

FORTY-FIRST DAY

Thursday, April 1, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Dan Hatch, Manoa Valley Church, after which the Roll was called showing all Senators present with the exception of Senators Ihara and Kim who were excused.

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

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

The Senate reconvened at 12:18 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 424 to 427) were read by the Clerk and were placed on file:

Gov. Msg. No. 424, dated February 25, 2004, transmitting a report, "Regarding Maternal and Child Health Services and Contract Services for Early Identification and Home Visiting Services to Support Healthy Start Program," prepared by the Department of Health, pursuant to Act 200, Section 19, SLH 2003.

Gov. Msg. No. 425, dated March 1, 2004, transmitting the Annual Financial Report for the Newborn Metabolic Screening Special Fund, prepared by the Department of Health, pursuant to Section 321-291, HRS.

Gov. Msg. No. 426, dated March 9, 2004, transmitting the Annual Report on the Activities of the Office of Solid Waste Management, prepared by the Department of Health, pursuant to Section 342G-15, HRS.

Gov. Msg. No. 427, dated March 17, 2004, transmitting the Department of Agriculture's Annual Report for Fiscal Year 2003, pursuant to Section 141-7, HRS.

DEPARTMENTAL COMMUNICATION

Dept Com. No. 32, from the State Auditor dated March 29, 2004, transmitting its 2003 Annual Report, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 3096) recommending that the Senate advise and consent to the nomination of SIDNEY M. ROSEN to the State Highway Safety Council, in accordance with Gov. Msg. No. 244.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3096 and Gov. Msg. No. 244 was deferred until Friday, April 2, 2004.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 3097) recommending that the Senate advise and consent to the nomination of MARIE H.

WEITE to the State Highway Safety Council, in accordance with Gov. Msg. No. 245.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3097 and Gov. Msg. No. 245 was deferred until Friday, April 2, 2004.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3098) recommending that H.B. No. 2198, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3098 and H.B. No. 2198, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH," was deferred until Monday, April 5, 2004.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3099), 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 Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

H.B. No. 1737, H.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1737, H.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, 22. Noes, none. Excused, 3 (Ihara, Kim, Sakamoto).

H.B. No. 2139, H.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2139, H.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, 23. Noes, none. Excused, 2 (Ihara, Kim).

H.B. No. 2140, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2140, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY CONTINUING EDUCATION FOR PHARMACISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

H.B. No. 2147, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2147, H.D. 1, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

H.B. No. 2417:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2417, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

H.B. No. 2418:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2418, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED APPLICATIONS FOR PROFESSIONAL AND VOCATIONAL LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

H.B. No. 2421, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2421, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING REQUIREMENTS FOR PRIVATE DETECTIVES AND GUARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

H.B. No. 2423:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2423, entitled: "A BILL FOR AN ACT RELATING TO COSMETOLOGY LICENSE RESTORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kim).

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM WEDNESDAY, MARCH 31, 2004

Stand. Com. Rep. No. 3076 (S.C.R. No. 27):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 27, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR FEDERAL LEGISLATION AUTHORIZING THE IMPORTATION OF PRESCRIPTION DRUGS," was adopted.

RE-REFERRAL OF GOVERNOR'S MESSAGES

The Chair re-referred the following governor's messages that were received:

Governor's Message Referred to:

No. 246 Committee on Science, Arts, and Technology

No. 423 Committee on Economic Development

RE-REFERRAL OF HOUSE BILL

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

House Bill Referred to:

No. 1374, H.D. 2, S.D. 1 Committee on Labor, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following Senate concurrent resolutions that were offered:

Senate Concurrent Resolution Referred to:

No. 118 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Labor, then to the Committee on Ways and Means

No. 119 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 125 Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations

No. 129 Jointly to the Committee on Tourism, the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations

No. 143 Committee on Education

No. 144 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations

No. 158 Committee on Health

No. 184 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations

No. 196 Committee on Education

No. 202 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following Senate resolutions that were offered:

Senate Resolution Referred to:

No. 63 Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Health

and the Committee on Transportation, Military Affairs, and Government Operations

No. 67 Jointly to the Committee on Tourism, the Committee on Economic Development and the Committee on Transportation, Military Affairs, and Government Operations

No. 76 Committee on Education

No. 77 Jointly to the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations

No. 81 Committee on Health

No. 101 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations

No. 109 Committee on Education

At 12:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:28 o'clock p.m.

ADJOURNMENT

At 12:28 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 2, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate