

FORTY-FOURTH DAY

Tuesday, April 6, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Kahu William Kaina, Waianae Protestant Church, after which the Roll was called showing all Senators present with the exception of Senator Hanabusa who was excused.

The President announced that he had read and approved the Journal of the Forty-Third Day.

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 322 to 336) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 322, transmitting H.C.R. No. 86, H.D. 1, which was adopted by the House of Representatives on April 5, 2004, was placed on file.

By unanimous consent, action on H.C.R. No. 86, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PILOT PROGRAM TO SUPPORT THE EFFORTS OF THE HAWAII CHAMBER OF COMMERCE OF NORTHERN CALIFORNIA IN PROMOTING HAWAII AND ITS PRODUCTS," was deferred until Wednesday, April 7, 2004.

Hse. Com. No. 323, transmitting H.C.R. No. 121, which was adopted by the House of Representatives on April 5, 2004, was placed on file.

By unanimous consent, action on H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII TOURISM AUTHORITY TO PARTICIPATE IN THE 2005 WORLD EXPOSITION, AICHI, JAPAN," was deferred until Wednesday, April 7, 2004.

Hse. Com. No. 324, transmitting H.C.R. No. 133, which was adopted by the House of Representatives on April 5, 2004, was placed on file.

By unanimous consent, action on H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR, DEPARTMENT OF HEALTH, DEPARTMENT OF HUMAN SERVICES, AND UNIVERSITY OF HAWAII TO RECOGNIZE THE IMPORTANCE OF THE CONTRIBUTIONS OF FAMILY CAREGIVERS AND TO SUPPORT THEM IN SERVING THE STATE'S LONG-TERM CARE NEEDS," was deferred until Wednesday, April 7, 2004.

Hse. Com. No. 325, transmitting H.C.R. No. 154, which was adopted by the House of Representatives on April 5, 2004, was placed on file.

By unanimous consent, action on H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO PROVIDE

DATA ON HAWAII'S FAMILY CAREGIVERS AND THE OLDER ADULTS TO WHOM THEY PROVIDE ASSISTANCE," was deferred until Wednesday, April 7, 2004.

Hse. Com. No. 326, transmitting H.C.R. No. 159, which was adopted by the House of Representatives on April 5, 2004, was placed on file.

By unanimous consent, action on H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII MEDICAL ASSOCIATION, THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION, AND THE AMERICAN PSYCHIATRIC ASSOCIATION IN EXTENDING AN INVITATION TO THE AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES TO RETURN TO HONOLULU, HAWAII FOR ITS INTERIM WINTER MEETING IN 2007 OR 2008," was deferred until Wednesday, April 7, 2004.

Hse. Com. No. 327, transmitting H.C.R. No. 161, which was adopted by the House of Representatives on April 5, 2004, was placed on file.

By unanimous consent, action on H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DECLARE HALEIWA TOWN AS THE SURFING CAPITAL OF THE WORLD," was deferred until Wednesday, April 7, 2004.

Hse. Com. No. 328, returning S.B. No. 1491, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1491, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 329, returning S.B. No. 1611, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1611, and requested a conference on the subject matter thereof.

Hse. Com. No. 330, returning S.B. No. 2525, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2525, and requested a conference on the subject matter thereof.

Hse. Com. No. 331, returning S.B. No. 2528, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2528, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 332, returning S.B. No. 2704, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2704, and requested a conference on the subject matter thereof.

Hse. Com. No. 333, returning S.B. No. 2951, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2951, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 334, returning S.B. No. 3237, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 2004, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3237, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 335, informing the Senate that the Speaker on April 5, 2004, made the following change to the conferees on the following bill:

S.B. No. 3238, S.D. 2 (H.D. 2):

Appointed Representative Hamakawa as fourth co-chair,
was placed on file.

Hse. Com. No. 336, informing the Senate that the Speaker on April 5, 2004, made the following change to the conferees on the following bill:

S.B. No. 3238, S.D. 2 (H.D. 2):

Appointed Representative Takamine as fifth co-chair,
was placed on file.

SENATE COMMUNICATION

Sen. Com. No. 2, notice to the Governor dated April 6, 2004, transmitting H.B. No. 2789, H.D. 1, S.D. 1, which proposes amendments to the Hawaii State Constitution, was read by the Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

“April 6, 2004

The Honorable Linda Lingle
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bill(s), a copy of which is attached hereto:

H.B. No. 2789, H.D. 1, S.D. 1
'RELATING TO SEXUAL ASSAULT.'

Respectfully,

/s/ Paul T. Kawaguchi
PAUL T. KAWAGUCHI
Clerk of the Senate”

