the interim. We still listen to our constituents. We still have things that we can do. I think we should all step back after today and take a breath and instead of trying to describe people as insiders and outsiders, let’s talk about all of us being inclusive and working together for this great state in solving the very many serious problems that need to be solved and that we have the ability to solve.

“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.

“Mr. President, it’s clear that each of us sees the last 60 days through different glasses, different colored glasses, different lenses. I would be remiss, Mr. President, if I didn’t comment briefly about the lens that myself and I think many of our colleagues have seen this Session. I, for one, see it as we did much work, good work, and produced many, many good things for the constituents in our communities.

“My constituents, Mr. President, asked me to come here this Session and fight for affordable housing, fight for homeless shelters, and we did that, Mr. President. As a result of the good work we did during this Session, places throughout our state where there were no places for the homeless people to live will have homeless shelters as a result of our effort. We’ve increased millions and millions of dollars to build new

affordable rentals. Our constituents asked us to come and do that. We listened to them. We took action. We debated. This last Tuesday, I thought we debated fairly extensively, Mr. President, and all through this Session.

“Our constituents asked us to do things about affordable housing. We stepped forward and we did. Our constituents asked us to do things to help solve traffic problems throughout our state. In addition to the millions of dollars, if not hundreds of millions of dollars, we appropriated for highway projects, transportation projects, including the super ferry throughout our state, we put into place actions that would allow the City and County of Honolulu to make their own decisions to resolve their mass transit problems and challenges of the future.

“Our constituents, the people of Hawaii, asked us to deal with these issues and I believe, Mr. President, that we stepped forward and acknowledged and took action according to our constituents’ desires.

“The very lowest paid people in our community, the very lowest paid people, Mr. President, asked us for assistance in raising that floor, the minimum wage. Again, we stepped forward, we took action, and we raised that floor. The people in the environmental community came forward in droves asking us to please, please do something, take action, help us protect our sensitive natural environment. We listened, we debated, and we took action.

“Mr. President, the list is extensive. I, for one, am proud of the accomplishments of this Legislature during this past Session and look forward to the next one.

“Thank you, Mr. President.”

Senator Sakamoto rose on a point of personal privilege and stated:

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

“It’s easy for some people who have a litmus test of no taxes and sign a no-tax pledge. It’s easy not to help the homeless! It’s easy not to help the hospitals! It’s easy not to help a lot of people by saying I signed a no-tax pledge! It’s not easy to say, How do we help with the scarce resources we have? How do we help with the many issues we have? It’s not easy.

“Some people make it seem like we’re failures because we failed to . . . or we passed something like taxes because many people want a better way to get from somewhere out in Waianae or Haleiwa or Mililani or Waipahu to town without having to get up at a quarter to five in the morning. It’s not easy to pass a tax on anybody. But it’s not easy to take your kids to grandma’s house at four o’clock in the morning and then take a nap and then come to work. It’s not easy. So we have to do the hard things.

“It’s easy to sign a litmus test – I don’t support taxes – but that’s not the job of this Body, Mr. President!”

President Bunda then said:

“I have some remarks and I’m going to ask that those remarks be inserted into the Journal.

“I do want to express to you, the members, my gratitude to all of you. We ensured that we stayed the course. My thanks also goes out to the House members under the Leadership of Speaker Say for their role in achieving our collective goals.

“From myself to you, I just want to congratulate all of you and express my aloha to all of you.”

President Bunda’s closing remarks read as follows:

“Dear Colleagues, as we close this Legislative Session, let’s reflect for just a moment on the issues we have struggled with, argued over, and collectively come to agree upon. I believe we have made great strides this Session. Our decisions reflected our commitment to the future, and what is in the overall best interest for the people of Hawaii – for all the people of Hawaii.

“Good decision-making and sound law making are not about taking the easier route, the straightest road, or the most popular path. It is about making the tough, and sometimes, unpopular calls. It is about having the vision to see what is the right call for the long term and for the greater good of our citizens.

“I want to express my gratitude to all of you who worked with me to ensure that we stayed the course. My thanks also, to the House members under the leadership of Speaker Say for their role in achieving our collective goals.

“To be sure, we did not accomplish all that we hoped to in this Session such as tax relief for the middle class, the people whose tax dollars pay for most of the decisions we make here at the Legislature. But we have made inroads, and let me tell you, they all seem to point in the right direction. Mahalo and aloha.”

#### ADJOURNMENT

Senator Hee moved that the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, adjourn Sine Die, seconded by Senator Hogue and carried.

At 12:31 o’clock p.m., the President rapped his gavel and declared the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, 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. 862**, informing the Senate that on May 6, 2005, she signed into law House Bill No. 683 as Act 43, entitled: "MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."

**Gov. Msg. No. 863**, informing the Senate that on May 6, 2005, she signed into law Senate Bill No. 667 as Act 44, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR FLOOD LOSSES."

**Gov. Msg. No. 864**, informing the Senate that on May 9, 2005, she signed into law Senate Bill No. 708 as Act 45, entitled: "RELATING TO CHAPTER 846E."

**Gov. Msg. No. 865**, informing the Senate that on May 10, 2005, she signed into law House Bill No. 516 as Act 46, entitled: "RELATING TO EMERGENCY HEALTH POWERS."

**Gov. Msg. No. 866**, informing the Senate that on May 10, 2005, she signed into law Senate Bill No. 698 as Act 47, entitled: "RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER."

**Gov. Msg. No. 867**, informing the Senate that on May 11, 2005, she signed into law Senate Bill No. 621 as Act 48, entitled: "RELATING TO TRAFFIC INFRACTIONS."

**Gov. Msg. No. 868**, informing the Senate that on May 11, 2005, she signed into law House Bill No. 685 as Act 49, entitled: "RELATING TO WIRELESS ENHANCED 911 SERVICE."

**Gov. Msg. No. 869**, informing the Senate that on May 12, 2005, she signed into law House Bill No. 162 as Act 50, entitled: "RELATING TO PROCUREMENT."

**Gov. Msg. No. 870**, informing the Senate that on May 12, 2005, she signed into law House Bill No. 1301 as Act 51, entitled: "RELATING TO INVASIVE SPECIES."

**Gov. Msg. No. 871**, informing the Senate that on May 13, 2005, she signed into law House Bill No. 769 as Act 52, entitled: "RELATING TO UNCLAIMED PROPERTY."

**Gov. Msg. No. 872**, informing the Senate that on May 16, 2005, she signed into law House Bill No. 1413 as Act 53, entitled: "RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

**Gov. Msg. No. 873**, informing the Senate that on May 16, 2005, she signed into law Senate Bill No. 768 as Act 54, entitled: "RELATING TO CONTESTS INVOLVING NO RULES COMBAT, EXTREME OR ULTIMATE FIGHTING, AND OTHER SIMILAR COMPETITIONS."

**Gov. Msg. No. 874**, informing the Senate that on May 16, 2005, she signed into law Senate Bill No. 673 as Act 55, entitled: "MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

**Gov. Msg. No. 875**, informing the Senate that on May 17, 2005, she signed into law House Bill No. 632 as Act 56, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

**Gov. Msg. No. 876**, informing the Senate that on May 17, 2005, she signed into law Senate Bill No. 738 as Act 57, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

**Gov. Msg. No. 877**, informing the Senate that on May 17, 2005, she signed into law House Bill No. 631 as Act 58, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

**Gov. Msg. No. 878**, informing the Senate that on May 18, 2005, she signed into law House Bill No. 164 as Act 59, entitled: "RELATING TO UNAUTHORIZED MOTION PICTURE RECORDING."

**Gov. Msg. No. 879**, informing the Senate that on May 19, 2005, she signed into law Senate Bill No. 834 as Act 60, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

**Gov. Msg. No. 880**, informing the Senate that on May 19, 2005, she signed into law House Bill No. 1666 as Act 61, entitled: "RELATING TO STATE FUNDS."

**Gov. Msg. No. 881**, informing the Senate that on May 19, 2005, she signed into law House Bill No. 99 as Act 62, entitled: "RELATING TO BUSINESS."

**Gov. Msg. No. 882**, informing the Senate that on May 19, 2005, she signed into law House Bill No. 1154 as Act 63, entitled: "RELATING TO AGRICULTURE."

**Gov. Msg. No. 883**, informing the Senate that on May 19, 2005, she signed into law Senate Bill No. 956 as Act 64, entitled: "RELATING TO AGRICULTURAL INSPECTIONS."

**Gov. Msg. No. 884**, informing the Senate that on May 19, 2005, she signed into law Senate Bill No. 1170 as Act 65, entitled: "RELATING TO ELECTRONIC COMMERCE."

**Gov. Msg. No. 885**, informing the Senate that on May 23, 2005, she signed into law Senate Bill No. 76 as Act 66, entitled: "RELATING TO TRAFFIC VIOLATIONS."

**Gov. Msg. No. 886**, informing the Senate that on May 23, 2005, she signed into law House Bill No. 390 as Act 67, entitled: "RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX."

**Gov. Msg. No. 887**, informing the Senate that on May 23, 2005, she signed into law House Bill No. 852 as Act 68, entitled: "RELATING TO PERMIT APPROVALS."

**Gov. Msg. No. 888**, informing the Senate that on May 23, 2005, she signed into law House Bill No. 606 as Act 69, entitled: "RELATING TO STANDARDS FOR NET METERED RENEWABLE ENERGY SYSTEMS."

**Gov. Msg. No. 889**, informing the Senate that on May 23, 2005, she signed into law Senate Bill No. 1250 as Act 70, entitled: "RELATING TO PUBLIC SCHOOL SUBSTITUTE TEACHERS."

**Gov. Msg. No. 890**, informing the Senate that on May 23, 2005, she signed into law House Bill No. 843 as Act 71, entitled: "RELATING TO SCHOOL LUNCH."

**Gov. Msg. No. 891**, informing the Senate that on May 25, 2005, the Lt. Gov. signed into law House Bill No. 150 as Act 72, entitled: "RELATING TO DRIVER LICENSING."

**Gov. Msg. No. 892**, informing the Senate that on May 25, 2005, the Lt. Gov. signed into law House Bill No. 438 as Act 73, entitled: "RELATING TO TRAFFIC OFFENSES."

**Gov. Msg. No. 893**, informing the Senate that on May 25, 2005, the Lt. Gov. signed into law House Bill No. 502 as Act 74, entitled: "RELATING TO TRAFFIC OFFENSES REQUIRING IMPOSITION OF INCREASED PENALTIES FOR SUBSEQUENT OFFENSES."

**Gov. Msg. No. 894**, informing the Senate that on May 26, 2005, the Lt. Gov. signed into law House Bill No. 1555 as Act 75, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HUALALAI ACADEMY."

**Gov. Msg. No. 895**, informing the Senate that on May 26, 2005, the Lt. Gov. signed into law Senate Bill No. 1483 as Act 76, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAIMEA COUNTRY SCHOOL."

**Gov. Msg. No. 896**, informing the Senate that on May 26, 2005, the Lt. Gov. signed into law Senate Bill No. 459 as Act 77, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS."

**Gov. Msg. No. 897**, informing the Senate that on May 26, 2005, the Lt. Gov. signed into law Senate Bill No. 1117 as Act 78, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC."

**Gov. Msg. No. 898**, informing the Senate that on May 26, 2005, the Lt. Gov. signed into law House Bill No. 1238 as Act 79, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU."

**Gov. Msg. No. 899**, informing the Senate that on May 26, 2005, the Lt. Gov. signed into law House Bill No. 1657 as Act 80, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST HOKU SCIENTIFIC."

**Gov. Msg. No. 900**, informing the Senate that on May 27, 2005, the Lt. Gov. signed into law House Bill No. 835 as Act 81, entitled: "RELATING TO TIME SHARING PLANS."

**Gov. Msg. No. 901**, informing the Senate that on May 27, 2005, the Lt. Gov. signed into law House Bill No. 785 as Act 82, entitled: "RELATING TO MORTGAGE FORECLOSURES."

**Gov. Msg. No. 902**, informing the Senate that on May 27, 2005, the Lt. Gov. signed into law House Bill No. 155 as Act 83, entitled: "RELATING TO TIME SHARING."

**Gov. Msg. No. 903**, informing the Senate that on May 31, 2005, the Lt. Gov. signed into law House Bill No. 551 as Act 84, entitled: "RELATING TO PUBLIC MEETINGS."

**Gov. Msg. No. 904**, informing the Senate that on May 31, 2005, the Lt. Gov. signed into law House Bill No. 553 as Act

85, entitled: "RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."

**Gov. Msg. No. 905**, informing the Senate that on May 31, 2005, the Lt. Gov. signed into law House Bill No. 384 as Act 86, entitled: "RELATING TO ATTORNEYS' FEES FOR COURT APPOINTED COUNSEL."

**Gov. Msg. No. 906**, informing the Senate that on June 1, 2005, she signed into law Senate Bill No. 1643 as Act 87, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 907**, informing the Senate that on June 2, 2005, she signed into law House Bill No. 161 as Act 88, entitled: "RELATING TO SECURITIES."

**Gov. Msg. No. 908**, informing the Senate that on June 2, 2005, she signed into law Senate Bill No. 1349 as Act 89, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES."

**Gov. Msg. No. 909**, informing the Senate that on June 2, 2005, she signed into law Senate Bill No. 1348 as Act 90, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES."

**Gov. Msg. No. 910**, informing the Senate that on June 2, 2005, she signed into law Senate Bill No. 1336 as Act 91, entitled: "RELATING TO CONDOMINIUMS AND COOPERATIVE HOUSING CORPORATIONS."

**Gov. Msg. No. 911**, informing the Senate that on June 2, 2005, she signed into law Senate Bill No. 1345 as Act 92, entitled: "RELATING TO CONDOMINIUMS."

**Gov. Msg. No. 912**, informing the Senate that on June 2, 2005, she signed into law Senate Bill No. 1132 as Act 93, entitled: "RELATING TO CONDOMINIUMS."

**Gov. Msg. No. 913**, informing the Senate that on June 3, 2005, she signed into law Senate Bill No. 944 as Act 94, entitled: "MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 914**, informing the Senate that on June 3, 2005, she signed into law Senate Bill No. 1579 as Act 95, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 915**, informing the Senate that on June 3, 2005, she signed into law House Bill No. 260 as Act 96, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 916**, informing the Senate that on June 3, 2005, she signed into law House Bill No. 1597 as Act 97, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 917**, informing the Senate that on June 3, 2005, she signed into law House Bill No. 263 as Act 98, entitled: "MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."

**Gov. Msg. No. 918**, informing the Senate that on June 3, 2005, she signed into law House Bill No. 1599 as Act 99, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 919**, informing the Senate that on June 6, 2005, she signed into law Senate Bill No. 945 as Act 100,

entitled: "MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 920**, informing the Senate that on June 6, 2005, she signed into law Senate Bill No. 1580 as Act 101, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 921**, informing the Senate that on June 6, 2005, she signed into law House Bill No. 497 as Act 102, entitled: "RELATING TO UNCOLLECTIBLE ACCOUNTS."

**Gov. Msg. No. 922**, informing the Senate that on June 6, 2005, she signed into law House Bill No. 1668 as Act 103, entitled: "RELATING TO STATE BONDS."

**Gov. Msg. No. 923**, informing the Senate that on June 6, 2005, she signed into law Senate Bill No. 1003 as Act 104, entitled: "RELATING TO NET ENERGY METERING."

**Gov. Msg. No. 924**, informing the Senate that on June 7, 2005, she signed into law House Bill No. 1430 as Act 105, entitled: "RELATING TO SOLID WASTE CONTROL."

**Gov. Msg. No. 925**, informing the Senate that on June 7, 2005, she signed into law House Bill No. 1758 as Act 106, entitled: "RELATING TO UNEMPLOYMENT BENEFITS."

**Gov. Msg. No. 926**, informing the Senate that on June 7, 2005, she signed into law House Bill No. 447 as Act 107, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

**Gov. Msg. No. 927**, informing the Senate that on June 7, 2005, she signed into law Senate Bill No. 702 as Act 108, entitled: "RELATING TO ANTITRUST."

**Gov. Msg. No. 928**, informing the Senate that on June 8, 2005, the Lt. Gov. signed into law House Bill No. 450 as Act 109, entitled: "RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."

**Gov. Msg. No. 929**, informing the Senate that on June 8, 2005, the Lt. Gov. signed into law House Bill No. 500 as Act 110, entitled: "RELATING TO THE JUDICIARY."

**Gov. Msg. No. 930**, informing the Senate that on June 8, 2005, the Lt. Gov. signed into law Senate Bill No. 620 as Act 111, entitled: "RELATING TO INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS."

**Gov. Msg. No. 931**, informing the Senate that on June 8, 2005, the Lt. Gov. signed into law House Bill No. 1733 as Act 112, entitled: "RELATING TO BIOLOGICAL EVIDENCE."

**Gov. Msg. No. 932**, informing the Senate that on June 8, 2005, the Lt. Gov. signed into law House Bill No. 1750 as Act 113, entitled: "MAKING AN APPROPRIATION FOR COMMUNITY-BASED REINTEGRATION PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM PRISON TO THE COMMUNITY."

**Gov. Msg. No. 933**, informing the Senate that on June 9, 2005, the Lt. Gov. signed into law Senate Bill No. 817 as Act 114, entitled: "RELATING TO THE EMPLOYMENT SECURITY LAW."

**Gov. Msg. No. 934**, informing the Senate that on June 9, 2005, the Lt. Gov. signed into law Senate Bill No. 122 as Act 115, entitled: "RELATING TO PATIENT SAFETY."

**Gov. Msg. No. 935**, informing the Senate that on June 9, 2005, the Lt. Gov. signed into law Senate Bill No. 116 as Act 116, entitled: "RELATING TO NURSES."

**Gov. Msg. No. 936**, informing the Senate that on June 13, 2005, the Lt. Gov. signed into law House Bill No. 283 as Act 117, entitled: "ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR SENATOR HIRAM L. FONG."

**Gov. Msg. No. 937**, informing the Senate that on June 13, 2005, the Lt. Gov. signed into law Senate Bill No. 1872 as Act 118, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PALOLO CHINESE HOME AND ITS SUBSIDIARIES."

**Gov. Msg. No. 938**, informing the Senate that on June 13, 2005, the Lt. Gov. signed into law House Bill No. 1236 as Act 119, entitled: "RELATING TO THE LEGISLATURE."

**Gov. Msg. No. 939**, informing the Senate that on June 14, 2005, the Lt. Gov. signed into law Senate Bill No. 797 as Act 120, entitled: "RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

**Gov. Msg. No. 940**, informing the Senate that on June 15, 2005, the Lt. Gov. signed into law Senate Bill No. 568 as Act 121, entitled: "RELATING TO DENTISTS."

**Gov. Msg. No. 941**, informing the Senate that on June 15, 2005, the Lt. Gov. signed into law Senate Bill No. 118 as Act 122, entitled: "RELATING TO THE BOARD OF DENTAL EXAMINERS EXAMINATIONS."

**Gov. Msg. No. 942**, informing the Senate that on June 15, 2005, the Lt. Gov. signed into law Senate Bill No. 700 as Act 123, entitled: "RELATING TO NUISANCE ABATEMENT."

**Gov. Msg. No. 943**, informing the Senate that on June 15, 2005, the Lt. Gov. signed into law House Bill No. 1749 as Act 124, entitled: "RELATING TO CRIMINAL OFFENSES."

**Gov. Msg. No. 944**, informing the Senate that on June 15, 2005, the Lt. Gov. signed into law House Bill No. 1763 as Act 125, entitled: "RELATING TO THE PENAL CODE."

**Gov. Msg. No. 945**, informing the Senate that on June 16, 2005, the Lt. Gov. signed into law Senate Bill No. 1891 as Act 126, entitled: "RELATING TO BOATING."

**Gov. Msg. No. 946**, informing the Senate that on June 16, 2005, the Lt. Gov. signed into law Senate Bill No. 1378 as Act 127, entitled: "RELATING TO THE PEARL HARBOR HISTORIC TRAIL."

**Gov. Msg. No. 947**, informing the Senate that on June 16, 2005, the Lt. Gov. signed into law House Bill No. 712 as Act 128, entitled: "RELATING TO VIOLATIONS OF CHAPTER 6E."

**Gov. Msg. No. 948**, informing the Senate that on June 16, 2005, the Lt. Gov. signed into law House Bill No. 1659 as Act 129, entitled: "RELATING TO NONCOMMERCIAL PIERS."

**Gov. Msg. No. 949**, informing the Senate that on June 16, 2005, the Lt. Gov. signed into law House Bill No. 408 as Act 130, entitled: "RELATING TO THE ENVIRONMENT."

**Gov. Msg. No. 950**, informing the Senate that on June 16, 2005, the Lt. Gov. signed into law Senate Bill No. 682 as Act 131, entitled: "RELATING TO TOBACCO."

**Gov. Msg. No. 951**, informing the Senate that on June 17, 2005, the Lt. Gov. signed into law Senate Bill No. 754 as Act 132, entitled: "RELATING TO INSURANCE."

**Gov. Msg. No. 952**, informing the Senate that on June 17, 2005, the Lt. Gov. signed into law House Bill No. 1462 as Act 133, entitled: "RELATING TO THE STATE OF HAWAII."

**Gov. Msg. No. 953**, informing the Senate that on June 17, 2005, the Lt. Gov. signed into law Senate Bill No. 77 as Act 134, entitled: "RELATING TO HIGHWAY SAFETY."

**Gov. Msg. No. 954**, informing the Senate that on June 17, 2005, the Lt. Gov. signed into law House Bill No. 320 as Act 135, entitled: "RELATING TO FINANCIAL DISCLOSURE STATEMENTS."

**Gov. Msg. No. 955**, informing the Senate that on June 17, 2005, the Lt. Gov. signed into law Senate Bill No. 693 as Act 136, entitled: "RELATING TO CHARITABLE GIFT ANNUITIES."

**Gov. Msg. No. 956**, informing the Senate that on June 20, 2005, she signed into law House Bill No. 20 as Act 137, entitled: "RELATING TO THE UNIVERSITY OF HAWAII."

**Gov. Msg. No. 957**, informing the Senate that on June 20, 2005, she signed into law House Bill No. 19 as Act 138, entitled: "RELATING TO UNIVERSITY PROJECTS AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR HOUSING UNITS."

**Gov. Msg. No. 958**, informing the Senate that on June 21, 2005, she signed into law Senate Bill No. 791 as Act 139, entitled: "RELATING TO A CONTINUUM OF HEALTH CARE SETTINGS."

**Gov. Msg. No. 959**, informing the Senate that on June 21, 2005, she signed into law Senate Bill No. 761 as Act 140, entitled: "RELATING TO MENTAL HEALTH."

**Gov. Msg. No. 960**, informing the Senate that on June 21, 2005, she signed into law Senate Bill No. 1394 as Act 141, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 961**, informing the Senate that on June 21, 2005, she signed into law Senate Bill No. 1419 as Act 142, entitled: "RELATING TO DOMESTIC VIOLENCE."

**Gov. Msg. No. 962**, informing the Senate that on June 21, 2005, she signed into law Senate Bill No. 27 as Act 143, entitled: "MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM."

**Gov. Msg. No. 963**, informing the Senate that on June 22, 2005, she signed into law House Bill No. 278 as Act 144, entitled: "RELATING TO VICTIM RESTITUTION."

**Gov. Msg. No. 964**, informing the Senate that on June 22, 2005, she signed into law Senate Bill No. 121 as Act 145, entitled: "RELATING TO BREWPUB LICENSES."

**Gov. Msg. No. 965**, informing the Senate that on June 22, 2005, she signed into law Senate Bill No. 1453 as Act 146, entitled: "RELATING TO PUBLIC SERVICE COMPANY TAX."

**Gov. Msg. No. 966**, informing the Senate that on June 22, 2005, she signed into law House Bill No. 1393 as Act 147,

entitled: "RELATING TO THE COMMISSION ON THE STATUS OF WOMEN."

**Gov. Msg. No. 967**, informing the Senate that on June 22, 2005, she signed into law Senate Bill No. 1780 as Act 148, entitled: "RELATING TO THE COMMISSION ON FATHERHOOD."

**Gov. Msg. No. 968**, informing the Senate that on June 22, 2005, she signed into law Senate Bill No. 1699 as Act 149, entitled: "RELATING TO CULTURE AND THE ARTS."

**Gov. Msg. No. 969**, informing the Senate that on June 23, 2005, she signed into law Senate Bill No. 1018 as Act 150, entitled: "RELATING TO HUMAN SERVICES."

**Gov. Msg. No. 970**, informing the Senate that on June 23, 2005, she signed into law House Bill No. 1300 as Act 151, entitled: "RELATING TO EARLY CHILDHOOD EDUCATION."

**Gov. Msg. No. 971**, informing the Senate that on June 23, 2005, she signed into law House Bill No. 477 as Act 152, entitled: "RELATING TO EXEMPTING ROTH INDIVIDUAL RETIREMENT ACCOUNTS FROM ATTACHMENT OR SEIZURE."

**Gov. Msg. No. 972**, informing the Senate that on June 23, 2005, she signed into law Senate Bill No. 1285 as Act 153, entitled: "RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES."

**Gov. Msg. No. 973**, informing the Senate that on June 23, 2005, she signed into law House Bill No. 1745 as Act 154, entitled: "RELATING TO REPORTS TO THE LEGISLATURE."

**Gov. Msg. No. 974**, informing the Senate that on June 23, 2005, she signed into law Senate Bill No. 1798 as Act 155, entitled: "RELATING TO NONPROFIT CORPORATIONS."

**Gov. Msg. No. 975**, informing the Senate that on June 23, 2005, she signed into law House Bill No. 1308 as Act 156, entitled: "RELATING TO LAND CONSERVATION."

**Gov. Msg. No. 976**, informing the Senate that on June 24, 2005, she signed into law House Bill No. 1017 as Act 157, entitled: "RELATING TO SOLAR ENERGY."

**Gov. Msg. No. 977**, informing the Senate that on June 24, 2005, she signed into law Senate Bill No. 1661 as Act 158, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 978**, informing the Senate that on June 24, 2005, she signed into law House Bill No. 844 as Act 159, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 979**, informing the Senate that on June 24, 2005, she signed into law House Bill No. 1453 as Act 160, entitled: "RELATING TO ANIMALS."

**Gov. Msg. No. 980**, informing the Senate that on June 24, 2005, she signed into law Senate Bill No. 669 as Act 161, entitled: "RELATING TO ANIMAL QUARANTINE FACILITIES."

**Gov. Msg. No. 981**, informing the Senate that on June 27, 2005, she signed into law Senate Bill No. 1362 as Act 162, entitled: "RELATING TO ABANDONED VEHICLES."

**Gov. Msg. No. 982**, informing the Senate that on June 27, 2005, she signed into law House Bill No. 393 as Act 163, entitled: "RELATING TO THE COUNTIES."

**Gov. Msg. No. 983**, informing the Senate that on June 27, 2005, she signed into law Senate Bill No. 1903 as Act 164, entitled: "RELATING TO THE SEAWATER AIR CONDITIONING."

**Gov. Msg. No. 984**, informing the Senate that on June 27, 2005, she signed into law House Bill No. 140 as Act 165, entitled: "RELATING TO HUMAN SERVICES."

**Gov. Msg. No. 985**, dated June 27, 2004, transmitting the proclamations giving notice of her plans to return with her objections House Bill Nos. 85, 160, 180, 332, 1051, 1060, 1224, 1309, 1317, 1450, 1548, 1554, 1556, 1608 and 1715; and Senate Bill Nos. 55, 813, 960, 1194, 1257, 1262, 1352, 1420, 1473, 1554, 1592, 1685, 1772, 1796, 1808, 1843, 1877 and 1889; 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, House Bill No. 85, entitled 'A Bill for an Act Relating to Harbors,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 85 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. 85 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 27th day  
of June, 2005.

/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. 160, entitled 'A Bill for an Act Relating to the Compliance Resolution Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 160 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. 160 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 27th day  
of June, 2005.

/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. 180, 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. 180 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. 180 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 27  
day of June, 2005.

/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. 332, entitled 'A Bill for an Act Relating to Frozen Food Products,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 332 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. 332 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 27  
day of JUN, 2005.

/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. 1051, entitled 'A Bill for an Act Relating to Prescription Drugs,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1051 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. 1051 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 27  
day of JUN, 2005.

/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. 1060, entitled 'A Bill for an Act Relating to Medicaid,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1060 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. 1060 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 27  
day of JUN, 2005.

/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. 1224, entitled 'A Bill for an Act Relating to Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1224 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. 1224 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 27  
day of June, 2005

/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. 1309, entitled 'A Bill for an Act Relating to Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1309 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. 85[sic] 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 27th day  
of June, 2005.

/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. 1317, entitled 'A Bill for an Act Relating to Medicaid,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1317 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. 1317 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 27  
day of JUN, 2005.

/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. 1450, entitled 'A Bill for an Act Relating to Civil Rights,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1450 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. 1450 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 27th day  
of June, 2005.

/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. 1548, entitled 'A Bill for an Act Relating to the Employer-Union Health Benefits Trust Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1548 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. 85[sic] 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 27th day  
of June, 2005.

/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. 1554, entitled 'A Bill for an Act Relating to Leasehold Conversion,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1554 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. 1554 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 27  
day of June, 2005

/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. 1556, entitled 'A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds to

Assist Industrial Enterprises,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1556 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. 85[sic] 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 27th day  
of June, 2005.

/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. 1608, entitled 'A Bill for an Act Relating to Voluntary Employees' Beneficiary Association Trusts,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1608 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. 1608 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 27  
day of JUN, 2005.

/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. 1715, entitled 'A Bill for an Act Relating to Civil Rights,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1715 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. 85[sic] 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 27th day  
of June, 2005.

/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. 55, 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. 55 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. 55 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 27  
day of June, 2005.

/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. 813, entitled 'A Bill for an Act Relating to Employment Security,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 813 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. 85[sic] 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 27th day  
of June, 2005.

/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. 960, entitled 'A Bill for an Act Relating to Civil Defense,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 960 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. 960 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 27  
day of June, 2005.

/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. 1194, entitled 'A Bill for an Act Relating to the Board of Trustees of the Deferred Compensation Plan,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1194 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. 1194 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 27  
day of June, 2005.

/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. 1257, 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. 1257 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. 1257 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 27th day  
of June, 2005.

/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. 1262, entitled 'A Bill for an Act Relating to the Waianae Coast,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1262 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. 1262 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 27  
day of June, 2005.

/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. 1352, 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, Senate Bill No. 1352 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. 1352 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 27  
day of JUN, 2005.

/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. 1420, entitled 'A Bill for an Act Relating to Psychotropic Medication,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1420 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. 1420 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 27  
day of JUN, 2005.

/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. 1473, entitled 'A Bill for an Act Relating to Waimano Ridge,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1473 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. 1473 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 27  
day of JUN, 2005.

/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. 1554, entitled 'A Bill for an Act Relating to the Environment,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1554 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. 1554 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 27  
day of June, 2005.

/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. 1592, entitled 'A Bill for an Act Relating to State Planning,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1592 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. 1592 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 27th day  
of June, 2005.

/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. 1685, entitled 'A Bill for an Act Relating to Tax,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1685 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. 1685 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 27th day  
of June, 2005.

/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. 1772, entitled 'A Bill for an Act Relating to Employers,' passed by the Legislature, was

presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1772 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. 1772 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 27  
day of JUN, 2005.

/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. 1796, entitled 'A Bill for an Act Relating to the Disposition of Convicted Defendants,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1796 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. 1796 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 27  
day of June, 2005.

/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. 1808, entitled 'A Bill for an Act Relating to Workers' Compensation Law,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1808 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. 1808 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 27  
day of June, 2005.

/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. 1843, entitled 'A Bill for an Act Relating to Procurement,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1843 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. 1843, 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 27  
day of June, 2005.

/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. 1877, entitled 'A Bill for an Act Relating to the Office of Planning,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1877 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. 1877 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 27  
day of June, 2005.

/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. 1889, entitled 'A Bill for an Act Relating to Apprenticeships,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1889 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. 1889 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 27th day  
of June, 2005.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 986**, informing the Senate that on June 28, 2005, she signed into law Senate Bill No. 1038 as Act 166, entitled: "RELATING TO THE HAWAII PROCUREMENT INSTITUTE."

**Gov. Msg. No. 987**, informing the Senate that on June 28, 2005, she signed into law Senate Bill No. 460 as Act 167, entitled: "RELATING TO TAX REFUNDS."

**Gov. Msg. No. 988**, informing the Senate that on June 28, 2005, she signed into law Senate Bill No. 3 as Act 168, entitled: "RELATING TO HUMAN SERVICES."

**Gov. Msg. No. 989**, dated June 28, 2005, transmitting her statement of objections to Senate Bill No. 1808 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
June 29, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1808

Honorable Members  
Twenty-Third Legislature

State of Hawaii

Respectfully,

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. 1808, entitled 'A Bill for an Act Relating to Workers' Compensation Law.'

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

The purported purposes of this bill are to codify some of the existing Hawaii administrative rules pertaining to workers' compensation into chapter 386, Hawaii Revised Statutes; to temporarily restrict the Director's rulemaking authority; and to clarify various other provisions relating to workers compensation.

The bill also declares that any rule relating to workers' compensation that is adopted or amended by the Director on or after January 1, 2005, shall not have the force and effect of law, except that the Director will continue to have the authority to update the reimbursement amounts paid to medical providers under the medical fee schedule.

This bill is objectionable because it arbitrarily suspends, from January 1, 2005 until July 1, 2007, the authority of the Director of the Department of Labor and Industrial Relations from implementing rule changes to improve and streamline the administration and implementation of the workers' compensation laws. Suspension of the rulemaking process is a significant challenge to a key governing principle that has evolved through legislative actions and judicial decisions over the past century. Such a suspension would frustrate and prevent the Director from performing the statutory function of facilitating and promoting the efficient execution of the Hawaii Workers' Compensation Law through the adoption and amendment of administrative rules.

In addition, this bill would nullify and invalidate administrative rules recently adopted by the Department of Labor and Industrial Relations relating to the administration and implementation of the workers' compensation laws.

On January 7, 2005, a notice of public hearing on proposed rule changes was published and the draft rules were made available for public review. A public hearing was held on February 7, 2005. Approximately 230 testimonies from the public were received and considered by the Director and the Governor. The final rules were signed into law by the Governor and took effect on May 13, 2005. These rules address factors driving up the cost of workers compensation insurance while ensuring that injured workers receive quality medical care and benefits. This bill would negate the improvements achieved by these rules.

Repeal of these rules and suspension of the Director of Labor and Industrial Relations' authority to improve the implementation of the workers compensation law through the rule-making process would be an abrogation of the public's right to participatory governance.

Further, under this bill, the Director of Labor and Industrial Relations would not be permitted to issue a decision without a hearing. Currently the Director issues decisions without hearings for the sake of the injured worker, such as awards for disfigurement, which are made after a review of the medical records. Prohibiting the waiver of a hearing will serve as a detriment to injured workers and exacerbate the lengthy delays that have earned Hawaii's worker compensation system a failing grade.

For the foregoing reasons, I am returning Senate Bill No. 1808 without my approval.

**Gov. Msg. No. 990**, informing the Senate that on June 29, 2005, she signed into law Senate Bill No. 527 as Act 169, entitled: "RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES."

**Gov. Msg. No. 991**, informing the Senate that on June 29, 2005, she signed into law House Bill No. 295 as Act 170, entitled: "RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."

**Gov. Msg. No. 992**, informing the Senate that on June 29, 2005, she signed into law House Bill No. 115 as Act 171, entitled: "RELATING TO MILITARY AFFAIRS."

**Gov. Msg. No. 993**, informing the Senate that on June 29, 2005, she signed into law House Bill No. 1029 as Act 172, entitled: "MAKING AN APPROPRIATION FOR THE DEPARTMENT OF DEFENSE."

**Gov. Msg. No. 994**, informing the Senate that on June 29, 2005, she signed into law Senate Bill No. 1702 as Act 173, entitled: "RELATING TO HIGH TECHNOLOGY."

**Gov. Msg. No. 995**, informing the Senate that on June 30, 2005, she signed into law Senate Bill No. 1253 as Act 174, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 996**, informing the Senate that on June 30, 2005, she signed into law House Bill No. 1276 as Act 175, entitled: "RELATING TO PUBLIC ACCESS."

**Gov. Msg. No. 997**, informing the Senate that on June 30, 2005, she signed into law House Bill No. 1318 as Act 176, entitled: "RELATING TO PUBLIC EMPLOYEES."

**Gov. Msg. No. 998**, informing the Senate that on June 30, 2005, she signed into law House Bill No. 515 as Act 177, entitled: "RELATING TO GOVERNMENT RECORDS."

**Gov. Msg. No. 999**, informing the Senate that on June 30, 2005, she signed into law House Bill No. 100 as Act 178, entitled: "RELATING TO THE STATE BUDGET."

**Gov. Msg. No. 1000**, informing the Senate that on June 30, 2005, she signed into law House Bill No. 841 as Act 179, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 1001**, informing the Senate that on July 1, 2005, she signed into law House Bill No. 168 as Act 180, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."

**Gov. Msg. No. 1002**, informing the Senate that on July 1, 2005, she signed into law House Bill No. 1202 as Act 181, entitled: "RELATING TO AGRICULTURAL TRESPASSING."

**Gov. Msg. No. 1003**, informing the Senate that on July 1, 2005, she signed into law House Bill No. 1201 as Act 182, entitled: "RELATING TO AGRICULTURAL THEFT."

**Gov. Msg. No. 1004**, informing the Senate that on July 1, 2005, she signed into law House Bill No. 1640 as Act 183, entitled: "RELATING TO IMPORTANT AGRICULTURAL LANDS."

**Gov. Msg. No. 1005**, informing the Senate that on July 1, 2005, she signed into law Senate Bill No. 617 as Act 184, entitled: "RELATING TO COURT INTERPRETER SERVICES."

**Gov. Msg. No. 1006**, informing the Senate that on July 1, 2005, she signed into law Senate Bill No. 1876 as Act 185, entitled: "RELATING TO HIGHWAYS."

**Gov. Msg. No. 1007**, informing the Senate that on July 1, 2005, she signed into law House Bill No. 1295 as Act 186, entitled: "RELATING TO SCHOOLS."

**Gov. Msg. No. 1008**, informing the Senate that on July 5, 2005, she signed into law House Bill No. 1709 as Act 187, entitled: "RELATING TO CRIMINAL PROPERTY DAMAGE."

**Gov. Msg. No. 1009**, informing the Senate that on July 5, 2005, she signed into law House Bill No. 864 as Act 188, entitled: "RELATING TO COUNTIES."

**Gov. Msg. No. 1010**, informing the Senate that on July 5, 2005, she signed into law Senate Bill No. 1660 as Act 189, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 1011**, informing the Senate that on July 5, 2005, she signed into law Senate Bill No. 1478 as Act 190, entitled: "RELATING TO THE STATE FIRE COUNCIL."

**Gov. Msg. No. 1012**, informing the Senate that on July 5, 2005, she signed into law House Bill No. 758 as Act 191, entitled: "RELATING TO EMPLOYMENT PRACTICES."

**Gov. Msg. No. 1013**, informing the Senate that on July 5, 2005, she signed into law House Bill No. 1320 as Act 192, entitled: "RELATING TO EMERGENCY 911."

**Gov. Msg. No. 1014**, informing the Senate that on July 5, 2005, she signed into law Senate Bill No. 1100 as Act 193, entitled: "RELATING TO PSEUDOEPHEDRINE."

**Gov. Msg. No. 1015**, informing the Senate that on July 5, 2005, she signed into law House Bill No. 919 as Act 194, entitled: "RELATING TO USE OF INTOXICANTS."

**Gov. Msg. No. 1016**, informing the Senate that on July 5, 2005, she signed into law House Bill No. 1672 as Act 195, entitled: "RELATING TO THE BUDGET."

**Gov. Msg. No. 1017**, informing the Senate that on July 6, 2005, she signed into law Senate Bill No. 179 as Act 196, entitled: "RELATING TO HOUSING."

**Gov. Msg. No. 1018**, informing the Senate that on July 6, 2005, she signed into law House Bill No. 931 as Act 197, entitled: "RELATING TO AFFORDABLE HOUSING."

**Gov. Msg. No. 1019**, informing the Senate that on July 6, 2005, she signed into law Senate Bill No. 117 as Act 198, entitled: "RELATING TO HOUSING."

**Gov. Msg. No. 1020**, informing the Senate that on July 6, 2005, she signed into law House Bill No. 465 as Act 199, entitled: "RELATING TO THE BOARDS OF REGISTRATION."

**Gov. Msg. No. 1021**, informing the Senate that on July 6, 2005, she signed into law House Bill No. 1740 as Act 200, entitled: "RELATING TO ELECTRONIC VOTING."

**Gov. Msg. No. 1022**, informing the Senate that on July 6, 2005, she signed into law House Bill No. 1712 as Act 201, entitled: "RELATING TO ELECTIONS."

**Gov. Msg. No. 1023**, informing the Senate that on July 6, 2005, she signed into law House Bill No. 460 as Act 202, entitled: "RELATING TO THE CIVIL SERVICE."

**Gov. Msg. No. 1024**, informing the Senate that on July 6, 2005, she signed into law House Bill No. 1747 as Act 203, entitled: "RELATING TO CAMPAIGNS."

**Gov. Msg. No. 1025**, informing the Senate that on July 7, 2005, she signed into law Senate Bill No. 639 as Act 204, entitled: "RELATING TO EDUCATION."

**Gov. Msg. No. 1026**, informing the Senate that on July 7, 2005, she signed into law House Bill No. 109 as Act 205, entitled: "RELATING TO LAND USE COMMISSION."

**Gov. Msg. No. 1027**, informing the Senate that on July 7, 2005, she signed into law House Bill No. 1015 as Act 206, entitled: "RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

**Gov. Msg. No. 1028**, informing the Senate that on July 8, 2005, she signed into law House Bill No. 1550 as Act 207, entitled: "RELATING TO STUDENTS."

**Gov. Msg. No. 1029**, informing the Senate that on July 8, 2005, she signed into law Senate Bill No. 40 as Act 208, entitled: "RELATING TO CAREGIVER CONSENT."

**Gov. Msg. No. 1030**, informing the Senate that on July 8, 2005, she signed into law Senate Bill No. 802 as Act 209, entitled: "RELATING TO A STATE PHARMACY ASSISTANCE PROGRAM."

**Gov. Msg. No. 1031**, informing the Senate that on July 8, 2005, she signed into law Senate Bill No. 61 as Act 210, entitled: "RELATING TO WAGES."

**Gov. Msg. No. 1032**, informing the Senate that on July 8, 2005, she signed into law Senate Bill No. 1127 as Act 211, entitled: "RELATING TO THE PUBLIC PROCUREMENT CODE."

**Gov. Msg. No. 1033**, informing the Senate that on July 8, 2005, she signed into law House Bill No. 806 as Act 212, entitled: "RELATING TO CRIMINAL TRESPASS."

**Gov. Msg. No. 1034**, informing the Senate that on July 8, 2005, she signed into law Senate Bill No. 1816 as Act 213, entitled: "RELATING TO STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRALS."

**Gov. Msg. No. 1035**, dated July 8, 2005, transmitting her statement of objections to Senate Bill No. 960 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 8, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 960

Honorable Members  
Twenty-Third Legislature  
State of Hawaii

July 8, 2005

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. 960, entitled 'A Bill for an Act Relating to Civil Defense.'

The purpose of this bill is to appropriate funds for natural disaster preparedness, including tsunami and hurricane preparedness efforts, from the Hurricane Reserve Trust Fund, to retrofit and protect public buildings against hurricanes, develop standards for residential safe rooms, to fund the Loss Mitigation Grant Program, and to improve the Program by encouraging the construction of safe rooms.

While I believe these projects to be worthwhile, the method chosen to fund these projects is not appropriate. The Hurricane Reserve Trust Fund principal should be retained in the fund because these moneys will be needed to pay claims and purchase reinsurance following a hurricane.

Development of a balanced budget that uses general fund moneys for hurricane mitigation projects is not objectionable. The Legislature already requires the annual transfer of interest from the Hurricane Fund to the general fund. This presently amounts to about \$6 million per year and would be more than enough to pay for loss mitigation programs, the hurricane retrofit grant program, and the tsunami and hurricane disaster preparedness efforts addressed by the bill. Taking money from the Hurricane Fund's principal, however, means that the moneys in the Hurricane Fund would be permanently reduced.

Unless some other fund is established in its place, the Hurricane Reserve Trust Fund will be the sole source of monies to provide hurricane insurance to the market when the private market is unable to do so. Following Hurricane Iniki in 1992, private insurers cut back severely on homeowner's insurance, leaving families without insurance or forcing them to purchase insurance at high rates in the surplus lines market. Because the secondary market in mortgage loans requires hurricane insurance, the Hurricane Reserve Trust Fund will facilitate continued real estate lending and real estate transactions. In addition to helping homeowners, the Hurricane Reserve Trust Fund provides an important support to the overall economy of the State following a hurricane.

Finally, the appropriations in this bill will provide Loss Mitigation grants for a relatively small number of single-family homeowners per year. Even if this bill represents only the beginning of the reserve trust funding of these grants, this bill represents the start of a practice that will likely deplete the Hurricane Reserve Trust Fund over time. The lessons from history and the reality that a hurricane will strike Hawaii in the future requires preservation, not depletion, of the Hurricane Reserve Trust Fund.

For the foregoing reasons, I am returning Senate Bill No. 960 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1036**, dated July 8, 2005, transmitting her statement of objections to House Bill No. 160 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 160

Honorable Members  
Twenty-Third 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. 160, entitled 'A[sic] Bill for an Act Relating to the Compliance Resolution Fund.'

The principal purpose of this bill is to amend certain laws governing the funding of insurance regulation. Specifically, the bill revises the laws governing the authority of the Insurance Commissioner ('Commissioner') to assess insurers and the procedures for making those assessments.

This bill is objectionable because the Insurance Division ('Division') receives no general funds and is self-funded as a matter of law. Restricting the Division's funding and prohibiting the Division from maintaining cash reserves would severely limit the Insurance Commissioner's ability to fulfill his mandated duties and would place the public's interest at risk. Although the Legislature has directed that the Division be self-supporting, the bill undercuts that status.

As a self-supporting agency, the Division relies significantly on its annual assessment of the insurance industry to cover the shortfall between other revenues and expenses. The bill's formula for calculating the assessment is flawed because it severely restricts the Division's ability to maintain an end of year cash balance. The bill will significantly and adversely affect the Division's operations, particularly since the bill further requires that assessments not be made until prior year cash balances can be determined and that insurers will have 60 days' notice of any assessment. Since other revenues are spread out throughout the year, the Division would not be able to pay its employees or enter into contracts for at least the first several months of the fiscal year.

In addition, the bill ignores the fundamental fact, reflected in the original decision that the Division should be self-funded, that the Division requires some flexibility in funding in order to protect the public interest. For example, the Commissioner has recently begun an investigation of allegations of an industry-wide conflict of interest and under-reporting of revenues. It is impossible to project how much the investigation will cost. Tying the Commissioner's hands by limiting his access to funds would curtail this critical activity. Under the bill, the Commissioner would not be able to adequately deal with contingencies, such as the industry-wide investigation or insurer rehabilitations and liquidations, much less be in a position to address emergencies such as Hurricane Iniki.

I concur with those who call for more transparency in the calculation of assessments and an explanation of how assessments are spent. The Insurance Division within the Department of Commerce and Consumer Affairs has proposed to provide the industry, in advance of each year, with a simple explanation of how it determines the amount of each year's assessment. Further it has offered an end of the year detailed accounting of the funds entrusted to it. That offer was rejected by industry officials. However, rather than affording increased transparency, this bill makes the process less transparent and less understandable.

It is ironic that this bill was passed only after my Administration has already taken major steps to address the concerns that underlie the bill. Under my leadership, the

Division reduced its industry assessments by 60% in the first year and made no assessment at all in the second year. The bill represents a complaint lodged against prior Administrations, but only now does the Legislature see fit to take action. For the purposes of advancing open, transparent government, the bill is the wrong action at the wrong time.

For the foregoing reasons, I am returning House Bill No. 160 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1037**, dated July 8, 2005, transmitting her statement of objections to Senate Bill No. 1796 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 8, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
1796

Honorable Members  
Twenty-Third 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. 1796, entitled 'A Bill for an Act Relating to the Disposition of Convicted Defendants.'

The purpose of this bill is to allow individuals sentenced for a first-time drug offense prior to July 1, 2002, to apply for re-sentencing, provided that the person is able to demonstrate to the court a satisfactory record of drug treatment and abstinence, and a record free of any criminal conviction from the date of the person's sentencing for the first-time drug offense. The person may also apply for expungement of related arrest and conviction records.

This bill is objectionable, because it will cause unintended results that will undermine the intent and purpose of Act 161, Session Laws of Hawaii 2002. The purpose of Act 161 is to require first-time nonviolent drug possession offenders to be sentenced to undergo and complete drug treatment instead of incarceration.

This bill is broader than and contrary to Act 161, because its eligibility criteria is less restrictive than that of Act 161, now incorporated in section 706-622.5, Hawaii Revised Statutes. This bill would allow a person convicted of first-time drug offenses involving the distribution and manufacture of drugs, prior to the July 1, 2002, to apply for re-sentencing. However, section 706-622.5, restricts sentencing for first-time drug offenses to those involving possession or use, but not including cases involving the distribution or manufacture of drugs.

It is conceivable, under this bill, that a person convicted, prior to July 1, 2002, for a first-time drug offense of Promoting a Dangerous Drug in the First Degree, which involved distribution or manufacturing of drugs, could apply for re-sentencing if the person demonstrated to the court a satisfactory record of drug treatment and drug abstinence and a record free of any criminal conviction from the date of the person's prior sentencing. Therefore, this bill would permit a person

convicted of a class A felony and sentenced to an indeterminate term of imprisonment of twenty years to apply for re-sentencing and request probation. This is absolutely contrary to the intent and purpose of Act 161.

In addition, under section 706-622.5, a person is eligible to be sentenced to probation if the person meets certain criteria, including a determination by the court that the person is nonviolent after reviewing the person's criminal history, the factual circumstances of the offense, and any other relevant information. This bill does not require a person to meet the same criteria of an individual applying for sentencing under section 706-622.5, Hawaii Revised Statutes, and thus may be contrary to existing statutory probation standards.

The vagueness of the bill's language may also cause unintended results and require appeals to the appellate courts. This bill would allow a person convicted for a first-time drug offense to apply for re-sentencing if that person can demonstrate 'to the court a satisfactory record of drug treatment and drug abstinence.' Due to the vagueness of the language and a lack of objective criteria, different courts may apply different standards in determining whether a person has demonstrated a 'satisfactory record of drug treatment and drug abstinence.' This provision will add more uncertainty to the law and will promote appeals.

This bill would also authorize the court to expunge the person's related conviction and arrest records if the person could 'demonstrate to the court a satisfactory record of drug treatment and drug abstinence, and a record free of any criminal conviction from the date of the person's sentencing for the first time drug offense to the date of the application for re-sentencing.' If the person also had an associated non-drug felony conviction related to the seizure of the drugs that lead to the conviction, that conviction would also be expunged.

Senate Bill No. 1796's provision on expungement goes much further than section 706-622.5, which limits expungement to the record of conviction for that particular offense.

While it appears that the Legislature intended to afford the benefits of Act 161 retroactively to cases prior to July 1, 2002, this bill will have the inappropriate result of permitting individuals who would not have met the eligibility criteria of Act 161 to benefit from it.

For the foregoing reasons, I am returning Senate Bill No. 1796 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1038**, dated July 8, 2005, transmitting her statement of objections to Senate Bill No. 1685 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 8, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
1685

Honorable Members  
Twenty-Third 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. 1685, entitled 'A Bill for an Act Relating to Tax.'

The purpose of this bill is to authorize the disclosure of income and general excise tax returns and tax return information to the counties for purposes of the administration of tax laws and to, in turn, permit the counties to share information relating to the administration of real property taxes with any duly accredited official of the State for tax purposes.

This bill is objectionable because it provides insufficient protection for confidential tax returns and tax information once disclosed to the counties. Although the bill provides that tax returns and return information may be provided to the counties for tax administration purposes only, there is no express prohibition on the counties re-disclosure of this information and there are no penalties, civil or criminal, for unauthorized disclosure.

Statutes that provide for the confidentiality of taxpayer's tax returns and tax information promote a vital governmental interest in ensuring the taxpayers' full and complete reporting of their income to state taxing authorities. Strict confidentiality is accorded to tax return information as a quid pro quo for taxpayers' voluntary compliance with tax laws in order to ensure that taxpayers fully and voluntarily report all income and pay all taxes due. Without adequate protections to ensure that state taxpayer data will be used solely for the purposes of the administration of county real property tax laws, taxpayers may be deterred from full and complete reporting and the State may be exposed to a potential liability for breach of its confidentiality responsibilities in regard to this information.

Although this bill contains provisions to permit the counties to share information relating to the administration of real property taxes with any duly accredited officials of the State for tax purposes, that part of the bill is unnecessary. County real property tax records are already open to public inspection under section 92F-12 (a) (5), Hawaii Revised Statutes, and are already available for state tax purposes.

For the foregoing reasons, I am returning Senate Bill No. 1685 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1039**, dated July 8, 2005, transmitting her statement of objections to House Bill No. 332 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 8, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 332

Honorable Members  
Twenty-Third 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. 332, entitled 'A Bill for an Act Relating to Frozen Food Products.'

The purpose of this bill is to amend section 328-61, Hawaii Revised Statutes, to require those who sell baked goods that were previously frozen and thawed to so inform consumers prior to sale.

This bill is objectionable because it is unnecessary to protect public health and safety. Uncooked food that was previously frozen and not thawed properly may pose a health risk. However, baked products that are subject to flash freezing and then thawed do not pose a risk of food-borne illness. Bakers who do not flash freeze their products are not prohibited by statute or regulation from advertising this fact.

Enforcing the signage requirements for several thousand different varieties of previously frozen and thawed baked goods would place a significant burden on the Department of Health staff and would divert the department's resources from genuine health and safety matters. The public will be better served if the Department of Health continues to focus on more significant health issues such as the proper handling and storage of raw seafood or the potential adulteration of food products with bacterial or chemical contamination.

For the foregoing reasons, I am returning House Bill No. 332, without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1040**, dated July 8, 2005, transmitting her statement of objections to House Bill No. 1224 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 8, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1224

Honorable Members  
Twenty-Third 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. 1224, entitled 'A Bill for an Act Relating to Taxation.'

The purpose of House Bill No. 1224 is to require the Department of Taxation ('Department') to recommend legislation in advance of the regular session of 2006 that is intended to bring Hawaii into compliance with the Streamlined Sales and Use Tax Agreement ('SSTP Agreement'), which aims to make the sales and use taxes among complying states more uniform. This bill also adopts provisions to allow an out-of-state seller to register to pay or collect and remit the appropriate sales or use tax by one of three methods described in the bill in accordance with the terms of the SSTP Agreement.

This bill repeals subsections (b) and (c) of section 255D-3, Hawaii Revised Statutes, relating to the Hawaii Simplified Sales and Use Tax Administration Act Advisory Council ('Advisory Council') and the Department of Taxation is directed to work with three designees selected by the President

of the Senate and three designees selected by the Speaker of the House of Representatives.

This bill appropriates \$50,000, to be expended by the Legislative Auditor, for technical assistance and briefings. Lastly, the bill authorizes the release of confidential taxpayer return information to private contractors that may be hired by the Legislative Auditor or the Auditor's designees.

This bill is objectionable because it hinders the Executive Branch's responsibility to bring Hawaii in compliance with the SSTP Agreement. On April 29, 2005, the Senate confirmed the Governor's five nominated members to the Advisory Council. These nominated and Senate-confirmed members of the Advisory Council represent preminent individuals from the tax practitioner and business communities.

The collective knowledge and wisdom of these confirmed Advisory Council members will be required if Hawaii is to develop tax legislation in compliance with the SSTP Agreement so that its system of taxation is more in conformance with the arrangements in other states. Implementation of the SSTP Agreement in Hawaii will involve complex changes to Hawaii's use and general excise taxes because Hawaii is only one of a few states that have a gross receipts type tax that mirrors and complements its use tax. This use tax is imposed upon goods and services imported from out-of-state sellers to ensure that the same taxes are paid from these transactions as would have been paid in general excise taxes had the goods and services been purchased from Hawaii sellers. In contrast, other states' use taxes mirror their sales taxes to level the taxes paid for in-state and out-of-state goods.

Any proposed changes to Hawaii's use tax to comply with the SSTP Agreement will likely require amendments to the general excise tax because the Constitutions of the United States and Hawaii require that the taxes imposed upon goods and services purchased from out-of-state sellers be no greater than the taxes paid on goods and services purchased in the State. This new legislation would require substantial revisions to Hawaii's use and general excise tax laws so that these laws become more similar to the tax laws of the other states that complying with the SSTP Agreement. As such, development of this proposed legislation to conform with the SSTP Agreement will likely have significant impact upon both Hawaii's business community and tax revenues.

For these reasons, the effective implementation of the SSTP Agreement in Hawaii may only be achieved if the Department and the Advisory Council have the ability to meet and discuss the complex issues of implementation and to seek the input from other member states. Given the complexity of the ongoing efforts to implement the SSTP Agreement, the repeal of the Advisory Council is unwarranted and the deadlines established in the bill for the Department are unrealistic.

Furthermore, the bill allows third parties to access confidential tax return information without any explicit restrictions on re-disclosure to third parties, which undermines the State's strong public policy in state laws that ensure confidentiality of a taxpayer's tax information to promote voluntary and complete disclosure in reporting to taxing authorities. Moreover, federal law generally prohibits the disclosure of federal tax return information, which may be contained in Hawaii state tax returns.

For the foregoing reasons, I am returning House Bill No. 1224 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1041**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 55 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 55

Honorable Members  
Twenty-Third 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. 55, entitled 'A Bill for an Act Relating to Meal Breaks.'

The purpose of this bill is to provide employees who work five or more continuous hours at least a thirty consecutive minute rest or meal break where the employer is permitted to select the time of the rest or meal break.

This bill is objectionable because it would only apply to a narrow segment of the business community in Hawaii. Chapter 387, Hawaii Revised Statutes, which this bill would amend, does not cover employers governed by the federal Fair Labor Standards Act. This federal law establishes legal obligations on employers who engage in interstate commerce or have an annual sales volume in excess of \$500,000. As such, this proposed bill would only apply to businesses who do not engage in interstate commerce or whose annual sales volume is \$500,000 or less. Therefore this bill would exclude a significant portion of Hawaii's businesses and a sizable percentage of the workforce.

With the exception of Child Labor Laws, neither Federal nor State labor statutes require meal or other break periods. Testimony on this bill failed to provide any demonstrable information or firm data regarding the need for the State to regulate meal breaks. An employer and employee should have the flexibility to structure and schedule meal and other breaks in a way that is reasonable under the circumstances to both parties involved, instead of having specific breaks mandated by State law. Additionally, the bill lacks a penalty provision for non-compliance and therefore fails to contain a means of enforcement by the Department of Labor and Industrial Relations or a remedy for an employee who is not provided a rest or meal break.

For the foregoing reasons, I am returning Senate Bill No. 55 without my approval.

Respectfully,  
  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1042**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1194 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS

HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1194

Honorable Members  
Twenty-Third 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. 1194, entitled 'A Bill for an Act Relating to the Board of Trustees of the Deferred Compensation Plan.'

The purpose of this bill is to require five out of the seven members of the Board of Trustees of the State Deferred Compensation Plan (hereinafter referred to as the 'Plan') to be elected by participants of the Plan.

This bill is objectionable because:

(1) This bill imposes a permanent, annual cost to the Plan's participants.

Currently, section 88E-4, Hawaii Revised Statutes, requires the Board to have seven members: the Director of Human Resources Development, who serves as chairperson; the Director of Finance (or the Director's designee), who serves ex officio; and five appointed persons, three of whom shall be public employees and represent employee interests. The Governor currently appoints these five other members, with the advice and consent of the Senate, and interim members to fill vacancies on the Board.

This bill proposes to change the composition of the Board by increasing the number of members who must be public employees from three to five members (while retaining the Director of Human Resources Development and the Director of Finance or designee on the Board), requiring that these five members be elected by Plan participants, and requiring that these five members have staggered terms. Because the current Board members also have staggered terms, at least one Board member's term expires every year. Thus, under this bill, an election will have to be held every year to replace an outgoing Board member.

There are significant costs associated with holding an election. These costs include the costs of printing and advertising a public notice, printing ballots and communications materials (there are currently 28,000 participants in the Plan), purchasing postage and supplies, hiring additional administrative staff, and retaining the services of an independent third party to oversee the counting of the ballots. At a minimum, the Board estimates that these costs could exceed \$130,000 for each election.

Because this bill specifically imposes these costs on the Plan, and participants are responsible for all costs to implement and administer the Plan under section 88E-13, Hawaii Revised Statutes, the Board will have to assess participants the costs of these elections every year. These election costs are in addition to the service fees that are currently being paid by participants, and will come directly out of and ultimately reduce participants' retirement savings in the Plan. Participants could challenge or seek legal relief to address the imposition of these permanent annual costs. Burdening participants with these election costs is not in their best interest.

In addition, issues regarding the allocation of the election costs to participants may arise. For example, if the Board assesses a percentage fee to cover the election costs, those participants with higher account values may end up paying a significantly higher proportion of the election costs. Alternatively, if the Board assesses a flat fee to cover the election costs, those participants with smaller account values may end up paying a disproportionate amount of the election costs. In either case, participants may argue that the election costs are arbitrary or unfair.

(2) This bill precludes access to expertise in the private sector.

This bill requires that Board members be public employees. In the past, some members appointed to the Board have come from the private sector and have brought invaluable expertise in financial and investment matters. These members bring an understanding of the fiduciary role they are obligated to carry out that is distinct & complimentary to the public sector members. Losing the ability to obtain expertise from the private sector could be detrimental to the Plan and its participants.

(3) There is adequate public employee representation on the Board.

Currently, section 88E-4, Hawaii Revised Statutes, requires three members to be public employees who represent employee interests. These three members plus the Directors of Human Resources Development and of Finance bring the number of public employees to five. Because more than a majority of the members are public employees, there currently is ample public employee representation on the Board without imposing any additional costs on participants.

(4) Plan participants are currently able to participate in evaluating the qualifications of the Board members.

All of the five appointed Board members are required to be confirmed by the Senate under section 88E-5, Hawaii Revised Statutes. During the confirmation process, Plan participants may comment on the nominated members and their qualifications to be appointed to the Board and represent participant interests. Thus, Plan participants are able under the existing statute to participate in the evaluation and selection process of the Board members and the process proposed under this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 1194 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1043**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1257 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1257

Honorable Members

Twenty-Third 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. 1257, entitled 'A Bill for an Act Relating to the University of Hawaii.'

The purported purpose of this bill is to improve the governance of the University of Hawaii. The bill will establish a 'candidate advisory council' for the Board of Regents of the University of Hawaii to 'assist the governor in selecting members of the board by establishing the criteria for, screening, and recommending qualified candidates for membership on the board.' In addition, this bill would increase the number of members of the Board of Regents from twelve to fifteen, effective July 1, 2007, and would amend the members' qualifications.

This bill is objectionable because it is premature. Senate Bill No. 1256, which passed the Legislature during the 2005 session, proposes a constitutional amendment that will require new members of the Board of Regents to be selected 'from pools of qualified candidates presented to the governor by the candidate advisory council for the board of regents of the University of Hawaii, as provided by law.' If the constitutional amendment proposed in Senate Bill No. 1256 is ratified, the statutory changes described in this bill could be introduced as legislation in the 2007 session and enacted in time to meet the new constitutional requirement.

Signing this bill would make the presumption that the voters will ratify the proposed constitutional amendment in 2006, a position that runs counter to our democratic principal of open and unbiased elections. Further, signing this measure could prejudice the results of the constitutional vote since eligible voters would know that the candidate advisory council had already become law.

For the foregoing reasons, I am returning Senate Bill No. 1257 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1044**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1262 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1262

Honorable Members  
Twenty-Third 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. 1262, entitled 'A Bill for an Act Relating to the Waianae Coast.'

I am supportive of establishing an Ocean Recreation Management Area (ORMA) for the Waianae Coast with the

pertinent administrative rules to protect resources and regulate permitted commercial activities. However, this bill is objectionable because it would also set a negative precedent by requiring the Department of Land and Natural Resources (DLNR) to prepare a regional baseline environmental study seemingly modeled along the lines of an environmental impact statement (EIS) before an ORMA is established.

Further, while the bill is prescriptive of the content of the baseline study, the legislation fails to provide a mechanism for public input and comment during and at the conclusion of the study. This runs counter to administrative rules procedures, as set forth in Chapter 91 HRS, requiring public hearings preceded by ample public notification such that all interested parties may fully participate in the rulemaking process. Rulemaking under 91 HRS is the preferable approach.

Additionally, this bill could jeopardize important DLNR programs, since the cost of this environmental baseline study is estimated to be between \$250,000 and \$1,000,000, yet the Legislature has not appropriated funds for this undertaking. Diverting staff resources and expertise to perform the baseline study could jeopardize other environmentally sensitive programs. Ironically, this bill would delay the more efficient, transparent, and effective method of creating the Ocean Recreation Management Area through the administrative rulemaking process.

Additionally, it should be pointed out that over the past three years the Department of Land and Natural Resources has met extensively with the interested parties and believes these issues can be resolved in a manner that complies with the federal Marine Mammal Protection Act.

Section 2 of the bill places a moratorium on the number of commercial permits the DLNR can issue at any state small boat harbor facility for vessels engaged in ocean use activities in the area from Kalaeloa Point to Kaena Point. Under existing administrative rules, there are no further commercial permits available for boats berthed at the Waianae Small Boat Harbor. Therefore, this provision is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 1262 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1045**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1352 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1352

Honorable Members  
Twenty-Third 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. 1352, entitled 'A Bill for an Act Relating to Public Employees.'

The purpose of Senate Bill No. 1352 is to amend provisions relating to the scope of negotiations in public employment collective bargaining. This bill will amend Section 89-9(d), Hawaii Revised Statutes, by requiring the Public Employer and the unions to negotiate over the impact of transfers, assignments, and layoffs of public employees. This bill could also require the parties to negotiate over the criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharges, and other disciplinary actions.

This bill is objectionable because it attempts to eliminate management rights currently protected under Section 89-9(d), Hawaii Revised Statutes. Historically, Section 89-9, Hawaii Revised Statutes, has been recognized as the provision covering management's rights and sets into law protections which do not allow management to bargain away the right to direct its workforce and oversee governmental operations. This ensures that Public Employers are able to manage their operations efficiently and effectively to service the public.

The other Public Employer jurisdictions have advised me that this bill would critically impede their ability to manage their workforce and protect the health and safety of the public. The State would also face serious difficulties in carrying out its civil defense, public safety, health, welfare, and other public service functions. This bill would require Public Employers to negotiate with collective bargaining union representatives the impact of transfers, reassignments, and layoffs before these personnel actions could be implemented. Such a requirement would seriously delay the delivery of services to the community at large. For example, the county police and fire departments have commented that Senate Bill No. 1352, if it became law, would seriously jeopardize their ability to provide timely emergency services to the public. This bill could restrict the deployment of lifeguards, emergency medical services personnel, civil defense workers, and similar health and safety staff who are expected to respond to and adjust their work locations and hours as emergencies and unanticipated events may dictate.

On January 28, 2005, the Hawaii Supreme Court issued a decision upholding management rights as set forth in Section 89-9(d), Hawaii Revised Statutes. The case involved idle public refuse workers within the City and County of Honolulu who were being reassigned to a district where they were needed to ensure the trash was picked up and sanitation standards were maintained.

The Hawaii Supreme Court decision in United Public Workers, AFSCME, Local 646, AFL-CIO v. Hanneman, 106 Haw. 359 (2005), does not invalidate negotiated provisions in the collective bargaining agreements. However, this decision preserves the rights of management to reallocate the public workforce as needs and circumstances require. Senate Bill No. 1352 is troubling because it attempts to overturn this fundamental management principal.

Further, this bill presumes that reasonable people, both managers and their staffs, are unable or unwilling to accommodate the needs of the public through mutual agreement and adjustment. This bill evidences a lack of trust and accommodation which can be fostered between management and the rank-and-file when mutual respect develops between employees and their employers. Moreover [*sic*], this bill fails to recognize that employers regularly consult with the respective exclusive representatives on matters affecting employee relations.

Finally, Senate Bill No. 1352 would also allow the parties to negotiate criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharges, and other disciplinary actions. There is concurrence among the various public sector jurisdictions that these personnel actions should be determined by the employer as has been the case historically. Moreover, the criterion commonly proposed by the unions for personnel actions (i.e., seniority) is contrary to the Merit Principle, as defined in Section 76-1, Hawaii Revised Statutes.

For the foregoing reasons, I am returning Senate Bill No. 1352 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1046**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1473 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1473

Honorable Members  
Twenty-Third 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. 1473, entitled 'A Bill for an Act Relating to Waimano Ridge.'

The purpose of this bill is to require the Department of Health to: (1) give at least ninety days notice to affected neighborhood boards and legislators who represent the district including the state land at Waimano ridge and obtain the approval of the Governor prior to new or expanded uses of the Waimano ridge land as a sex offender treatment facility, drug treatment facility, state laboratory, or other uses; (2) draft an updated master plan for future use of the Waimano ridge lands in consultation with the Department of Land and Natural Resources, residents of Pearl City, the Pearl City Community Association, and Pearl City Neighborhood Board No. 21; (3) conduct at least two public hearings in the Waimano ridge community to receive comments on the draft master plan; (4) incorporate, to the extent practicable, any changes or additions to the draft master plan that are submitted by the Pearl City Community Association or the Pearl City Neighborhood Board No. 21; and (5) submit the updated master plan to the Legislature at the next regular session.

Although the concerns of neighboring residents are significant, this bill is objectionable because it violates Section 5 of Article XI of the State Constitution. Section 5 of Article XI of the State Constitution provides as follows:

The legislative power over the lands owned by or under the control of the State and its political subdivisions shall be exercised only by general laws, except in respect to transfers to or for the use of the State, or a political subdivision, or any department or agency thereof.

Section 5 of Article XI is clear that the Legislature can administer or dispose of lands owned or controlled by the State only by general law. This understanding of the plain meaning of Section 5 is supported by Section 5's constitutional history. See Stand. Comm. Rep. No. 78, 1 Proceedings of the Constitutional Convention of Hawaii 1950 ('1 Proceedings') at 233 (1960). The only exception to Section 5's requirement that the Legislature administer or dispose of lands owned or controlled by the State by general law is for intergovernmental transfers of land. See 1 Proceedings at 233; 2 Proceedings of the Constitutional Convention of Hawaii 1950 at 631 (1961).

The session law to be enacted by this bill is not a general law that applies to all state lands, but instead is drafted to specifically apply only to the Waimano ridge area by requiring notice to the local neighborhood boards and legislators and approval of the Governor prior to new or expanded uses of the Waimano ridge land as a sex offender treatment facility, drug treatment facility, state laboratory, or any other uses. Nor does this bill transfer the Waimano ridge lands to or for the use of the State or an agency of the State. Accordingly, because provisions of this bill will not be a general law for the management of natural resources, this bill violates Section 5 of Article XI of the State Constitution.

Moreover, under our State's constitutional system of three separate but equal branches of government, the authority to find new or expanded uses or to conduct further development on the Waimano ridge area is an executive branch responsibility. Section 2 of Article XI of the State Constitution expressly requires that the management and disposition of natural resources be vested in 'executive' boards or commissions.

For the foregoing reasons, I am returning Senate Bill No. 1473 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1047**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1554 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1554

Honorable Members  
Twenty-Third 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. 1554, entitled 'A Bill for an Act Relating to the Environment.'

This bill is objectionable because, while it seeks to permanently establish an environmental workforce attached to the Research Corporation of the University of Hawaii (RCUH) to assist the counties in controlling and eradicating invasive species throughout the State, it fails to provide an appropriation to carry out the work. Without funding, the workforce would require use of other funds of the RCUH or the University of Hawaii, which is objectionable to these organizations since this

would adversely affect their mission. Without funding, it is unclear as to how the workforce would function and meet its stated purpose. Further the bill is unclear how the workforce would integrate with existing county invasive species committees and the Hawaii Invasive Species Council.

Second, the bill would require the purported environmental workforce to employ individuals who are not subject to civil service and collective bargaining laws. Section 307-4, Hawaii Revised Statutes exempts the Research Corporation of the University of Hawaii from State personnel statutes. As such, because RCUH has existing authority to hire employees exempt from civil service, the reference to Chapter 76, Hawaii Revised Statutes in this statute is unnecessary. However, there is a fundamental objection to establishing a whole new cadre of state employees outside the scope of civil service procedures. Allowing such exemptions for these types of workforces, without adequate justification or rationale, should be discouraged.

Third, this bill is objectionable because the environmental workforce proposed in this measure is not consistent with RCUH's fundamental mission of supporting research and training programs for the University of Hawaii including advanced research for specific scientific endeavors. At best the workforce in this bill appears to fit under RCUH only during the initial phase of research and testing relating to the control and eradication of invasive species. As such, once this phase is completed, the workforce would no longer be compatible with the purpose of RCUH and would need to be transferred to the proper agency, something which this bill fails to contemplate.

For the foregoing reasons, I am returning Senate Bill No. 1554 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1048**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1592 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1592

Honorable Members  
Twenty-Third 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. 1592, entitled 'A Bill for an Act Relating to State Planning.'

The purpose of this bill is to establish a 'Hawaii 2050 Task Force' to review the Hawaii State Plan and other fundamental components of community planning, to submit recommendations and information on significant planning matters, and to develop recommendations on creating the 'Hawaii 2050 Sustainability Plan' to 'ensure its relevance as a guide for the future long-term development of the State.' The Legislative Auditor is required to prepare the 'Hawaii 2050 Sustainability Plan,' which is to define and implement state

goals, objectives, policies, and priorities by incorporating some or all of the recommendations of the Hawaii 2050 Task Force.

This bill is objectionable because it fails to recognize the proper location & logical nexus for development of the Hawaii State Plan.

Assigning the Office of the Auditor with the responsibility for developing the 'Hawaii 2050 Sustainability Plan' is not consistent with the Auditor's primary duties and appears to be an inappropriate function of that office. Pursuant to section 23-4, Hawaii Revised Statutes, the Auditor's primary duties are 'to conduct postaudits of the transactions, accounts, programs, and performance of all departments, offices, and agencies of the State and its political subdivisions' and 'examinations to discover evidence of any unauthorized, illegal, irregular, improper, or unsafe handling or expenditure of state funds or improper practice of financial administration.' The Office of Planning is responsible for comprehensive, long-range, and strategic planning pursuant to chapter 225M, Hawaii Revised Statutes, and is the more appropriate agency to develop the 'Hawaii 2050 Sustainability Plan.'

Second, this bill is objectionable because it requires the Department of Business, Economic Development, and Tourism (DBEDT) and other agencies to provide staff assistance to the task force without providing funds for that purpose. This requirement could adversely impact other work being done by DBEDT, such as its work to maintain economic momentum in a way that protects our cultural and natural resources and preserves our quality of life.

This bill would appropriate \$200,000 to the Auditor but provides no monies to the Office of Planning that is responsible for comprehensive long range and strategic planning. It appears this bill is a direct attempt to by-pass that Office and infringe upon the scope and responsibilities of the Executive Branch.

In addition, considering the significance of the subject matters being reviewed for the future welfare of the State, the task force is given relatively very little time to complete its assignment.

For the foregoing reasons, I am returning Senate Bill No. 1592 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1049**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1772 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1772

Honorable Members  
Twenty-Third 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. 1772, entitled 'A Bill for an Act Relating to Employers.'

The purpose of this bill is to enable the State to determine which employers are improperly 'shifting responsibility for providing health care coverage for their workers to taxpayers' by requiring applicants for medical assistance to identify their employer or the employer of the adult responsible for a proposed beneficiary's support. This bill requires the Department of Human Services (DHS) to annually identify employers who employ twenty-five or more beneficiaries of medical assistance programs administered by the DHS and specifically empowers the Director of Human Services to 'make the annual report available to the public through any means the director deems appropriate.'

This bill is objectionable because it will not accomplish the goal of identifying improper cost shifting by employers. There is no requirement that employers cover an employee's spouse or dependents and, therefore, tracking the number of dependents on medical assistance will not identify employers who are violating the law. Having employees or dependents on medical assistance is not improper or illegal unless employers are violating the Hawaii Prepaid Health Care Act or applicable minimum wage laws. The bill does not claim, nor do its provisions provide proof, that any of the suspect employers are violating these employment laws.

Further, this bill subjects these employers to having their names publicly identified and disseminated. This action would unfairly stigmatize and cause public ridicule of employers who are actually complying with labor laws.

Moreover, the Department of Human Services currently incorporates policies in its administrative rules to reduce the likelihood of cost shifting by the private sector to the government. These policies include a prohibition on publicly funded health coverage of employees that qualify for their employer-sponsored health coverage.

Additionally, it should be noted that in February 2005 the Department of Labor and Industrial Relations introduced Administrative Initiative 2005-02, The Prepaid Health Care Act Compliance Assistance Program. The program involves investigations into non-compliance with the Prepaid Health Care Act by conducting on-site random visits to employers. This program is a more effective methodology of addressing potential non-compliance than the proposals contained in this bill.

Finally, this bill imposes new reporting burdens on employers, applicants, and current Medicaid beneficiaries, as well as imposes an additional administrative burden on the Department of Human Services, but contains no appropriation to cover that cost.

For the foregoing reasons, I am returning Senate Bill No. 1772 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1050**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1843 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS

HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
1843

Honorable Members  
Twenty-Third 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. 1843, entitled 'A Bill for an Act Relating to Procurement.'

The purpose of Senate Bill No. 1843 is to prohibit the inclusion of certain provisions from public works contracts with consultants who are licensed under chapter 464, Hawaii Revised Statutes. Specifically, this bill prohibits the inclusion of contract provisions that require professional construction design consultants to defend, indemnify, and hold harmless the government from liability arising from the negligence, errors, omissions, recklessness, or intentional misconduct of the government. The bill does allow public works contracts to require the professional construction design consultants to indemnify and hold harmless the government from liability arising from the negligence, errors, and omissions of the design professional.

Section 1 of the bill is objectionable because it states, 'it is public policy for a governmental body to defend both parties [governmental body and professional construction design consultant] against any claims, with the extent of liability to be determined after settlement of the claim.' This requirement in section 1 requires the governmental body to provide the legal defense for the professional construction design consultant when sued. Under section 1's requirement to defend the consultant, a lawsuit seeking damages from both the State and the consultant would require the Attorney General to retain, at the State's expense, private legal counsel to defend the consultant to avoid a potential conflict of interest between the State and the consultant. Such representation in major liability cases could amount to hundreds of thousands of dollars of public funds.

Even though the principle embodied in section 1 is not affirmatively discussed in the remaining sections of the bill, should the intent as expressed by section 1 be utilized in construing the remainder of the bill, this could lead to results that are clearly not in the best interests of the State of Hawaii.

Moreover, subsection (a) of the new Hawaii Revised Statutes section in section 2 of the bill appears to state the unobjectionable principle that the State cannot require an individual to defend, indemnify, or hold harmless government from negligent acts, errors, omissions, recklessness, or intentional misconduct of the government. However, were this provision to be read in conjunction with section 1 of the bill to provide that there would be no duty to defend, indemnify, or hold harmless the government from any part of any claim for which the government was in any way at fault -- even the portion of the claim for which the construction design professional was at fault -- this type of provision would severely impede the ability of the State to appropriately protect itself.

It is not clear whether or not subsection (b) of the new Hawaii Revised Statutes section in section 2 of the bill is intended to specify the only circumstances under which the government may require a construction design professional to indemnify and hold harmless the government. It is, however, possible that a court could read this section as providing that

only the statutory language could be utilized. Were that the case, the language is not broad enough to protect the government. For example, in subsection (a), the language used is 'the negligent acts, errors, or omissions, recklessness, or intentional misconduct.' Subsection (b) of section 2, however, limits the government's right to be indemnified to 'negligent acts, errors, or omissions, or intentional misconduct.' It does not specifically include reckless or other wrongful acts. Thus, for this reason alone, this section is deficient.

Moreover, if this section is interpreted in accord with section 1, then the government might not even have the ability to assert an indemnity provision until the primary claim is concluded. This would clearly be contrary to public policy. The practical concerns of design professionals with regard to obligations to defend the government are real and should be addressed through changes to the standard conditions of contracts and be reflected in conditions and general provisions for particular projects.

For the foregoing reasons, I am returning Senate Bill No. 1843 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1051**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1877 which she has returned to the Senate without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
1877

Honorable Members  
Twenty-Third 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. 1877, entitled 'A Bill for an Act Relating to the Office of Planning.'

The purpose of this bill is to require the Office of Planning to report only to the Director of Business, Economic Development, and Tourism and to clarify that the Department of Business, Economic Development, and Tourism has the sole jurisdiction over the Land Use Commission, state planning, and the Hawaii State Planning Act.

This bill is objectionable because it limits my administration's flexibility in executing programs and functions to achieve maximum results. There is a necessary and publicly significant relationship between the Office of Planning within the Department of Business, Economic Development and Tourism and the Department of Land and Natural Resources. The Office of Planning's major statutory responsibilities of land use planning, coastal zone management, and geographic information systems are consistent with and complement the Department of Land and Natural Resources core functions of land management and protection of resources. The relationship between the Office of Planning and the Department of Land and Natural Resources has been carried out with the public's interest as their foremost consideration.



My administrative directive instructing the Office of Planning to consult with and report to the Chairperson of the Board of Land and Natural Resources has resulted in meaningful, productive, and successful undertakings in land use planning issues and has been beneficial to the public discourse on these critical topics, particularly through proceedings of the Land Use Commission. The current working relationship is consistent with the Legislature's call for more prudent, efficient, and effective government operations.

Further, it is objectionable that the legislature has required the Director of the office to be subject to the confirmation process. This position was recently filled. Since its establishment in 1987, the Director of the Office of Planning has been hired through the normal appointment process. Because the scope & duties of this position have not changed, it appears the motivation to subject this position to the confirmation process is suspect.

For the foregoing reasons, I am returning Senate Bill No. 1877 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1052**, dated July 11, 2005, transmitting her statement of objections to Senate Bill No. 1889 which she has returned to the Senate without her approval and which reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1889

Honorable Members  
Twenty-Third 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. 1889, entitled ‘A Bill for an Act Relating to Apprenticeships.’

The purpose of this bill is to amend sections 372-3 and 372-4, Hawaii Revised Statutes, to add two additional standards for apprenticeship agreements and to give authority to the apprenticeship council to promote and approve apprenticeship programs, while deleting its original duty to sit in an advisory capacity to the Director of Labor and Industrial Relations.

This bill is objectionable because one of the standards being added would apply where a sponsor seeks to establish an apprenticeship program in a trade that has a ‘parallel program.’ In that situation, there must be an ‘assurance of compliance with the “equal to or better than” requirement.’ Current law does not define ‘parallel program’ or provide for an ‘equal to or better than’ requirement, thus making this new standard vague. More importantly, the United States Department of Labor has advised the State that this provision could cause Hawaii’s apprenticeship law to be out of conformity with the Office of Apprenticeship Training, Employer and Labor Services’ (OATELS) standards. It ‘would constitute grounds for OATELS to withdraw Hawaii’s authority, as a recognized State Apprenticeship Council (SAC), to register apprenticeship

programs for Federal purposes,’ because there is no basis in federal law for comparing new parallel programs to an existing program and ‘would improperly restrict apprenticeship opportunities by favoring incumbents over new entrants.’

This bill is also objectionable because it shifts the responsibility to approve apprenticeship programs from the Director of Labor and Industrial Relations to the Apprenticeship Council, a group that has served in an advisory capacity to the Director for many years. There has been no demonstrated need to change the Apprenticeship Council’s advisory role. The Apprenticeship Council is composed of individuals familiar with apprenticeable occupations, representing employer and employee organizations. Performance of their duties as members of the Apprenticeship Council that had decision-making authority could result in conflicts of interest. Keeping the Director of Labor and Industrial Relations, who has no vested interest in a given apprenticeship program, in the decision-making role minimizes the potential conflict.

For the foregoing reasons, I am returning Senate Bill No. 1889 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1053**, dated July 11, 2005, transmitting her statement of objections to House Bill No. 85 which she has returned to the House of Representatives without her approval and which reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 85

Honorable Members  
Twenty-Third 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. 85, entitled ‘A Bill for an Act Relating to Harbors.’

The purpose of this bill is to transfer jurisdiction and authority over Honolulu Harbor piers 1 and 2 from the Hawaii Community Development Authority (HCDA) to the Department of Transportation.

This bill is objectionable because, section 3 erroneously excludes from the land under the jurisdiction of HCDA the area east of Forrest Avenue and attempts to transfer title to the Department of Transportation. It appears the bill intended to transfer lands west of Forrest Avenue.

This inaccurate description clouds title to lands under HCDA’s jurisdiction. A portion of the area this bill would exclude from HCDA’s jurisdiction is presently the subject of a recently issued request for proposal (RFP) for development. This development is ultimately estimated to require an investment of approximately three quarters of a billion dollars. Given the uncertainty of HCDA’s jurisdiction over the subject area if this bill became law, potential bidders would be reluctant to take part in the development solicitation & process, given the large up-front investment required for the preparation of responses to the request for proposal.

Furthermore, the area excluded by this bill from HCDA's jurisdiction includes the Kakaako Waterfront Park, the Makai Gateway Parks, the University of Hawaii Medical School complex, and the site of the proposed Cancer Research Center, all of which have been or will be developed by HCDA under its existing statutory authorities. House Bill No. 85 creates doubt to which state entity would be responsible for the maintenance, repair, and coordination of these existing & proposed facilities.

Finally, it should be noted that the use of Forrest Avenue is not an accurate description because Forrest Avenue is an easement within the Forrest Avenue Subdivision and cannot legally serve as a parcel boundary.

For the foregoing reasons, I am returning House Bill No. 85 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1054**, dated July 11, 2005, transmitting her statement of objections to House Bill No. 180 which she has returned to the House of Representatives without her approval and which reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 180

Honorable Members  
Twenty-Third 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. 180, entitled 'A Bill for an Act Relating to Public Employees.

The purpose of this bill is to amend provisions of chapter 89C, Hawaii Revised Statutes, relating to adjustments in compensation and benefits for civil service employees who are excluded from collective bargaining.

This bill is objectionable because it reverses the legislative intent of the Civil Service Modernization Act of 2000, Act 253, SLH 2000, that allows employers the flexibility to grant merit-based compensation to reward notable services for excluded civil service managers in the excluded managerial compensation plan (EMCP). Prior to the passage of Act 253, compensation and benefit adjustments for civil service employees excluded from collective bargaining were statutorily required to be 'not less than those provided under collective bargaining.' For those excluded civil service employees under the same compensation plan as officers and employees within collective bargaining units, the adjustments were required to be not less than the adjustments for those officers and employees. For the excluded civil service employees in the excluded managerial compensation plan (EMCP), the adjustments were to be not less than adjustments in collective bargaining unit 13. Act 253 deleted the 'not less than' requirement for the EMCP employees and instead used the terms 'appropriate for what they do and the contribution they make in consideration of the compensation and benefit packages provided under collective bargaining agreements for counterparts and subordinates within the jurisdiction.' Act 253 also provided for 'variable

adjustments based on performance,' which is found in section 89C-2(5), Hawaii Revised Statutes. This bill would return the EMCP adjustments to be 'at least equal to' the collective bargaining increases of counterparts and subordinates.

When Act 253 was passed, it was recognized that, in order for pay for performance to work, employees in the EMCP could not receive at least what their subordinates got because, as a practical matter, that floor would become the ceiling, and would preclude paying less to poor performing EMCP employees. Compensation adjustments for excluded civil service managers, who are not subject to collective bargaining coverage, should be commensurate with their performance on the job and not based on their length of service or time in grade. This bill would revert to the prior concept of compensating excluded civil service managers regardless of the quality of work they performed. This bill is fundamentally inconsistent with the Merit Principle and the principles of pay-for-performance and accountability. For these reasons the Executive Branch has consistently opposed this and similar bills for the past five legislative sessions.

For the foregoing reasons, I am returning House Bill No. 180 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1055**, dated July 11, 2005, transmitting her statement of objections to House Bill No. 1060 which she has returned to the House of Representatives without her approval and which reads as follows:

“EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1060

Honorable Members  
Twenty-Third 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. 1060, entitled 'A Bill for an Act Relating to Medicaid.'

The purpose of this bill is to add a new section to chapter 346, Hawaii Revised Statutes, to guarantee a payment methodology to federally qualified health centers and rural health clinics in accordance with the Social Security Act.

This bill is objectionable because the Department of Human Services already pays federally qualified health centers and rural health clinics according to the payment methodology required by section 1902(bb) of the Social Security Act. A State statute imposing this obligation is unnecessary and would result in additional State legal and fiscal obligations.

The language in the bill that purports to make services of federally qualified health centers and rural health clinics 'mandatory services' is unnecessary and could result in confusion to providers and beneficiaries. Services of federally qualified health centers and rural health clinics are not included in any of the federal categories of mandatory services, but are included in the federal definition of 'medical assistance.' Therefore, Medicaid state plan services rendered by federally

qualified health centers and rural health clinics to eligible Medicaid recipients are covered in accordance with federal law. Furthermore, stating that these services are 'mandatory services' suggests that the bill is giving federally qualified health centers and rural health clinics greater rights than they currently enjoy.

Should federal law change, this bill could obligate the State to fully fund services rendered by federally qualified health centers and rural health clinics, even if federal matching funds were not available. While I strongly support the continuation and growth of community health centers, the decision to reimburse federally qualified health centers and rural health clinics wholly out of State funds should be left to the Legislature in session at the time the issue arises.

For the foregoing reasons, I am returning House Bill No. 1060 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1056**, dated July 11, 2005, transmitting her statement of objections to House Bill No. 1317 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1317

Honorable Members  
Twenty-Third 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. 1317, entitled 'A Bill for an Act Relating to Medicaid.'

The purpose of this bill is to prohibit the Department of Human Services from taking action to remove pharmaceutical benefits management from managed care plans that provide health care coverage for Hawaii Medicaid beneficiaries and to require the Department of Human Services to report to the 2006 Legislature on the impact of carving out pharmaceutical benefits management from managed care plans.

This bill is objectionable because it will deny recipients who are enrolled in the Medicaid Fee-for-Service Aged, Blind and Disabled program from access to the same pharmaceutical drugs that they currently have access to, when these recipients move into managed care organizations under the State's planned expansion of its Medicaid QUEST Program. Managed care organizations participating in the Medicaid QUEST Program have fewer 'preferred' (unrestricted access) medications in comparison to the Medicaid Fee-for-Service Program.

Further, this bill will prevent the State's Medicaid agency from continuing to receive pharmaceutical rebates through its preferred drug list (PDL) program after the implementation of its new Medicaid QUEST Program.

The State's Medicaid program has recently implemented a Preferred Drug List (PDL) which is used for its fee-for-service

population. A PDL is a list of drugs for which the Medicaid agency assures coverage without the need of obtaining its prior authorization. Pharmaceutical companies issue rebates for the placement of their drugs on a PDL. The State has started to receive these rebates from pharmaceutical manufacturers. The substantial income and savings projected by the State as a result of its PDL program will not be realized if this bill is allowed to become law. Instead, the Medicaid managed care organizations will receive increased income, the amount of which they have not disclosed to the State, through their own programs similar to the State's PDL. There is no reason to allow the diversion of such income from the State.

Further, the Department of Human Services recently began participating in the National Multi-State Purchasing Pool Initiative (NMPI). NMPI is a pool of states that combine their purchasing power on prescription drugs by leveraging millions of clients to negotiate discounted prices, or 'supplemental rebates' for prescription drugs. This measure would prevent the Department from participating in the NMPI for its Medicaid recipients in managed care plans. Substantial income and savings projected by the Department will not be realized if HB 1317 HD1, SD1, CD1 becomes law.

Further, this bill will require appropriations of new State funds in order to proceed with expanding the Medicaid QUEST Program, or force the State to delay the implementation of its expansion until other mechanisms of funding become available. Instead, the managed care organizations that provide health care coverage to Hawaii Medicaid beneficiaries will receive increased income through their own pharmaceutical benefits management programs similar to Hawaii's participation in the NMPI, while the State of Hawaii will be denied the opportunity to generate increased income and savings through the NMPI.

For the foregoing reasons, I am returning House Bill No. 1317 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1057**, dated July 11, 2005, transmitting her statement of objections to House Bill No. 1450 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1450

Honorable Members  
Twenty-Third 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. 1450, entitled 'A Bill for an Act Relating to Civil Rights.'

The purposes of this bill are: (1) to clarify that discrimination based upon 'gender identity or expression' is a form of sex discrimination and (2) to prohibit discrimination in employment on the basis of 'gender identity or expression.' This bill defines 'gender identity or expression' in an open-ended manner to include 'a person's actual or perceived gender, as well as a person's gender identity, gender-related self-image, gender-

related appearance, or gender-related expression, regardless of whether that gender identity, gender-related self-image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person's sex at birth.'

This bill is objectionable because it contains no limiting terms or interpretational guidelines. The words used to define 'gender identity or expression' are broad in scope and the terms 'gender-related self-image, gender-related appearance, or gender-related expression' are subject to broad and subjective interpretation. The application of those terms in the employment area will likely result in controversy and unwarranted lawsuits. To avoid such controversy and litigation, the terms should be statutorily defined in a clear, precise, and limited manner with guidelines to assist employers and employees in interpreting and applying the terms in the employment context.

While the primary focus of the legislation is in regard to individuals who may have a gender identity and expression that 'is different from that traditionally associated with the person's sex at birth,' the broad definition in the bill also appears to cover those who have personal expressions of the gender of their birth that may be inappropriate to business and professional environments. This bill appears to support an individual's 'civil right' to express their gender identity in any manner that they wish, thereby calling into question the ability of businesses and related organizations to manage these situations by establishing and enforcing basic conduct standards.

It is unfortunate that efforts were not made to work with members of the employment community to address the practical problems they would face should such a bill become law.

The Civil Rights Commission currently interprets 'sex' to cover the potential abuses related to the treatment of individuals who have gender identities or expression different from their sex at birth. The proposed inclusion of the broader definition of 'gender identity or expression' in statute opens employment areas to open-ended and unintended legal claims.

For the foregoing reasons, I am returning House Bill No. 1450 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1058**, dated July 11, 2005, transmitting her statement of objections to House Bill No. 1554 which she has returned to the House of Representatives without her approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 11, 2005

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1554

Honorable Members  
Twenty-Third 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. 1554, entitled 'A Bill for an Act Relating to Leasehold Conversion.'

The purpose of House Bill No. 1554 is to provide an incentive for fee owners of multi-family or single-family residential leasehold property to sell the fee interest in their real property by allowing an exclusion from their taxable income of fifty percent of the income received from the sale of their leased fee interest, but not to exceed an aggregate cap of \$75,000 for 'all taxpayers in the State' in 2006.

Although the provision of an incentive for fee owners to sell the fee interest in their residential real property is an idea that has merit, this bill is objectionable because it provides an inadequate incentive for a reasonable number of owners to sell their leased fee interest.

The aggregate cap frustrates the bill's intended purpose to promote widespread leasehold conversion. The aggregate cap of \$75,000 is so low it will be satisfied with only \$150,000 in total leased fee sales. The cap would easily be exceeded by the sale of just one or two single-family homes, or a few condominium units. This bill contains no criteria or guideline that could be used by the Department of Taxation to determine which of the fee owners would qualify for the exclusion from income of up to \$75,000 'in the aggregate for all taxpayers in the State.' Consequently, the Department of Taxation could be faced with tax appeals and litigation regarding this bill that far outweigh its actual benefit. Further, to implement the bill for only one year, the Department of Taxation would be faced with the administrative burdens of establishing guidelines, training personnel, developing and implementing a public information campaign, creating and printing the exemption forms, and reviewing an unknown number of claims.

For the foregoing reasons, I am returning House Bill No. 1554 without my approval.

Respectfully,

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

**Gov. Msg. No. 1059**, informing the Senate that on July 11, 2005, she signed into law House Bill No. 1715 as Act 214, entitled: "RELATING TO CIVIL RIGHTS."

**Gov. Msg. No. 1060**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1732 as Act 215, entitled: "MAKING AN APPROPRIATION FOR A LOCAL FLOOD WARNING SYSTEM FOR LAKE WILSON."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1732 SD1 HD1 CD1

On July 12, 2005, Senate Bill No. 1732, entitled 'Making an Appropriation for a Local Flood Warning System for Lake Wilson' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The bill appropriates \$19,000 in FY 2006 and \$20,000 in FY 2007 in general funds for the purchase and installation of stream gauges to operate a flood-warning system for Lake Wilson.

This bill is unnecessary given the fact that the Legislature approved funds for this project in the 2004 budget. Act 200 appropriated \$75,000 in CIP general obligation bonds and \$75,000 in federal funds for the design and construction of the

stream gauges system. On December 22, 2004 I released \$75,000 to the State Civil Defense Agency for the Lake Wilson Flood Warning system. The State Civil Defense Agency is currently executing a cooperative agreement with the U. S. Geological Survey who will be installing the system. The balance of the CIP funds that are not needed will lapse on June 30, 2006.

In future years, the State intends to work with the private owner of Lake Wilson on a cost sharing arrangement for the system's maintenance. It should be pointed out that the State has not funded the operation or maintenance of other flood warning systems.

Therefore, I allowed Senate Bill No. 1732 SD1 HD1 CD1 to become law as Act 215 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1061**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1427 as Act 216, entitled: "RELATING TO PROCUREMENT OF HIGH ENERGY EFFICIENT VEHICLES."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1427 SD1 HD2 CD1

On July 12, 2005, Senate Bill No. 1427 entitled 'Relating to Procurement of High Energy Efficient Vehicles' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill mandates that the procurement policy for all State agencies purchasing or leasing motor vehicle fleets shall be to obtain alternative fuel vehicles, providing that beginning January 1, 2006, all State agencies are directed to procure increasing percentages of alternative fuel vehicles as part of their annual vehicle acquisition plans. The intent of this bill is laudable, however, the bill is problematic for a number of reasons.

The bill defines alternative fuel vehicles as either electric vehicles, fuel cell vehicles, or hybrid vehicles. Electric vehicles are small and not feasible for many State needs. Hybrid vehicles are available on a limited basis in three models. Hydrogen vehicles are currently not available and unlikely to be commercially available for years.

The definition in the bill also contradicts federal requirements covering State fleets, as mandated by the Energy Policy Act of 1992. Under federal law, an alternative fuel vehicle is defined as any dedicated, flexible-fuel, or dual-fuel vehicle designed to operate on at least one alternative fuel. This definition of alternative fuels includes methanol, denatured ethanol, and other alcohols; mixtures containing 85% or more by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; non-alcohol fuels derived from biological material; biodiesel; and electricity (generated from solar energy or off-board the vehicle). Because of this difference in definitions, departments with fleets will have to operate under two separate procurement requirements.

Under these differing definitions, there will be no alternative fuel vehicle that can be purchased to meet both State and federal requirements. Hydrogen fuel cell vehicles would be the only type of vehicle that would fall under both requirements. However, these vehicles are not commercially available from major auto manufacturers. The Energy Policy Act requires that 75% of light duty vehicles purchased for fleets be alternative fuel vehicles. The State currently complies with this requirement and may be able to temporarily comply with SB 1427, which mandates another 20% of vehicles purchased must be electric, hydrogen, or hybrid.

However, under this bill, by January 1, 2009 at least 40% of vehicles purchased must meet these State requirements. At this point the State will not be able to meet the requirements of both laws. Violations of the federal law will incur civil and criminal fines upon the State. Either the State definition of alternative fuel vehicle must be amended or the percentage requirements must be amended.

The Legislature also argues that this bill will save the State money. This is not the case. Because the vehicles permitted under this measure are more expensive to both purchase and maintain, a greater cost will be incurred per vehicle purchased. Accordingly, the State will be forced to purchase fewer numbers of vehicles than needed because of the increased costs.

Therefore, I allowed Senate Bill No. 1427 SD1 HD2 CD1 to become law as Act 216, effective July 12, 2005, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1062**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 422 as Act 217, entitled: "RELATING TO CRUISE SHIPS."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 422 HD2 SD2 CD1

On July 12, 2005, House Bill No. 422, entitled 'Relating to Cruise Ships' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill regulates discharges of sewage, wastewater, and air emissions and the off-loading of solid and hazardous wastes from cruise ships.

The State of Hawaii presently regulates cruise ship discharges through a Memorandum of Understanding (MOU), which is more comprehensive than this legislation, protects a wider area, does not conflict with federal law, and allows for greater flexibility to adjust to changing environmental and industry conditions.

First, the MOU coverage extends 4 nautical miles beyond the 100-fathom (600 foot) ocean depth contour. This bill is limited to regulating discharges only up to 3 statute miles offshore.

Second, the bill sets standards for what is referred to as 'blackwater,' but federal standards are already in place for this

type of effluent. Thus, it is likely this provision of the bill is pre-empted by federal law.

Third, the bill does not regulate the primary source of water pollution from passenger vessels, which is treated wastewater. The MOU is more comprehensive in its coverage and, thus, it is not clear this bill provides any greater protections for Hawaii's environment than what the MOU and current pollution laws already cover.

Fourth, the bill requires the Department of Health to set fines by rules. However, HRS 342D-30 already establishes penalty provisions for pollution violations.

Finally, this bill places air pollution provisions in a water pollution statutory chapter.

Therefore, I allowed House Bill No. 422 HD2 SD2 CD1 to become law as Act 217 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1063**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 98 as Act 218, entitled: "RELATING TO KAHULUI HARBOR."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 98 HD2 SD1

On July 12, 2005, House Bill No. 98, entitled 'Relating to Kahului Harbor' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill prohibits the use of nets to take fish in Kahului Harbor, effective December 31, 2006. Throw nets, opae nets, crab nets, and nehu nets not longer than fifty feet to take fish for family consumption or bait would still be permitted.

The Department of Land and Natural Resources and the Department of Transportation have addressed this issue through administrative rules. In January 2002 the Board of Land and Natural Resources adopted administrative rules to better manage akule net fishing activities. This was followed by the Department of Transportation, which instituted new security measures in Kahului as part of homeland security procedures. These new measures, instituted in June 2004, have eliminated commercial net fishing in the harbor. Thus, for all practical purposes, this bill is unnecessary.

This measure is the result of a conflict between two user groups, which is more appropriately resolved through the administrative rulemaking process. Rulemaking allows public input from all interested parties, affords the greatest number of stakeholders an opportunity for input, and is preferable to outright statutory bans.

Therefore, I allowed House Bill No. 98 HD2 SD1 to become law as Act 218 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle

LINDA LINGLE"

**Gov. Msg. No. 1064**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1476 as Act 219, entitled: "RELATING TO NORTH KOHALA."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1476 HD1 SD1 CD1

On July 12, 2005, House Bill No. 1476, entitled 'Relating to North Kohala' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill directs the Department of Land and Natural Resources to determine whether 162 acres, soon to be purchased by Kamehameha Schools, will adequately fulfill the buffer and public access requirements to protect a cluster of historical sites in North Kohala. Should this acreage not be sufficient, the Department of Land and Natural Resources is directed to renew its efforts to acquire an additional 88 acres.

The Administration recognizes the importance of open space buffers. However, the availability of suitable State lands for an exchange in North Kohala is limited. Previous land exchange efforts have been hampered by the fact that State lands in this region are ceded lands and/or have cultural and natural elements that restrict the desirability and appropriateness of exchanging them with a private landowner.

The responsibility to protect public monuments is in State statute and the Department of Land and Natural Resources has a process of formalizing an arrangement for buffer lands for sites such as Mo'okini Heiau.

Therefore, I allowed House Bill No. 1476 HD1 SD1 CD1 to become law as Act 219 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1065**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 125 as Act 220, entitled: "RELATING TO OCEAN RESOURCES."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 125 HD2 SD1 CD1

On July 12, 2005, House Bill No. 125, entitled 'Relating to Ocean Resources' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill allows canoe clubs with the Hawaiian Canoe Racing Association (HCRA) to keep their canoes on State shoreline areas, provided HCRA indemnifies and holds harmless the State from claims, coordinates the placement of the canoes with the respective State or county, and applies for an annual revocable permit, if one is required.

There is a problem with the use of the term 'state shoreline area.' Hawaii Revised Statutes defines the term 'shoreline' as 'the upper reaches of the wash of the waves...usually evidenced by the edge of vegetation growth or the upper limit of debris left by the wash of the waves.' Hawaii case law has used this definition to demarcate the boundaries between public and private land.

The bill's use of the wording 'state shoreline areas' adds an ambiguity because areas in which the canoes could be stored would have to be above the wash of the waves in order to prevent them from moving as a result of tidal currents. However, a significant portion of oceanfront property is privately owned and probably was not intended to be included in the phrase 'state shoreline area.'

It appears the intent of the bill is to allow canoes to be stored on state or county land that is immediately mauka of the shoreline. Unfortunately, the bill did not use a precise enough definition to make this intent clear.

A second problem with the bill is that it refers twice to county agencies in a manner that implies canoes could be located on county land. However, the bill only requires the canoe clubs to indemnify the State.

Therefore, I allowed House Bill No. 125 HD2 SD1 CD1 to become law as Act 220 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1066**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1614 as Act 221, entitled: "RELATING TO CIVIL SERVICE PERSONNEL."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1614 HD1 SD2 CD1

On July 12, 2005, House Bill No. 1614, entitled 'Relating to Civil Service Personnel' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This measure specifies that civil service personnel within the Department of Education will have the same rights and benefits relating to transfer, reduction-in-force, promotion, and seniority as if they were in the same jurisdiction as the balance of the Executive Branch civil servants.

This bill undermines the spirit of autonomy Act 51, the Reinventing Education Act, was enacted to establish. Wherein Act 51 was designed to make the Department of Education more independent from other executive departments, this bill would tie the Department of Education's civil service system to the Department of Human Resources Development as if they were in the same jurisdiction. This is different from the Judiciary and Hawaii Health Systems Corporation who each maintain their own personnel systems as autonomous government entities.

However, we understand the uncertainty and concern an estimated 6,000 civil servants may have over the Department of

Education's ability to effectively manage their personnel matters.

Therefore, I allowed House Bill No. 1614 HD1 SD2 CD1 to become law as Act 221 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1067**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1235 as Act 222, entitled: "RELATING TO TRAVEL ALLOWANCES."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1235 HD1 SD1 CD1

On July 12, 2005, House Bill No. 1235, entitled 'Relating to Travel Allowances' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill allows the Legislature to increase their travel allowance for in-state and out-of-state travel. The current rate is \$80 per day intrastate and \$130 per day for out-of-state business.

The bill allows the Legislature to set the rate without a specific upper limit. While it is important to ensure legislators are accurately reimbursed for their travel costs, it is also important to curtail government expenses, particularly when the State's taxpayers have been denied tax relief this legislative session.

Further, this bill allows State travel reimbursements to be linked to federal per diem rates, but does so without setting forth a clear and compelling reason and policy rationale for correlating State legislators with federal employees.

Therefore, I allowed House Bill No. 1235 HD1 SD1 CD1 to become law as Act 222 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1068**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1304 as Act 223, entitled: "RELATING TO HEALTH."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1304 HD1 SD2 CD1

On July 12, 2005, House Bill No. 1304, entitled 'Relating to Health' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This measure sets up a task force to consider possible legislation addressing the issue of health care for Hawaii's residents. This is an area that has been examined at length by numerous task forces and organizations.

We are concerned that this legislation mandates the use of one particular organization that reflects a point of view on the health insurance issue, but does not necessarily reflect the full spectrum of thinking on this matter.

Further, we are concerned that the Department of Health and the Department of Human Services are not mentioned in the bill or given roles on the task force. In particular, it should be pointed out that the Department of Human Services has over the past year enrolled thousands of eligible children in the State's health care program by making the enrollment process easier.

Additionally, expending another \$200,000 on studies will not necessarily result in any additional residents receiving quality health care coverage.

While we remain concerned about the composition of the task force and the repetitive nature of its work, we remain hopeful that it will generate useful, practical suggestions for the Executive Branch and Legislature to consider next year.

Therefore, I allowed House Bill No. 1304 HD1 SD2 CD1 to become law as Act 223 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1069**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 895 as Act 224, entitled: "RELATING TO COASTAL LIGHT POLLUTION."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 895 HD2 SD2 CD1

On July 12, 2005, House Bill No. 895, entitled 'Relating to Coastal Light Pollution' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to protect avian and marine life by prohibiting artificial lights positioned toward or directly illuminating the ocean waters. Safety and security lighting, as well as lighting provided by government agencies, is permitted under specific circumstances.

This bill addresses a number of the vague wording problems raised in my veto of a similar bill last year. Certainly, its intent to protect Hawaii's wildlife is laudable.

The scientific evidence on the adverse impacts of light on birds, marine mammals, and fish is still mixed, but on balance there seems to be evidence that night lighting can confuse migratory birds and sea turtles.

The bill still presents management and enforcement challenges, particularly because it continues to require subjective judgments as to whether specific lighting does or does not conform to the law's illumination standard. Further, this bill will require counties to police lighting in special

management areas. And this bill will impinge upon private landowners and their ability to light areas of their property if they reside along a shoreline.

Therefore, I allowed House Bill No. 895 HD2 SD2 CD1 to become law as Act 224 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1070**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1528 as Act 225, entitled: "RELATING TO PUBLIC EMPLOYEES."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1528, H.D.2, S.D.2, C.D.1

On July 12, 2005, House Bill No. 1528, entitled 'Relating to Public Employees' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill grants significant pay increases to seven positions in legislative service agencies. Most of these positions have not received a pay adjustment since 1990 and thus an increase is certainly warranted.

However the salary adjustments granted under this bill are disproportionately higher than those granted Executive Branch positions of equal or larger scope. Many of these positions will receive a \$22,000 raise while counterparts in the Executive Branch will receive less than \$2,000, and in some cases will have their pay reduced.

Finally, it is troubling that the Legislative Branch will be setting the salary of the Ethics Commission Executive Director, when this responsibility should be left to the Commissioners to whom he reports.

Therefore, I allowed House Bill No. 1528, H.D.2, S.D.2, C.D.1 to become law as Act 225, effective July 12, 2005, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1071**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 807 as Act 226, entitled: "RELATING TO SALARIES."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 807 S.D.1, H.D.1, C.D.1

On July 12, 2005, Senate Bill No. 807, entitled 'Relating to Salaries' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.



This bill adjusts the salaries of thirteen positions. Although the personnel in these positions have not enjoyed an increase in their compensation for a number of years, several of the increases are relatively small and do not reflect the level of responsibility for these jobs or the impact inflation has had on their buying power.

Further, this bill decreases the actual take-home pay of two individuals, the Chief Election's Officer, and the Vice Director for Civil Defense.

Finally, this bill fails to provide a salary increase for three positions in the original proposal: the Executive Director of the Housing and Community Development Corporation of Hawaii, the Deputy Director for this Corporation, and the Executive Director of the Office of Community Services. This will make it increasingly difficult to recruit and attract the best qualified candidates for these offices.

Therefore, I allowed Senate Bill No. 807, S.D.1, H.D.1, C.D.1 to become law as Act 226 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1072**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 680 as Act 227, entitled: "RELATING TO SOLID WASTE CONTROL."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 680 S.D.1, H.D.1

On July 12, 2005, Senate Bill No. 680, entitled 'Relating to Solid Waste Control' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This measure requires the Department of Health to develop procedures for the exchange of universal product codes between beverage manufacturers, distributors, retailers and redemption centers. This data can and should be exchanged freely between private sector participants in the beverage container redemption program. Thus it is both inappropriate and unfortunate that the State is being burdened with this duty. This requirement is indicative of the poor thought given to the original program and the failure to recognize that container recycling would work better if left to the private entities involved.

Further, this bill mandates that the private operators of redemption centers must bill the State no less than twice a month. Some recyclers prefer to bill monthly and will find the new requirements burdensome and another discouragement to participate in the recycling initiative. Again, this provision is an example of the legislative micromanagement that has plagued this program.

Therefore, I allowed Senate Bill No. 680, S.D.1, H.D.1 to become law as Act 227 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1073**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 212 as Act 228, entitled: "RELATING TO ENVIRONMENT."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 212 S.D.2, H.D.2, C.D.1

On July 12, 2005, Senate Bill No. 212, entitled 'Relating to Environment' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The bill authorizes the Department of Health to solicit requests for proposals to improve recycling. This provision is duplicative since this authority already exists in statute. The bill further requires the Department to divert up to \$3 million in beverage container deposits to rebate private companies who purchase reverse vending machines. Efforts to collect these funds from recyclers who are not in compliance will be difficult at best, and could undermine the integrity of the program. This is especially true since this provision has a sunset date of June 30, 2006 and provides no authority to recover rebate funds if non-compliance occurs after that date.

Finally this bill requires the department to develop and implement a redemption and recycling infrastructure program but provides no guidance on what this 'infrastructure' program should look like and what issues it should address.

Therefore, I allowed Senate Bill No. 212, S.D.2, H.D.2, C.D.1 to become law as Act 228 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1074**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 962 as Act 229, entitled: "RELATING TO PREVAILING WAGES."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 962 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 962, entitled 'Relating to Prevailing Wages' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill is one of several legislative efforts to restrict the effectiveness of the State's Director of Labor and Industrial Relations. Specially, this measure limits the Director's ability to determine prevailing wages for public works projects by restricting him to using only one methodology.

Because existing labor contracts establish prevailing wages for the vast majority of laborer and mechanics classifications in the State, the practical effect of this bill will be to codify the methodology the Director has been using.

Therefore, I allowed Senate Bill No. 962 SD2 HD2 CD1 to become law as Act 229 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 1075**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1778 as Act 230, entitled: “RELATING TO CONTRACTORS.”

“Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1778 SD2 HD1 CD1

On July 12, 2005, Senate Bill No. 1778, entitled ‘Relating to Contractors’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill requires the Department of Commerce and Consumer Affairs to issue a ‘cease and desist’ order to an unlicensed contractor, although the Department already has the ability to issue an order for abatement. This measure fails to provide an exemption for handymen or related workers who perform repairs and light renovation work. Often these handymen assist the elderly, lower-income persons, apartment dwellers, or homeowners. This bill will, in effect, limit consumers’ choices and increase the costs of construction.

Additionally, the minimum \$10,000 fine per violation appears to be excessively harsh given that these arrangements are frequently between private sector consenting individuals.

Therefore, I allowed Senate Bill No. 1778 SD2 HD1 CD1 to become law as Act 230 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 1076**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1721 as Act 231, entitled: “RELATING TO A STATE CULTURAL PUBLIC MARKET.”

“Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1721 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 1721, entitled ‘Relating to a State Cultural Public Market’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This measure attempts to circumvent the formal Request for Proposal process by prescribing the elements of a State cultural public market to be placed in the Kakaako Makai area. Fortunately, the bill was amended in conference to make it clear that this legislation will not adversely affect the current Request

for Proposal out for bid, issued by the Hawaii Community Development Authority.

Further, this bill has an effective date of October 1, 2005. The Hawaii Community Development Authority has stated that they believe the master developer for the Kakaako Makai parcel will have been selected by this date. They also believe the final plans are likely to incorporate some or all of the elements suggested in this bill.

Therefore, I allowed Senate Bill No. 1721 SD2 HD2 CD1 to become law as Act 231 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 1077**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1883 as Act 232, entitled: “RELATING TO MILOLI’I FISHERIES MANAGEMENT AREA.”

“Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1883 SD2 HD1 CD1

On July 12, 2005, Senate Bill No. 1883, entitled ‘Relating to Miloli’i Fisheries Management Area’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill seeks to have the Miloli’i Fisheries Management Area statutorily designated as a community-based subsistence fishing area, bypassing the normal rulemaking process for this type of designation. Further, because Miloli’i is already a fisheries management area, wherein certain fishing activities are regulated, this bill puts into effect two inconsistent sets of requirements over the same geographic area. This could expose the State to potential legal challenges.

Fisheries designations should be established through the proper rule-making process that calls for a justification of the proposed designation and an understanding of how such a designation may interfere with the use of the marine waters for navigation, fishing, and public recreation.

Additionally, this bill fails to provide for a management plan with a description of the specific activities that will be allowed, does not establish a methodology to evaluate the pros and cons of this designation, and fails to provide funding to enforce the designation.

Therefore, I allowed Senate Bill No. 1883 SD2 HD1 CD1 to become law as Act 232 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 1078**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1267 as Act 233, entitled: "RELATING TO SHARK MONITORING."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1267 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 1267, entitled 'Relating to Shark Monitoring' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill appropriates \$25,000 to the Department of Land and Natural Resources to hire a contractor to tag and monitor sharks along the Oahu leeward coast. The money is to be spent in concert with the Hawaii Institute of Marine Biology and is supposed to cover sharks that roam between Pearl Harbor and Kaena Point.

Tagging only tells us where a shark has been captured and re-captured, but does not tell us the movements of the animal, which tend to be far ranging. Further, tagging will not increase the State's ability to predict shark attacks and might give some a false sense of security.

Further, as marine biologists point out, the presence of sharks is one of the signs of a healthy marine ecosystem. Finally, it should be noted that the \$25,000 is too small an amount to do a satisfactory job. The Department of Land and Natural Resources estimates a minimum of \$125,000 is needed for the equipment and personnel to tag, monitor, collect, and interpret the tagging data.

Therefore, I allowed Senate Bill No. 1267 SD2 HD2 CD1 to become law as Act 233 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1079**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1641 as Act 234, entitled: "RELATING TO NON-AGRICULTURAL PARK LANDS."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1641 HD1 SD2 CD1

On July 12, 2005, House Bill No. 1641, entitled 'Relating to Non-Agricultural Park Lands' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill establishes the Non-Agricultural Park Lands Special Fund to pay for the mapping, title searches, transfer, and management of these parcels. Lease rents and fees from the parcels are supposed to be deposited into the fund to cover the costs. However, there will be no monies initially in the fund to start the work and it is estimated it will take upwards of ten years for sufficient funds to accumulate for the fund to be 'self-sufficient.' According to Section 37-52.3, HRS, special funds must provide an appropriate means of financing for the stated program and must demonstrate the ability to be financially self-sustaining. This fund fails to meet this definition.

Therefore, I allowed House Bill No. 1641 HD1 SD2 CD1 to become law as Act 234 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1080**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1729 as Act 235, entitled: "RELATING TO TOURISM."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1729 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 1729, entitled 'Relating to Tourism' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill increases the percentage of transient accommodations tax going into the Tourism Special Fund and provides that the first \$1 million shall be used for parks and trails improvements. While we support more funding to address past years of neglect and underfunding for parks and recreational areas, these monies do not become available until July 1, 2007, two years hence. It is unfortunate the Legislature decided to delay this critical funding at a time when our public recreational areas are experiencing a peak in visitors and higher utilization.

More troubling is the fact that this bill removes transparency and openness in the utilization of public funds by the Hawaii Tourism Authority. In particular, this bill places the Tourism Special Fund and Convention Center Enterprise Fund outside of the State Treasury. The State's Department of Accounting and General Services will no longer have purview over these accounts, even though tens of millions of dollars will be deposited in and spent from them.

Finally, this bill removes the voting power of the Department of Business Economic Development and Tourism representative on the Hawaii Tourism Authority Board. This comes at a time when that person has been internationally recognized for her expertise in the field of tourism and has been a highly effective Cabinet level coordinator for government and private-sector tourism initiatives. This effort to infringe upon the Executive Branch powers is wrong and my Administration will work to get this voting authority restored.

Therefore, I allowed Senate Bill No. 1729 SD2 HD2 CD1 to become law as Act 235 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1081**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1620 as Act 236, entitled: "RELATING TO STATE FUNDS."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1620 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 1620, entitled 'Relating to State Funds' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill appropriates a total of \$9 million in FY 2006 and \$208,000 in FY 2007 from the Emergency Budget Reserve Fund, also called the Rainy Day Fund, for twenty-five programs.

While a number of these programs have merit, the source of the proposed funds is inappropriate. The intent and purpose of the Emergency Budget Reserve Fund is to fund true emergencies. Section 328L-3, HRS, established the Rainy Day Fund to provide a temporary supplemental source of funding during times of emergency, economic downturn, or unforeseen reduction in revenues to maintain levels of programs determined essential to the public health, safety, and welfare.

By these criteria, many of the proposed grants in this bill would fail to qualify as temporary, emergency funding for essential services. A significant number of these activities are ongoing in nature or the money is being used to purchase additional services, not maintain essential community needs. The more appropriate means of financing for these continuing programs and services would be the general fund.

Further, appropriations made outside of the State budget result in the misrepresentation of program needs and priorities. The appropriations are generally add-ons from the Legislature, providing additional money for a particular group or organization. Specific appropriations made outside of the budget tend to fragment program needs and undermine the setting of funding priorities.

Off-budget appropriations make it difficult to obtain a full assessment of a program and tend to skew the level of funding for legislatively favored programs over those that may deliver greater results in a more efficient manner. Finally, a number of the appropriations included in this bill provide additional funds to the same programs and services already included in the Executive biennium budget.

Therefore, I allowed Senate Bill No. 1620 SD2 HD2 CD1 to become law as Act 236 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1082**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1556 as Act 237, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1556 HD1 SD1 CD1

On July 12, 2005, House Bill No. 1556, entitled 'Relating to the Issuance of Special Purpose Revenue Bonds to Assist

Industrial Enterprises' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes \$25 million in special purpose revenue bonds to PLK Services to plan, design, and construct a coffee and macadamia nut processing plant.

This bill raises questions about the intended public purpose these special purpose revenue bonds will address. Special purpose revenue bonds are supposed to be issued for projects in the public interest and for public health, safety, and the general welfare of the State. Over time, the Hawaii courts have ruled that what constitutes a public purpose is generally a question for the Legislature to decide, and the legislation has taken wide discretion in interpreting 'public purpose.'

This bill also raises the question regarding the impact this project will have on ongoing private agricultural operations in the Kona area. A number of prominent businesses expressed concern that there is already an excess of processing capacity for both macadamia nuts and coffee beans. They are rightly concerned that another processing plant will encourage wholesale importation of foreign beans and nuts, destroying their marketplace.

Therefore, I allowed House Bill No. 1556 HD1 SD1 CD1 to become law as Act 237 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1083**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1146 as Act 238, entitled: "RELATING TO CIVIL SERVICE."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1146 HD1 SD2

On July 12, 2005, House Bill No. 1146, entitled 'Relating to Civil Service' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill reinstates the social worker classification for all positions that are social worker positions in the State. Those currently employed in a social worker series who do not have a degree in social work will have until July 1, 2010 to obtain such a degree.

This bill is troubling in two respects. First, it will make it difficult to recruit, fill, and retain qualified personnel for social services type positions. These are positions that directly affect the most needy and vulnerable in our society, such as abused children, disabled adults, and mentally handicapped persons. Creating a higher level of difficulty in filling these jobs will hurt the very citizens that social workers are trained to help.

Second, this bill legislatively curtails the ability of the Director of the Department of Human Resources Development to establish, maintain, and adjust the State's personnel classification system. The Director is vested with the responsibility for managing the State's personnel system in a manner that ensures the highest level of talent is hired and retained in positions. The large number of vacancies in the

social worker job series is a serious and growing problem. The State must now curtail efforts to fill these critical positions when there has been no clear and convincing evidence that changing the job classification has caused harm.

Therefore, I allowed House Bill No. 1146 HD1 SD2 to become law as Act 238 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1084**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1420 as Act 239, entitled: "RELATING TO PSYCHOTROPIC MEDICATION."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill Number 1420 SD2 HD3 CD1

On July 12, 2005, Senate Bill No. 1420, entitled 'Relating to Psychotropic Medication,' became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to prohibit the Department of Human Services (DHS) from imposing any restrictions or limitation on the coverage for, or a recipient's access to, psychotropic medication if it is prescribed by a licensed psychiatrist or by a licensed physician in consultation with a psychiatrist duly licensed in the State. The bill also provides that a physician may prescribe psychotropic medication to an individual who is Medicaid-eligible without the requirement of any preauthorization procedure, but only if the recipient is in need of emergency psychiatric or psychological service for a period up to seven days.

The objectives of the bill are laudable. It is vitally important to get the correct medicines to mentally-ill patients as promptly as possible. However, the bill poses several serious concerns.

First, unrestricted access for Medicaid-eligible patients will have a fiscal impact on the State. Preauthorization lists and formularies are seen as a method to foster the effective and efficient use of pharmaceutical resources. The Department of Human Services estimates this legislation could increase the State's annual drug expenditures by \$14 million.

While unrestricted access has cost implications, prior authorizations, even when they are carefully and scientifically developed, also pose problems. The ability to get the appropriate drug to the patient on a timely basis in the right amount cannot always be predetermined from a list of medications. The health industry is moving toward quality access to medications which incorporate best practices for prescribing at the national level.

This Administration will continue to work with the health industry to develop quality access standards for both Medicaid-eligible patients and those under managed care programs such as QUEST.

It should be noted that this bill does not address the current psychotropic drug access for those patients covered by QUEST,

thus creating two differing access arrangements for persons who are eligible for State-sponsored medical plans.

Finally, the language in the bill is vague as to when psychotropic drugs may be prescribed in non-emergency situations. While the first statutory section established by this bill prohibits the DHS from imposing restrictions or limitations on its coverage for, or a recipient's access to, psychotropic medications, the second section exempts physicians from having to follow a preauthorization process, but only for emergency situations. This would seem to infer, but does not expressly state, that a preauthorization process is otherwise appropriate for non-emergency situations.

For the reasons set forth above, the bill is less than perfect. Nevertheless, the goal of the bill to ensure that mental health patients receive appropriate medication is one to which I am deeply committed.

Therefore, I allowed SB1420 SD2 HD3 CD1 to become law as Act 239 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1085**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 294 as Act 240, entitled: "RELATING TO EMPLOYMENT."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 294 SD3 HD1 CD1

On July 12, 2005, Senate Bill No. 294, entitled 'Relating to Employment' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill raises the hourly minimum wage to \$6.75 effective January 1, 2006, and to \$7.25 effective January 1, 2007.

A key goal of my Administration has been and continues to be ensuring the recovery, growth, and vitality of Hawaii's economy in order to guarantee our citizens the ability to earn a livable wage. Our minimum wage law is one component in providing a balance between the needs of employees and those who employ them.

I am disappointed, however, that, as enrolled, this bill is void of any relief to the business community at a time when Hawaii's unemployment rate is the lowest in the nation. Hawaii's seasonally adjusted unemployment rate of 2.7 percent in May, the latest figure available, marks the third consecutive month that Hawaii has posted the nation's lowest unemployment rate. The national seasonally adjusted unemployment rate for the same period was 5.1 percent. Since December 2002, Hawaii has experienced a 25.9 percent reduction in the number of those unemployed.

This has led to an ever-increasing amount of money in the State's Unemployment Compensation Fund. Since 2001, when the Fund had an ending balance of \$298.2 million, it has grown by more than \$120.4 million to a current balance of over \$418.6 million. This year, my Administration proposed providing Hawaii's employers with an estimated \$200 million in tax relief in the form of a three-year period in which their contributions to

the Unemployment Compensation Fund would be reduced from the nation's highest level (contributions made by employers on an employee's first \$32,300 in wages, an amount which will increase automatically next year) to the federally-mandated minimum of \$7,000 per year. It is regrettable that language to provide this much-needed relief to Hawaii's businesses was deleted from this bill.

In addition, my Administration proposed an increase in Hawaii's 'tip wage credit' from the current \$0.25. The national average of this credit is \$3.00. Again, it is disappointing that language increasing the tip credit was struck from this measure.

Therefore, I allowed Senate Bill No. 294 SD3 HD1 CD1 to become law as Act 240, effective July 12, 2005, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1086**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1051 as Act 241, entitled: "RELATING TO PRESCRIPTION DRUGS."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1051 HD2 SD2 CD1

On July 12, 2005, House Bill No. 1051, entitled 'Relating to Prescription Drugs' became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to provide that any physician who treats a Medicaid recipient patient suffering from the human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), or hepatitis C, or a patient in need of transplant immunosuppressives, may prescribe any medication that is approved by the United States Food and Drug Administration and that is eligible for Omnibus Budget Reconciliation Act (OBRA) rebates, which is necessary to treat the condition, without the requirement of any preauthorization procedure.

The objectives of the bill are laudable. It is vitally important to get the correct medicines to HIV/AIDS, hepatitis, and transplant patients as promptly as possible. However, the bill poses several serious concerns.

First, unrestricted access for Medicaid-eligible patients will have a fiscal impact on the State. Preauthorization lists and formularies are seen as a method to foster the effective and efficient use of pharmaceutical resources. The Department of Human Services estimates this legislation will increase the State's annual drug expenditures and adversely impact other drug-related programs.

While unrestricted access has cost implications, prior authorizations, even when they are carefully and scientifically developed, also pose problems. The ability to get the appropriate drug to the patient on a timely basis in the right amount cannot always be predetermined from a list of medications. The health industry is moving toward quality access to medications which incorporate best practices for prescribing at the national level.

This Administration will continue to work with the health industry to develop quality access standards for both Medicaid-eligible patients and those under managed care programs such as QUEST.

Second, it should be noted that this bill does not address drug access for HIV/AIDS, hepatitis, and transplant patients covered by QUEST, thus creating two differing access arrangements for persons who are eligible for State-sponsored medical plans.

For the reasons set forth above, the bill is less than perfect. Nevertheless, the goal of the bill to ensure that HIV/AIDS, hepatitis, and transplant patients receive appropriate medication is one to which I am committed.

Therefore, I allowed House Bill No. 1051 HD2 SD2 CD1 to become law as Act 241 effective July 12, 2005, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1087**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1378 as Act 242, entitled: "RELATING TO THE JUDICIARY."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1378 HD1 SD2 CD1

On July 12, 2005, House Bill No. 1378, entitled 'Relating to the Judiciary' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill establishes that any findings relating to a temporary restraining order (TRO) petition are not binding on a subsequent family court case and requires de novo review in the proceeding of the facts and circumstances that led to issuance of the TRO.

Over the years, the Legislature has expanded the permitted use of TROs to cover both a broader scope of offenses, e.g., physical abuse, property damage, emotional and psychological abuse, as well as a wider range of those eligible to seek TROs, e.g., married couples, family members, household members, and even dating couples. In addition, the time period for which TROs can be in effect has been expanded from an original length of ninety days to one year, and now three years and, in some cases, for the foreseeable future.

Many of the modifications to the TRO law have been necessary and serve to enhance the safety and well-being of our citizens. However, this bill seeks to curtail the impact of temporary restraining orders and protective orders. While there may be occasions where the TRO law is abused by parties in dispute, a concern arises that this bill might be perceived by some as diluting the power of TROs in certain cases and, thus, may have the unintended consequence of causing those who truly require the protections afforded by a TRO to hesitate or neglect to obtain the protection for themselves and others.

Findings related to TROs or protective orders can be very relevant to judges when they are making determinations of child custody and visitation rights. To require judges to set aside the

relevance of this information could be detrimental to the child and other involved parties.

Many individuals in court represent themselves (i.e. Pro Se) because they do not have funds to hire a lawyer. It will be hard for them to understand and know what prior proceedings can or cannot be considered by a judge during divorce or child custody proceedings. Already many victims of abuse initiate and then abandon divorce proceedings due to the many complex issues involved in such a situation. This law will only further complicate what may or may not be heard and considered by a judge when divorce, separation, annulment, and child custody matters are being heard.

Therefore, I allowed House Bill No. 1378 HD1 SD2 CD1 to become law as Act 242, effective July 12, 2005, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 1088**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 325 as Act 243, entitled: “RELATING TO EMPLOYMENT PRACTICES.”

“Dear Mr. President and Members of the Senate:

Re: House Bill No. 325 SD2 CD1

On July 12, 2005, House Bill No. 325, entitled ‘Relating to Employment Practices’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes employees to use temporary disability insurance benefits in excess of the statutory three week minimum for family leave purposes.

While granting employees the ability to use excess temporary disability insurance leave for family leave purposes is laudable, a concern arises that codifying such use may have unintended consequences. For example, employers who now offer benefits greater than the statutory minimum and who, by this bill, would be mandated to permit employees to use some accrued and available temporary disability insurance leave for family leave purposes, might seek to control costs by resubmitting temporary disability insurance plans that only provide for the statutory minimum, thereby reducing the benefits that are currently afforded to their employees.

Further, this bill amends the exclusions to the definition of sick leave by deleting ‘any benefit provided under an employee welfare benefit plan subject to the federal Employee Retirement Income Security Act of 1974’ (ERISA), and clarifying that sick leave does not include unemployment compensation due to illness.

The exclusion of benefits provided pursuant to an ERISA plan raises concerns about ERISA preemption because ERISA preempts state law that regulates, except in certain specific situations, employee welfare benefit plans, such as sick leave. However, ERISA does not supersede any other law of the United States or rule or regulation issued pursuant to any such federal law.

The federal Family Medical Leave Act of 1993 (FMLA) recognized and encouraged states to adopt state family leave laws that provided greater rights than the FMLA. 29 U.S.C. 2651(b) (2005).

Based upon the interplay between ERISA and the FMLA and a review of recent federal court ERISA opinions, ERISA is a complex area of the law and how a court may actually rule on this issue is not certain. Thus, this bill could open the State to additional legal challenges.

Finally, it should be pointed out because this measure amends HRS 398-1, it only applies to employers with 100 or more employees. It also will not immediately impact unionized employees because their benefits are set in collective bargaining agreements. Finally, it does not apply to State employees because the State is covered under the State’s Temporary Disability Benefits Plan.

Therefore, I allowed House Bill No. No. 325 SD2 CD1 to become law as Act 243, effective July 12, 2005, without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**Gov. Msg. No. 1089**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 556 as Act 244, entitled: “RELATING TO FAMILY COURT.”

“Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 556 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 556, entitled ‘Relating to Family Court’ became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill requires parents in a custody dispute to submit either a mutually agreed upon parenting plan or separate individual plans to the Family Court.

If the parties cannot agree on a parenting plan, this bill allows the court to order the involved parties to participate in alternate dispute resolution and/or develop and file a detailed parenting plan on a unilateral basis.

This bill is objectionable because it will be difficult for Pro Se parties (those representing themselves without a lawyer) to understand and fulfill the parenting plan requirements of this bill. Those that do have attorneys will incur additional costs to have their attorney prepare such a plan. Further, it is not clear that such plans will produce any real benefits, particularly when dealing with highly contentious and emotional issues in an adversarial setting.

Because the bill mandates that the court make written findings for every order issued in a disputed custody decision, the Judiciary pointed out that such a requirement would be problematic if applied to pre-decree temporary custody rulings because full evidentiary hearings are not usually held at this point in the proceedings. Furthermore, this provision creates additional expenses to litigants and an additional burden to Pro-Se litigants and unnecessary court delays.

Requiring the parenting plan at the 'outset of the action' does not make sense and is not well defined. It is unclear whether this term refers to the time the Complaint for Divorce is filed, the motion to modify custody is filed, or at some other point in the court proceedings.

Finally, it should be pointed out that section 1(d) is unnecessary and duplicative because the courts can already order Alternative Dispute Resolution (ADR) and counseling.

Therefore, I allowed Senate Bill No. 556 SD2 HD2 CD1 to become law as Act 244 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1090**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1608 as Act 245, entitled: "RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1608 HD1 SD2 CD1

On July 12, 2005, House Bill No. 1608, entitled 'Relating to Voluntary Employees' Beneficiary Association Trusts' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to allow for the temporary establishment of a voluntary employees' beneficiary association (VEBA) trust. The VEBA trust would provide health benefits for State and county employees of a particular bargaining unit, as well as future retirees of that bargaining unit and existing retirees who wish to participate in the trust. The stated purpose of this VEBA trust pilot program is to allow a thorough analysis and evaluation of the costs and benefits of a VEBA trust compared with the Hawaii employer-union health benefit trust fund (EUTF) to determine what actual cost savings could be realized by the State through VEBA trusts.

I have a number of concerns about this bill. First, I am concerned about the effectiveness of the bill's safeguards against fraud or mismanagement by VEBA trustees. These VEBA trusts will likely not be covered by the federal Employee Retirement Income and Security Act of 1974 (ERISA), which provides strict standards and enforcement for private employee benefit plans. Although this bill attempts to create similar provisions in State law, there are some critical gaps. Unlike ERISA, the bill does not provide for a single State agency to be responsible for administering and regulating the VEBA trusts, provides no State agency with authority to make rules that may be necessary for such administration and regulation, and provides no funding for such administration and regulation.

Second, although creating what is described as a three-year pilot program, the bill does not provide for any study of the costs and benefits of a VEBA trust compared with the EUTF. No entity is designated to conduct the study. No funds are budgeted for the study.

Third, VEBA trusts could result in increased overall costs, and will certainly result in increased costs for employee groups

consisting of older, less healthy members. The EUTF was formed, in part, to: (1) eliminate the negative effect on health benefit plan rates due to adverse selection caused by employee organization sponsored health plans, (2) eliminate the duplication of administrative costs caused by having multiple health plans for State and county employees, and (3) establish one large health plan that would have the leverage to negotiate better rates and benefits with insurance carriers and others offering health benefits plans.

Under the provisions of this bill, the VEBA trusts can increase adverse selection in two ways. Bargaining units that have employees with better than average claims or loss experience can form VEBA trusts and exit the EUTF. This would increase the overall claims and loss experience of the remaining EUTF membership and tend to result in increased rates for those remaining in the EUTF. In addition, the bill provides for the VEBA trusts to cover all future retirees. This will result in the VEBA trusts having younger retirees while the EUTF would be left with older retirees. This would also tend to result in the EUTF having higher rates for retiree plans.

Fourth, the bill does not address certain adverse effects to the EUTF caused by the establishment of VEBA trusts. The EUTF's administrative budget is paid out of the public employers' monthly contributions for each employee's and retiree's health plans. The bill requires such contributions with respect to VEBA trust members to be transferred to the applicable VEBA trust. With respect to the Hawaii State Teachers Association VEBA trust, it is estimated that this will result in a shortfall of over \$500,000 in the EUTF's administrative budget. No appropriation was made to address this shortfall or any other shortfalls caused by the formation of VEBA trusts by other employee organizations.

Finally, there are questions as to whether membership in a VEBA trust can be mandatory for retirees and whether employee organizations can be empowered to negotiate on behalf of such retirees. There are also certain unresolved legal issues regarding VEBA and EUTF eligibility and public employer contributions. For example, where both spouses are public employees or retirees and only one belongs to a bargaining unit that sponsors a VEBA trust, it is not clear whether both spouses can have separate memberships in the EUTF and VEBA trust, and whether public employer contributions to them can exceed the cost of one EUTF family health plan. Another issue regarding retirees who opt to transfer to a VEBA trust is whether the public employers must pay the VEBA trust the same contribution as it pays the EUTF even if the VEBA trust's retiree health plans cost less than the EUTF's retiree health plans.

Despite these concerns, I allowed the bill to become law without my signature. There are many public employees who feel that the VEBA trust has significant benefits, and who wish to have the VEBA option available to them. Further, because this bill will sunset in three years, there will be an opportunity to assess its results. However, I urge the Legislature to address the concerns I have outlined above during the 2006 session, so as to provide greater protections for employees, a meaningful assessment of the results of this pilot program, and to resolve the other legal concerns about this bill.

Therefore, I allowed House Bill No. 1608 HD1 SD2 CD1 to become law as Act 245 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"



**Gov. Msg. No. 1091**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1814 as Act 246, entitled: "RELATING TO IMPACT FEES."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1814 SD2 HD2 CD1

On July 12, 2005, Senate Bill No. 1814, entitled 'Relating to Impact Fees' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill creates an impact fee working group that will assess the impacts of new housing developments on the Department of Education and examine the current method of imposing and collecting impact fees. The working group will issue a report to the 2006 Legislature.

Impact fees are a method by which State and County departments assess developers a monetary fee, or land donation, to minimize the effects the development will have on the various public services, such as transportation, roads, public schools, and sewage/water systems. There currently is no statewide process of fairly assessing these fees. Random fees are assessed at both the State and County level, with little predictability or proof that the impact fees are put to use in the community of the development and are actually needed.

While I recognize the importance of this issue and the need to have a consistent, statewide process in place, this bill raises a number of concerns. First, the measure only addresses impact fees imposed by, or collected for, the benefit of the Department of Education. As previously mentioned, there are other State and County functions that are affected by a new development, such as roadways and sanitation systems. This measure only takes into account the effect of a development on the public school system. My Administration supports developing an impact fee assessment process that addresses the full array of potential impacts on public services.

Second, this measure creates a working group that does not allow input and membership from other State or County departments that may be directly affected by the outcomes of the working group, such as the Department of Transportation, the Housing and Community Development Corporation of Hawaii, the Department of Health, the county housing and planning/permitting departments, and the Office of the Governor.

The appropriateness of placing this working group in the Office of the Auditor must also be questioned. My Administration is not aware of any previous experience the Legislative Auditor has in dealing with developer impact fees and fair-share contributions.

Finally, the working group is tasked with reviewing two reports on impact fees and conducting research on the various needs and possible impacts development has on public education. They are also charged with conducting a case study, using Central Oahu, which will include a needs assessment. The minimum criteria for the needs assessment are outlined in the measure. However, there are vital elements missing from this needs assessment evaluation. A needs assessment should provide a clear, rationale nexus between the development and the impact fee assessed; a fair share proportion to be assessed on the developer, not a disproportionate assessment;

predictability in the amount of the fee or land requested; a dedication of the funds/land assessed to be used directly in the community where the development is located; and an agreement that if the funds are not used within a reasonable amount of time, the monies should be refunded to the developer. None of these items are included in the needs assessment described in Senate Bill 1814.

I support the exploration of a comprehensive statewide evaluation to examine impact fees in a transparent, fair, and equitable manner. This work will be carried out by my Administration and does not require statutory authority. Regrettably, this bill is not comprehensive enough in either the membership of the working group or the tasks assigned to produce a meaningful product.

Therefore, I allowed Senate Bill No. 1814 SD2 HD2 CD1 to become law as Act 246 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1092**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

House Bill No. 1309 as Act 247, entitled: "RELATING TO TAXATION."

"Dear Mr. President and Members of the Senate:

Re: House Bill No. 1309 HD2 SD2 CD1

On July 12, 2005, House Bill No. 1309, entitled 'Relating to Taxation' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of House Bill No. 1309 is to authorize the counties to establish a surcharge of up to 0.5 percent on the State general excise and use taxes by the adoption of an ordinance no later than December 31, 2005. Under this measure, the funds from the county surcharge must be used:

- (1) By any county with a population greater than 500,000 for operating or capital costs of a locally preferred alternative for a mass transit project and for complying with the Americans With Disabilities Act of 1990 ('ADA'); or
- (2) By any county with a population less than 500,000 for operating or capital costs of public transportation systems, including public roadways, highways, public buses, trains, ferries, pedestrian paths, sidewalks, or bicycle paths, and expenses in complying with the ADA.

This bill currently requires the Department of Taxation, State of Hawaii ('DOTAX') to administer any surcharge taxes that are enacted by the counties. This bill also directs the State Director of the Department of Budget and Finance to retain ten (10) percent of the total surcharge tax revenues that are collected by DOTAX and deposit these revenues into the State's general fund.

The major problem with this bill is that it does not clearly and definitively authorize the counties additional taxing authority to meet public needs. I am pleased that the President of the Senate and the Speaker of the House have pledged to

introduce amendments to House Bill No. 1309 in the 2006 session to clarify that a county that enacts a surcharge tax should be empowered and required to administer and collect that tax, utilizing what portions it needs to pay for the administrative costs associated with its collection and disbursement.

The bill as written mandates that the State Department of Taxation administer and collect the counties' enacted surcharge taxes but fails to appropriate the start-up funds for the Department to institute the changes that would be necessary to implement, test, and administer the collection and rebate system. The Department of Taxation testified on more than one occasion before the Legislature on the adverse administrative and fiscal impact this bill would have on its primary duty to administer the State's complex tax structure.

Furthermore, this bill as currently written would require the Department of Taxation to give expedited processing of the county surcharge tax over and above its responsibility to collect and administer State tax revenues. Specifically, the bill would require the county surcharge tax to be processed within ten days when there is no similar time limit for the State's portion of the general excise tax.

In addition, this bill does not address whether the counties would receive a portion of collected penalties or interest or receive any portion of a tax settlement in which a fraction of the total tax liability is collected. In short, this bill does not consider or put into place practical mechanisms to deal with the very real problems created by the bifurcated tax collection and disbursement system it established. These issues should be corrected when the amendments to establish each county as the collection authority are enacted.

House Bill No. 1309, as passed by the Legislature, also contains a number of technical flaws that should be addressed in the next legislative session.

For example, a loophole exists in this measure in that any written contract signed by June 30, 2006 that does not provide for the passing of the county surcharge tax may not be subject to the 0.5 percent county surcharge tax for an indefinite period of time. Therefore, leases, rental agreements, supply contracts, service contracts, and other such documents that are executed prior to June 30, 2006, and that do not provide for the passing of the county surcharge, may likely not be subject to the 0.5 percent county surcharge tax.

House Bill No. 1309, as drafted, fails to apply the surcharges to the same types of goods and services as the underlying State general excise tax. Specifically, the current State general excise tax is assessed, levied, and collected on 'the value of tangible personal property, services, and contracting.' House Bill No. 1309 applies the 0.5% surcharge only to the value of 'property and services,' thereby leaving as ambiguous its applicability to tangible personal property and contracting services.

Finally, this bill places a harsher penalty for failure to pay the 0.5% surcharge than is imposed on those who fail to pay the 4% general excise tax. Specifically, this bill would impose a 10% penalty on the entire amount of the surcharge owed by a taxpayer rather than imposing that penalty on the amount of the underpayment only.

I wish to reaffirm my commitment to the strength and vitality of county government and the ability of county officials to address and solve the issues that face them in the twenty-first century. I have consistently held the position for nearly twenty-five years that government closest to the people is the government that can best meet the needs of its citizens.

Each of the four counties is working on its own plan to deal with transportation issues, especially the ever-increasing traffic that is negatively affecting the quality of life of its residents. Each county has the ability to plan for and take the critical steps necessary to develop preferred local alternatives to address what are widely recognized as serious transportation issues on each island. Developing a sound, comprehensive solution to each island's traffic problems is a multi-year effort that should not be done in haste and can and should proceed with all due deliberation. Further, this work can be carried out at the same time as the Legislature rewrites House Bill No. 1309 to address the flaws identified in this statement of concern.

Since the proposed 0.5% surcharge embodied in this bill does not go into effect until January 1, 2007, there is time for the counties that want to impose such a tax to develop the mechanisms they will need to assess and collect the monies. The State, through my offices, has already pledged to provide maximum support to each county that wants to proceed.

Therefore, I allowed House Bill No. 1309 HD2 SD2 CD1 to become law as Act 247 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE"

**Gov. Msg. No. 1093**, informing the Senate that on July 12, 2005, she permitted the following measure to become law without her signature, pursuant to Section 16 of Article III of the State Constitution, which reads as follows:

Senate Bill No. 1451 as Act 248, entitled: "RELATING TO IMPROVING WATER QUALITY."

"Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 1451 SD2 HD1 CD1

On July 12, 2005, Senate Bill No. 1451, entitled 'Relating to Improving Water Quality' became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill appropriates \$250,000 in general funds in FY 2006 to the Center for Conservation Research and Training at the University of Hawaii. The money is to be used to develop a watershed management plan to improve the water quality of Lake Wilson. The bill also indicates the Center is to use the money to build a wetlands design demonstration project and seek federal funds support for this project.

This project is being funded outside of the normal budgetary process. It should be pointed out that the Department of Health has already started work on identifying pollutant sources and is preparing a water pollution total daily maximum load analysis for the upper watershed and lake. Thus, it is premature to begin another study without having pinpointed the pollutant loads and sources that are involved.

While we respect the work done at the University of Hawaii, there is nothing to indicate that the University of Hawaii has the best expertise to conduct this study. The Federal Clean Water Act provides funding to the states for watershed and wetlands projects. Award of Act 319 funds is done through a competitive process that meets federal requirements and encourages the highest levels of expertise available.

Therefore, I allowed Senate Bill No. 1451 SD2 HD1 CD1 to become law as Act 248 effective July 12, 2005 without my signature.

Sincerely,

/s/ Linda Lingle  
LINDA LINGLE”

**HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

**Hse. Com. No. 795**, transmitting H.R. No. 244, which was adopted by the House of Representatives on May 5, 2005.

**Hse. Com. No. 796**, returning S.B. No. 1419, S.D. 1, which passed Third Reading in the House of Representatives on May 5, 2005.

**Hse. Com. No. 797**, returning S.B. No. 1478, S.D. 1, which passed Third Reading in the House of Representatives on May 5, 2005.

**Hse. Com. No. 798**, 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 on May 5, 2005:

- H.B. No. 85, H.D. 2, S.D. 2;
- H.B. No. 450, H.D. 2, S.D. 2;
- H.B. No. 1029, S.D. 2; and
- H.B. No. 1740, H.D. 1, S.D. 2.

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**OTHER COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

HAWAII STATE LEGISLATURE  
STATE CAPITOL  
HONOLULU, HAWAII 96813

July 13, 2005

**MEMORANDUM**

TO: The Honorable Calvin K.Y. Say  
Speaker, Hawaii State House

The Honorable Robert Bunda  
President, Hawaii State Senate

FROM: Patricia Mau-Shimizu  
House Clerk

Paul T. Kawaguchi  
Senate Clerk

RE: Assignment of Act Numbers for HB 1548 and SB 813

Please be advised that SB 813 SD2, HD2, CD1 (Relating to Employment Security) and HB 1548 HD1, SD1, CD1 (Relating to the Employee-Union Health Benefits Trust Fund) were returned to the Legislature on July 8, 2005 and July 11, 2005 respectively.

Pursuant to communications dated July 11, 2005 to us respectively directing us to assign act numbers to these bills, the following assignments have been made on this date:

SB 813 (Relating to Employment Security)  
Act 249 of 2005

HB 1548 (Relating to the Employee-Union Health Benefits Trust Fund)  
Act 250 of 2005

**RULES OF THE SENATE**  
of the  
**TWENTY-THIRD LEGISLATURE OF THE STATE OF HAWAII**

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**RULES OF THE SENATE  
OF THE  
TWENTY-THIRD 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-third 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 Business and 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.

(2) 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.

(3) Committee on Education and Military Affairs. The purview of this committee includes those programs relating to early education, public schools, continuing education, and the public libraries; and military and veterans' affairs.

(4) Committee on Energy, Environment, and International Affairs. 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; and international affairs, international relations, foreign policy issues, and foreign relations.

(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 Higher Education. The purview of this committee includes the University of Hawaii, community college system, private higher education bond financing, and other education matters relevant to higher education.

(7) 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.

(8) Committee on Intergovernmental Affairs. The purview of this committee includes those programs relating to county and federal relations, and matters of concern to the counties.

(9) 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; ethics; 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.

(10) 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.

(11) Committee on Media, Arts, Science and Technology. The purview of this committee includes programs relating to film and digital media production; 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.

(12) 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.

(13) Committee on Transportation and Government Operations. The purview of this committee includes those programs relating to air, water, and surface transportation; civil defense; and state government operations policy, including procurement and government efficiency.

(14) 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.

(15) 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; prior concurrence. 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 p.m. 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****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.

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.

**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, appointed by the President, 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: 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 63. 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 or recommit, 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 64. 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 65. 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 63, shall be put. The author or introducer may delegate to another such right to close.

**Rule 66. 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 on the side that did not prevail to move for a reconsideration thereof; but any member who voted on the prevailing side 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 67. 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 68. 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 69. 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 70. Voting: Methods**

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice; Second, by raising of hands; Third, by rising; 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 either by rising in their places, and they shall remain standing until counted, or by raising their hands and the result again shall be announced.

(4) The President shall, when one-fifth of the members present so request, and may, when one member so requests, allow a roll-call vote. 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.

(5) 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 71. Voting: Rights of Members**

(1) No member, on any account, shall refrain from voting unless excused by the President. A member voting "with reservations" shall be counted as a favorable vote. 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 72. 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 73. 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 74. 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 75. 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 76. 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 77. 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 78. 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 79. 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 80. Decorum: Smoking**

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate.

**Rule 81. 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 82. 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 83. 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 84. 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 85. 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 86. Parliamentary Procedure**

Mason's Manual of Legislative Procedures, 2000 edition, where not inconsistent with the Rules and practices of the Senate, shall govern.

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**23rd STATE LEGISLATURE  
JOINT SENATE-HOUSE  
2005 COMMITTEES ON CONFERENCE PROCEDURES**

(March 30, 2005)

The Senate and the House have agreed to the following special procedures for all 2005 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.

7. Decorum in Conference Committee Meeting 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 Meeting

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 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

/s/ Calvin K.Y. Say  
Representative Calvin K.Y. Say  
Speaker

3-30-05  
Date

3/30/05  
Date