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3120) recommending that H.B. No. 1261, 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 Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1261, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 2004.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3121) recommending that H.B. No. 2254, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2254, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHAPTER 707, HAWAII REVISED STATUTES,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3122) recommending that H.B. No. 1820, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1820, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3123) recommending that H.B. No. 2426 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2426, entitled: “A BILL FOR AN ACT RELATING TO THE LICENSING REQUIREMENTS FOR ELEVATOR MECHANICS,” passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 8, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3124) recommending that H.B. No. 2414 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3124 and H.B. No. 2414, entitled: “A BILL FOR AN ACT RELATING TO DENTAL INSURANCE,” was deferred until Thursday, April 8, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3125) recommending that H.B. No. 2539, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3125 and H.B. No. 2539, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," was deferred until Thursday, April 8, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3126) recommending that H.B. No. 2092, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3126 and H.B. No. 2092, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was deferred until Thursday, April 8, 2004.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3127) recommending that H.B. No. 1770, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3127 and H.B. No. 1770, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Thursday, April 8, 2004.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3128) recommending that H.B. No. 2458, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3128 and H.B. No. 2458, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3129) recommending that H.B. No. 2297, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3129 and H.B. No. 2297, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP AND PROTECTIVE PROCEEDINGS," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3130) recommending that H.B. No. 2292, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3130 and H.B. No. 2292, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR ELECTRONIC FILING, SIGNING, SERVING, CERTIFICATION, AND VERIFICATION OF COURT DOCUMENTS," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3131) recommending that H.B. No. 2301, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3131 and H.B. No. 2301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3132) recommending that H.B. No. 1634, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3132 and H.B. No. 1634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3133) recommending that H.B. No. 1944, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3133 and H.B. No. 1944, 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 Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3134) recommending that H.B. No. 2137, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3134 and H.B. No. 2137, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A ONE CALL CENTER," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3135) recommending that H.B. No. 2170, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3135 and H.B. No. 2170, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR REHABILITATION HOSPITAL OF THE PACIFIC," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3136) recommending that H.B. No. 2840, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3136 and H.B. No. 2840, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCING ECONOMIC DIVERSITY," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3137) recommending that H.B. No. 1885, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3137 and H.B. No. 1885, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A YOUTH SUMMIT," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3138) recommending that H.B. No. 2022, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3138 and H.B. No. 2022, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3139) recommending that H.B. No. 2459, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3139 and H.B. No. 2459, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3140) recommending that H.B. No. 1856, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3140 and H.B. No. 1856, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3141) recommending that H.B. No. 1893, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3141 and H.B. No. 1893, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3142) recommending that H.B. No. 1929, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3142 and H.B. No. 1929, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3143) recommending that H.B. No. 2547, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3143 and H.B. No. 2547, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3144) recommending that H.B. No. 2667, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3144 and H.B. No. 2667, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE MEDIUM EDUCATION," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3145) recommending that H.B. No. 2815, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3145 and H.B. No. 2815, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Thursday, April 8, 2004.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3146) recommending that H.B. No. 2911, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3146 and H.B. No. 2911, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred until Thursday, April 8, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3147) recommending that S.C.R. No. 3 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3147 and S.C.R. No. 3, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW BY THE AUDITOR OF THE LICENSING AND REGULATION OF PROFESSIONS AND VOCATIONS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Wednesday, April 7, 2004.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 3148) recommending that the Senate advise and consent to the nomination of DAVID M. SAITO MD to the Medical Advisory Board, in accordance with Gov. Msg. No. 258.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3148 and Gov. Msg. No. 258 was deferred until Wednesday, April 7, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3149) 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. 278.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3149 and Gov. Msg. No. 278 was deferred until Wednesday, April 7, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3150) recommending that the Senate advise and consent to the nomination of JAMIE W. FURUTANI DVM to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 300.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3150 and Gov. Msg. No. 300 was deferred until Wednesday, April 7, 2004.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3151) recommending that the Senate consent to the nomination of BARBARA T. TAKASE to the office of Judge, District Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 4.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3151 and Jud. Com. No. 4 was deferred until Wednesday, April 7, 2004.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3152) recommending that the Senate advise and consent to the nomination of GLENN S. HARA 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. 411.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3152 and Gov. Msg. No. 411 was deferred until Wednesday, April 7, 2004.

ORDER OF THE DAY

**REFERRAL OF
HOUSE CONCURRENT RESOLUTION**

**MATTER DEFERRED FROM
MONDAY, APRIL 5, 2004**

The President made the following committee assignment of a House concurrent resolution that was received on Monday, April 5, 2004:

House
Concurrent
Resolution Referred to:

No. 138, H.D. 1 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing

RECONSIDERATION OF ACTION TAKEN

H.B. No. 2408, H.D. 2, S.D. 1:

Senator Menor moved that the Senate reconsider its action taken on April 5, 2004, in adopting Stand. Com. Rep. No. 3107 and passing H.B. No. 2408, H.D. 2, S.D. 1, on Second Reading, seconded by Senator Baker.

Senator Menor noted:

“Mr. President, Stand. Com. Rep. No. 3107 contains an error in the recommendation paragraph. It recommended that H.B. No. 2408, S.D. 1, pass Third Reading, when it should have recommended that the bill pass Second Reading and be placed on the calendar for Third Reading. We would like an opportunity to correct this situation in order to prevent any questions on the validity of the bill’s passage.”

The motion was put by the Chair and carried.

Senator Menor then moved that Stand. Com. Rep. No. 3107 be received and placed on file, seconded by Senator Baker and carried.

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 2408, H.D. 2, 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 Wednesday, April 7, 2004.

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

- S.C.R. No. 87;
- S.C.R. No. 190;
- S.C.R. No. 212;
- S.R. No. 44;
- S.R. No. 104; and
- S.R. No. 123,

and the Chair granted the waiver.

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

- S.C.R. No. 147;
- S.C.R. No. 148;
- S.C.R. No. 162;

- S.C.R. No. 187;
- S.C.R. No. 209;
- S.R. No. 83;
- S.R. No. 120;
- S.R. No. 125; and
- S.R. No. 126,

and the Chair granted the waiver.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

- S.C.R. No. 10;
- S.C.R. No. 38;
- S.C.R. No. 113;
- S.C.R. No. 132;
- S.C.R. No. 139;
- S.R. No. 19;
- S.R. No. 59; and
- S.R. No. 70,

and the Chair granted the waiver.

Senator English, Chair of the Committee on Energy and Environment, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 2498, and the Chair granted the waiver.

At 12:22 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.

ADJOURNMENT

At 12:24 o’clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o’clock a.m., Wednesday, April 7, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate