

FORTY-NINTH DAY

Friday, April 16, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Jenny Quezon, Office of Senator Suzanne Chun Oakland, after which the Roll was called showing all Senators present.

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. 436 to 438) were read by the Clerk and were placed on file:

Gov. Msg. No. 436, informing the Senate that on April 15, 2004, she signed into law House Bill No. 2299 as Act 3, entitled: "RELATING TO APPELLATE COURT COSTS."

Gov. Msg. No. 437, informing the Senate that on April 15, 2004, she signed into law House Bill No. 2024 as Act 4, entitled: "RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION."

Gov. Msg. No. 438, informing the Senate that on April 15, 2004, she signed into law House Bill No. 2298 as Act 5, entitled: "RELATING TO DISQUALIFICATION OF JUDGES."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 540 to 552) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 540, informing the Senate that H.B. No. 1800, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 15, 2004, was placed on file.

Hse. Com. No. 541, informing the Senate that the following bills passed Final Reading in the House of Representatives on April 15, 2004:

H.B. No. 2004, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2280, S.D. 1, C.D. 1;
H.B. No. 2300, H.D. 1, S.D. 1, C.D. 1; and
S.B. No. 3238, S.D. 2, H.D. 2, C.D. 1,

was placed on file.

Hse. Com. No. 542, informing the Senate that the House agreed to the amendments proposed by the Senate to H.B. No. 2003, H.D. 1, and has on April 15, 2004, passed H.B. No. 2003, H.D. 1, S.D. 1, on Final Reading in the House of Representatives, was placed on file.

Hse. Com. No. 543, informing the Senate that the House reconsidered its action taken on April 15, 2004, in disagreeing to the amendments proposed by the Senate to H.B. No. 267, H.D. 2 (S.D. 2), was placed on file.

Hse. Com. No. 544, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 189, H.D. 2 (S.D. 2);
H.B. No. 267, H.D. 2 (S.D. 2);
H.B. No. 403, H.D. 1 (S.D. 1);
H.B. No. 537, H.D. 1 (S.D. 1);
H.B. No. 680, H.D. 2 (S.D. 1);
H.B. No. 1004, H.D. 1 (S.D. 1);
H.B. No. 1261, H.D. 2 (S.D. 1);
H.B. No. 1335, H.D. 3 (S.D. 2);
H.B. No. 1374, H.D. 2 (S.D. 2);
H.B. No. 1560, H.D. 1 (S.D. 1);
H.B. No. 1590, H.D. 2 (S.D. 2);
H.B. No. 1634, H.D. 1 (S.D. 1);
H.B. No. 1710, H.D. 2 (S.D. 2);
H.B. No. 1743, H.D. 2 (S.D. 2);
H.B. No. 1756, H.D. 2 (S.D. 1);
H.B. No. 1770, H.D. 1 (S.D. 2);
H.B. No. 1774, H.D. 2 (S.D. 2);
H.B. No. 1778, H.D. 2 (S.D. 2);
H.B. No. 1780, H.D. 1 (S.D. 1);
H.B. No. 1786, H.D. 1 (S.D. 2);
H.B. No. 1792, H.D. 2 (S.D. 1);
H.B. No. 1793, H.D. 2 (S.D. 1);
H.B. No. 1820, H.D. 1 (S.D. 1);
H.B. No. 1839, H.D. 2 (S.D. 2);
H.B. No. 1840, H.D. 1 (S.D. 1);
H.B. No. 1848, H.D. 1 (S.D. 1);
H.B. No. 1856, H.D. 1 (S.D. 1);
H.B. No. 1860, H.D. 1 (S.D. 2);
H.B. No. 1885 (S.D. 1);
H.B. No. 1893, H.D. 2 (S.D. 1);
H.B. No. 1904, H.D. 1 (S.D. 2);
H.B. No. 1908, H.D. 2 (S.D. 1);
H.B. No. 1924, H.D. 1 (S.D. 2);
H.B. No. 1929, H.D. 1 (S.D. 2);
H.B. No. 1944, H.D. 1 (S.D. 1);
H.B. No. 1980, H.D. 1 (S.D. 1);
H.B. No. 2005, H.D. 1 (S.D. 1);
H.B. No. 2009, H.D. 1 (S.D. 1);
H.B. No. 2022, H.D. 2 (S.D. 1);
H.B. No. 2023, H.D. 2 (S.D. 2);
H.B. No. 2025, H.D. 3 (S.D. 2);
H.B. No. 2048, H.D. 1 (S.D. 1);
H.B. No. 2061, H.D. 2 (S.D. 1);
H.B. No. 2074, H.D. 1 (S.D. 1);
H.B. No. 2092, H.D. 2 (S.D. 2);
H.B. No. 2093, H.D. 1 (S.D. 2);
H.B. No. 2136, H.D. 1 (S.D. 1);
H.B. No. 2137, H.D. 1 (S.D. 1);
H.B. No. 2143, H.D. 2 (S.D. 1);
H.B. No. 2170, H.D. 1 (S.D. 1);
H.B. No. 2191, H.D. 1 (S.D. 2);
H.B. No. 2215, H.D. 2 (S.D. 2);
H.B. No. 2250, H.D. 2 (S.D. 2);
H.B. No. 2254 (S.D. 1);
H.B. No. 2286, H.D. 1 (S.D. 1);
H.B. No. 2291, H.D. 2 (S.D. 2);
H.B. No. 2292, H.D. 1 (S.D. 1);
H.B. No. 2297, H.D. 1 (S.D. 2);
H.B. No. 2301, H.D. 1 (S.D. 1);
H.B. No. 2320, H.D. 1 (S.D. 1);
H.B. No. 2322, H.D. 1 (S.D. 2);
H.B. No. 2363, H.D. 1 (S.D. 2);
H.B. No. 2385, H.D. 1 (S.D. 1);
H.B. No. 2396, H.D. 2 (S.D. 2);
H.B. No. 2458, H.D. 1 (S.D. 2);
H.B. No. 2459, H.D. 1 (S.D. 2);
H.B. No. 2523, H.D. 1 (S.D. 1);
H.B. No. 2547, H.D. 2 (S.D. 2);

H.B. No. 2569, H.D. 1 (S.D. 1);
 H.B. No. 2578, H.D. 1 (S.D. 2);
 H.B. No. 2608, H.D. 1 (S.D. 1);
 H.B. No. 2611, H.D. 2 (S.D. 2);
 H.B. No. 2645, H.D. 2 (S.D. 2);
 H.B. No. 2662, H.D. 1 (S.D. 1);
 H.B. No. 2667, H.D. 2 (S.D. 1);
 H.B. No. 2674, H.D. 1 (S.D. 1);
 H.B. No. 2703, H.D. 1 (S.D. 2);
 H.B. No. 2716 (S.D. 1);
 H.B. No. 2722, H.D. 1 (S.D. 1);
 H.B. No. 2739, H.D. 1 (S.D. 2);
 H.B. No. 2740, H.D. 1 (S.D. 1);
 H.B. No. 2741, H.D. 1 (S.D. 1);
 H.B. No. 2748 (S.D. 1);
 H.B. No. 2749 (S.D. 1);
 H.B. No. 2759, H.D. 1 (S.D. 1);
 H.B. No. 2773, H.D. 1 (S.D. 1);
 H.B. No. 2774, H.D. 1 (S.D. 1);
 H.B. No. 2786, H.D. 1 (S.D. 2);
 H.B. No. 2792, H.D. 1 (S.D. 2);
 H.B. No. 2798, H.D. 1 (S.D. 2);
 H.B. No. 2814, H.D. 2 (S.D. 1);
 H.B. No. 2815 (S.D. 1);
 H.B. No. 2844, H.D. 1 (S.D. 1);
 H.B. No. 2859, H.D. 2 (S.D. 2);
 H.B. No. 2871, H.D. 2 (S.D. 1);
 H.B. No. 2883, H.D. 2 (S.D. 2);
 H.B. No. 2911, H.D. 2 (S.D. 1);
 H.B. No. 2956, H.D. 1 (S.D. 2); and
 H.B. No. 2961, H.D. 2 (S.D. 2),

was placed on file.

Hse. Com. No. 545, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 2049, H.D. 1 (S.D. 2); and
 H.B. No. 2840, H.D. 1 (S.D. 3),

was placed on file.

Hse. Com. No. 546, informing the Senate that the Speaker on April 15, 2004, 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. 189, H.D. 2 (S.D. 2):

Representatives Arakaki, Hamakawa, Takamine, co-chairs; Ching.

H.B. No. 403, H.D. 1 (S.D. 1):

Representatives Magaoay, M. Oshiro, Nakasone, co-chairs; Halford.

H.B. No. 537, H.D. 1 (S.D. 1):

Representatives Hamakawa, chair; B. Oshiro, Caldwell, Halford.

H.B. No. 680, H.D. 2 (S.D. 1):

Representatives Magaoay, B. Oshiro, Karamatsu, co-chairs; Halford.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, Espero, co-chairs; Trimble as managers on the part of the Senate at such conference.

H.B. No. 1004, H.D. 1 (S.D. 1):

Representatives Hamakawa, chair; B. Oshiro, Ito.

H.B. No. 1259, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Sonson, Souki.

H.B. No. 1261, H.D. 2 (S.D. 1):

Representatives Ito, B. Oshiro, Mindo, co-chairs.

H.B. No. 1335, H.D. 3 (S.D. 2):

Representatives Takai, Kanoho, Kaho`ohalahala, co-chairs.

H.B. No. 1374, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone.

H.B. No. 1560, H.D. 1 (S.D. 1):

Representatives Kanoho, Kaho`ohalahala, co-chairs; Waters.

In accordance therewith, the President appointed Senators Inouye, Kawamoto, Taniguchi, co-chairs; Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1590, H.D. 2 (S.D. 2):

Representatives Ito, Nakasone, co-chairs; Mindo.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Aduja, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1634, H.D. 1 (S.D. 1):

Representatives Morita, Takamine, co-chairs; Waters.

In accordance therewith, the President appointed Senators English, Taniguchi, co-chairs; Kim, Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1710, H.D. 2 (S.D. 2):

Representatives Takai, Wakai, co-chairs; Tamayo, Leong.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1743, H.D. 2 (S.D. 2):

Representatives Morita, Kanoho, B. Oshiro, co-chairs; Bukoski.

In accordance therewith, the President appointed Senators Fukunaga, Inouye, co-chairs; Ihara, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1756, H.D. 2 (S.D. 1):

Representatives Schatz, Wakai, co-chairs; Leong.

In accordance therewith, the President appointed Senators Ige, Taniguchi, co-chairs; Aduja, Fukunaga, Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1765, H.D. 1 (S.D. 1):

Representatives B. Oshiro, chair; Caldwell, Souki, Thielen.

In accordance therewith, the President appointed Senators Kawamoto, Hanabusa, co-chairs; Espero, Trimble as managers on the part of the Senate at such conference.

H.B. No. 1770, H.D. 1 (S.D. 2):

Representatives Souki, Hamakawa, co-chairs; Nishimoto, Wakai, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Hanabusa, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1774, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone.

H.B. No. 1778, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Blundell.

H.B. No. 1780, H.D. 1 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Mindo, Blundell.

H.B. No. 1786, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Jernigan.

H.B. No. 1792, H.D. 2 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Moses.

H.B. No. 1793, H.D. 2 (S.D. 1):

Representatives Kanoho, Magaoay, co-chairs; Kaho`ohalahala, Moses.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Aduja, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1820, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Ito, Stonebraker.

H.B. No. 1839, H.D. 2 (S.D. 2):

Representatives Arakaki, Hiraki, Hamakawa, Takamine, co-chairs; Stonebraker.

In accordance therewith, the President appointed Senators Baker, Menor, Kokubun, co-chairs; Chun Oakland, Inouye, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1840, H.D. 1 (S.D. 1):

Representatives Morita, chair; Waters, Evans, Bukoski.

H.B. No. 1848, H.D. 1 (S.D. 1):

Representatives Morita, Takamine, co-chairs; Waters, Meyer.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.

H.B. No. 1856, H.D. 1 (S.D. 1):

Representatives Takai, chair; Tamayo, Magaoay, Ontai.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1859, H.D. 2 (S.D. 1):

Representatives Kahikina, Hamakawa, co-chairs; B. Oshiro, Shimabukuro, Stonebraker.

In accordance therewith, the President appointed Senators Chun Oakland, Hanabusa, co-chairs; Fukunaga, Hooser, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1860, H.D. 1 (S.D. 2):

Representatives Kahikina, Shimabukuro, co-chairs; Hale, Ching.

In accordance therewith, the President appointed Senators Chun Oakland, Taniguchi, co-chairs; Fukunaga, Inouye, Kanno, Kawamoto, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1885 (S.D. 1):

Representatives Kahikina, Takamine, co-chairs; Shimabukuro, Ching.

In accordance therewith, the President appointed Senators Chun Oakland, Taniguchi, co-chairs; Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1893, H.D. 2 (S.D. 1):

Representatives Takai, Takumi, Takamine, co-chairs; Ontai.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1904, H.D. 1 (S.D. 2):

Representatives Ito, Nakasone, co-chairs; Mindo, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Aduja, Slom as managers on the part of the Senate at such conference.

H.B. No. 1908, H.D. 2 (S.D. 1):

Representatives Takumi, Takamine, co-chairs; Kawakami, Leong.

In accordance therewith, the President appointed Senators Kawamoto, Sakamoto, Taniguchi, co-chairs; Hogue as managers on the part of the Senate at such conference.

H.B. No. 1924, H.D. 1 (S.D. 2):

Representatives M. Oshiro, Takumi, Takamine, co-chairs; Nakasone, Ontai.

In accordance therewith, the President appointed Senators Sakamoto, Kanno, Taniguchi, co-chairs; Hooser, Kokubun as managers on the part of the Senate at such conference.

H.B. No. 1929, H.D. 1 (S.D. 2):

Representatives Takumi, Kawakami, co-chairs; Evans, Ontai.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 1944, H.D. 1 (S.D. 1):

Representatives Takamine, Karamatsu, co-chairs; Wakai, Jernigan.

In accordance therewith, the President appointed Senators English, Taniguchi, co-chairs; Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 1980, H.D. 1 (S.D. 1):

Representatives Hamakawa, chair; B. Oshiro, Caldwell, Marumoto.

H.B. No. 1987, H.D. 1 (S.D. 1):

Representatives Souki, Hiraki, B. Oshiro, co-chairs; Caldwell, Pendleton

In accordance therewith, the President appointed Senators Kawamoto, Hanabusa, co-chairs; Aduja, Whalen as managers on the part of the Senate at such conference.

H.B. No. 1991, H.D. 1 (S.D. 1):

Representatives Arakaki, B. Oshiro, co-chairs; Ito, Nishimoto, Finnegan.

In accordance therewith, the President appointed Senators Baker, Hanabusa, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2005, H.D. 1 (S.D. 1):

Representatives Arakaki, Hiraki, Takamine, co-chairs; Ching.

H.B. No. 2009, H.D. 1 (S.D. 1):

Representatives Abinsay, Takamine, co-chairs; Sonson, Jernigan.

In accordance therewith, the President appointed Senators Kokubun, Inouye, co-chairs; Taniguchi, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2013 (S.D. 2):

Representatives Morita, Hiraki, co-chairs; Herkes, Waters, Bukoski.

In accordance therewith, the President appointed Senators English, Menor, co-chairs; Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2020, H.D. 1 (S.D. 2):

Representatives B. Oshiro, chair; Caldwell, Sonson, Marumoto.

In accordance therewith, the President appointed Senators Chun Oakland, Hanabusa, co-chairs; Fukunaga, Inouye, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2022, H.D. 2 (S.D. 1):

Representatives Kahikina, Arakaki, Kawakami, co-chairs; Nishimoto, Stonebraker.

In accordance therewith, the President appointed Senators Chun Oakland, Taniguchi, co-chairs; Kokubun, Tsutsui, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2023, H.D. 2 (S.D. 2):

Representatives Arakaki, Hamakawa, co-chairs; Shimabukuro, Ching.

In accordance therewith, the President appointed Senators Chun Oakland, Hanabusa, co-chairs; Fukunaga, Hooser, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2025, H.D. 3 (S.D. 2):

Representatives M. Oshiro, B. Oshiro, Nakasone, co-chairs; Blundell.

H.B. No. 2048, H.D. 1 (S.D. 1):

Representatives Morita, Hiraki, co-chairs; Herkes, Bukoski.

In accordance therewith, the President appointed Senators English, Menor, co-chairs; Hooser, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2061, H.D. 2 (S.D. 1):

Representatives Chang, Takamine, co-chairs; Karamatsu, Ontai.

H.B. No. 2074, H.D. 1 (S.D. 1):

Representatives Schatz, Morita, Chang, B. Oshiro, co-chairs; Leong.

In accordance therewith, the President appointed Senators English, Fukunaga, co-chairs; Hooser, Ihara, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2092, H.D. 2 (S.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Caldwell, Marumoto.

H.B. No. 2093, H.D. 1 (S.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Herkes, Caldwell, Finnegan.

In accordance therewith, the President appointed Senators Baker, Menor, co-chairs; Chun Oakland, Espero, Slom as managers on the part of the Senate at such conference.

H.B. No. 2098, H.D. 1 (S.D. 2):

Representatives Arakaki, Hiraki, B. Oshiro, co-chairs; Caldwell, Ching.

In accordance therewith, the President appointed Senators Baker, Hanabusa, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2136, H.D. 1 (S.D. 1):

Representatives Nakasone, Hamakawa, co-chairs; Herkes, Moses.

In accordance therewith, the President appointed Senators Kawamoto, chair; Espero, Kim, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 2137, H.D. 1 (S.D. 1):

Representatives Hiraki, Magaoay, co-chairs; Karamatsu, Marumoto.

H.B. No. 2143, H.D. 2 (S.D. 1):

Representatives Hiraki, chair; Herkes, Caldwell, Thielen.

H.B. No. 2170, H.D. 1 (S.D. 1):

Representatives Kawakami, chair; Shimabukuro, Nishimoto, Moses.

H.B. No. 2191, H.D. 1 (S.D. 2):

Representatives Schatz, Wakai, co-chairs; Karamatsu, Ontai.

In accordance therewith, the President appointed Senators Fukunaga, Ige, Taniguchi, co-chairs; Aduja, Inouye, Kokubun, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2215, H.D. 2 (S.D. 2):

Representatives M. Oshiro, Nakasone, co-chairs; Mindo, Pendleton.

H.B. No. 2223 (S.D. 1):

Representatives Hiraki, chair; Herkes, Ito, Stonebraker.

In accordance therewith, the President appointed Senators Fukunaga, Menor, co-chairs; Ige, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2250, H.D. 2 (S.D. 2):

Representatives Souki, Hamakawa, Takamine, co-chairs; Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Hanabusa, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.

H.B. No. 2254 (S.D. 1):

Representatives B. Oshiro, chair; M. Oshiro, Caldwell, Sonson, Pendleton.

H.B. No. 2286, H.D. 1 (S.D. 1):

Representatives Takai, Takamine, co-chairs; Leong.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2290, H.D. 1 (S.D. 2):

Representatives Souki, Hamakawa, co-chairs; Caldwell, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Hanabusa, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2291, H.D. 2 (S.D. 2):

Representatives Souki, Hamakawa, Takamine, co-chairs; Blundell.

H.B. No. 2292, H.D. 1 (S.D. 1):

Representatives B. Oshiro, Kawakami, co-chairs; Nakasone, Bukoski.

H.B. No. 2297, H.D. 1 (S.D. 2):

Representatives B. Oshiro, Magaoay, co-chairs; Caldwell, Sonson, Thielen.

H.B. No. 2301, H.D. 1 (S.D. 1):

Representatives B. Oshiro, Magaoay, co-chairs; Caldwell, Sonson, Pendleton.

H.B. No. 2320, H.D. 1 (S.D. 1):

Representatives Hamakawa, chair; Sonson, Ito, Chang, Marumoto

H.B. No. 2322, H.D. 1 (S.D. 2):

Representatives Karamatsu, chair; Mindo, Wakai, Meyer.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Espero, Kanno, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2363, H.D. 1 (S.D. 2):

Representatives Hiraki, B. Oshiro, co-chairs; Sonson, Stonebraker.

H.B. No. 2385, H.D. 1 (S.D. 1):

Representatives Kahikina, Arakaki, Hamakawa, co-chairs; Shimabukuro, Ching.

In accordance therewith, the President appointed Senators Chun Oakland, Hanabusa, co-chairs; Hooser, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2396, H.D. 2 (S.D. 2):

Representatives Schatz, Takamine, co-chairs; Wakai, Karamatsu, Ontai.

In accordance therewith, the President appointed Senators Ige, Fukunaga, Taniguchi, co-chairs; Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

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

Representatives M. Oshiro, Arakaki, Hiraki, Takamine, co-chairs; Jernigan.

H.B. No. 2458, H.D. 1 (S.D. 2):

Representatives Kahikina, Hamakawa, co-chairs; Shimabukuro, Sonson, Finnegan.

In accordance therewith, the President appointed Senators Chun Oakland, Hanabusa, co-chairs; English, Fukunaga, Inouye, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2459, H.D. 1 (S.D. 2):

Representatives Kahikina, Arakaki, Takamine, co-chairs; Nishimoto, Shimabukuro, Stonebraker, Moses.

In accordance therewith, the President appointed Senators Chun Oakland, Taniguchi, co-chairs; Hanabusa, Kokubun, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2472, H.D. 2 (S.D. 1):

Representatives Arakaki, Hamakawa, co-chairs; Caldwell, Nishimoto, Finnegan.

In accordance therewith, the President appointed Senators Baker, Hanabusa, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2523, H.D. 1 (S.D. 1):

Representatives Souki, Takamine, co-chairs; Mindo, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Baker, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2547, H.D. 2 (S.D. 2):

Representatives Takai, Takamine, co-chairs; Nakasone, Tamayo, Leong.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Slom as managers on the part of the Senate at such conference.

H.B. No. 2569, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Kanoho, Marumoto.

In accordance therewith, the President appointed Senators Fukunaga, Menor, co-chairs; Aduja, Slom as managers on the part of the Senate at such conference.

H.B. No. 2578, H.D. 1 (S.D. 2):

Representatives Waters, chair; Shimabukuro, Kaho`ohalahala, Karamatsu, Jernigan.

In accordance therewith, the President appointed Senators English, Kokubun, co-chairs; Hooser, Taniguchi, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2608, H.D. 1 (S.D. 1):

Representatives Chang, B. Oshiro, Takamine, co-chairs; Karamatsu.

H.B. No. 2611, H.D. 2 (S.D. 2):

Representatives Schatz, Chang, Takamine, co-chairs; Wakai, Ontai.

In accordance therewith, the President appointed Senators Fukunaga, Ige, Taniguchi, co-chairs; Aduja, Espero, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2645, H.D. 2 (S.D. 2):

Representatives Takumi, M. Oshiro, Kawakami, co-chairs; Nakasone, Ontai.

H.B. No. 2662, H.D. 1 (S.D. 1):

Representatives Ito, Schatz, Takamine, co-chairs; Mindo, Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Fukunaga, Taniguchi, co-chairs; Whalen as managers on the part of the Senate at such conference.

H.B. No. 2667, H.D. 2 (S.D. 1):

Representatives Kanoho, Takumi, Takamine, co-chairs; Kaho`ohalahala, Ching.

H.B. No. 2674, H.D. 1 (S.D. 1):

Representatives Hamakawa, Hiraki, co-chairs; Herkes, Caldwell, Thielen.

H.B. No. 2703, H.D. 1 (S.D. 2):

Representatives Nakasone, chair; Mindo, Karamatsu, Shimabukuro, Jernigan.

In accordance therewith, the President appointed Senators Kawamoto, Inouye, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2716 (S.D. 1):

Representatives Kanoho, Kaho`ohalahala, co-chairs; Waters, Jernigan.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Espero, Kokubun, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2722, H.D. 1 (S.D. 1):

Representatives Nishimoto, chair; Kaho`ohalahala, Waters, Meyer.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairs; Espero, Kokubun, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2739, H.D. 1 (S.D. 2):

Representatives Nakasone, chair; Wakai, Karamatsu, Waters, Moses.

In accordance therewith, the President appointed Senators Ige, Taniguchi, co-chairs; Aduja, Fukunaga, Kokubun, Hemmings as managers on the part of the Senate at such conference.

H.B. No. 2740, H.D. 1 (S.D. 1):

Representatives M. Oshiro, chair; Nakasone, Ito, Mindo, Pendleton.

H.B. No. 2741, H.D. 1 (S.D. 1):

Representatives M. Oshiro, Takamine, co-chairs; Nakasone, Mindo.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2748 (S.D. 1):

Representatives Takamine, chair; Kawakami, Nakasone, Meyer.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Slom as managers on the part of the Senate at such conference.

H.B. No. 2749 (S.D. 1):

Representatives Takamine, chair; Kawakami, Magaoay, Bukoski.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kokubun, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2759, H.D. 1 (S.D. 1):

Representatives Takamine, chair; Kaho`ohalahala, Waters, Moses.

In accordance therewith, the President appointed Senators Taniguchi, chair; Kawamoto, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2773, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Herkes, Sonson, Caldwell, Marumoto.

H.B. No. 2774, H.D. 1 (S.D. 1):

Representatives Hiraki, chair; Sonson, Caldwell, Thielen.

H.B. No. 2786, H.D. 1 (S.D. 2):

Representatives B. Oshiro, chair; Sonson, Ito, Caldwell, Pendleton

H.B. No. 2792, H.D. 1 (S.D. 2):

Representatives Kanoho, Souki, Hamakawa, co-chairs; Finnegan.

In accordance therewith, the President appointed Senators Inouye, Kawamoto, Hanabusa, co-chairs; Whalen as managers on the part of the Senate at such conference.

H.B. No. 2798, H.D. 1 (S.D. 2):

Representatives Arakaki, Hiraki, co-chairs; Nishimoto, Herkes, Stonebraker.

In accordance therewith, the President appointed Senators Baker, Menor, co-chairs; Chun Oakland, Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2814, H.D. 2 (S.D. 1):

Representatives Arakaki, Nishimoto, co-chairs; Shimabukuro, Ching.

In accordance therewith, the President appointed Senators Baker, Kokubun, co-chairs; English, Tsutsui, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2815 (S.D. 1):

Representatives Takumi, Takamine, co-chairs; Evans, Ontai.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2859, H.D. 2 (S.D. 2):

Representatives Hale, Takamine, co-chairs; Nishimoto, Ching.

In accordance therewith, the President appointed Senators Inouye, Kim, Taniguchi, co-chairs; Kokubun, Tsutsui, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2871, H.D. 2 (S.D. 1):

Representatives Arakaki, M. Oshiro, Takumi, co-chairs; Leong.

H.B. No. 2883, H.D. 2 (S.D. 2):

Representatives Souki, Hiraki, Takamine, co-chairs; Blundell.

In accordance therewith, the President appointed Senators Kawamoto, Menor, co-chairs; Aduja, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2911, H.D. 2 (S.D. 1):

Representatives Takumi, Takamine, co-chairs; Magaoay.

In accordance therewith, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Kokubun, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2956, H.D. 1 (S.D. 2):

Representatives Souki, Takamine, co-chairs; Caldwell, Mindo, Moses.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

H.B. No. 2961, H.D. 2 (S.D. 2):

Representatives Morita, Takamine, co-chairs; Waters, Bukoski.

In accordance therewith, the President appointed Senators Fukunaga, Menor, Taniguchi, co-chairs; English, Kokubun, Tsutsui, Slom as managers on the part of the Senate at such conference,

was placed on file.

Hse. Com. No. 547, informing the Senate that the Speaker on April 15, 2004, 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. 2049, H.D. 1 (S.D. 2):

Representatives Morita, Hiraki, co-chairs; Herkes, Thielen.

H.B. No. 2840, H.D. 1 (S.D. 3):

Representatives Kanoho, Schatz, Kaho`ohalahala, co-chairs; Finnegan,

was placed on file.

Hse. Com. No. 548, informing the Senate that the Speaker on April 15, 2004, 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. 3025 (H.D. 1):

Representatives Kanofo, Takamine, co-chairs; Kaho`ohalahala, Kawakami,

was placed on file.

Hse. Com. No. 549, informing the Senate that the Speaker on April 15, 2004, made the following changes to the conferees on the following bill:

H.B. No. 2023, H.D. 2 (S.D. 2):

Appointed Representative Kahikina as first co-chair.
Discharged Representative Arakaki as first co-chair,

was placed on file.

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.

Hse. Com. No. 550, returning S.B. No. 2842, S.D. 1, which passed Third Reading in the House of Representatives on April 15, 2004, in an amended form, was placed on file.

Senator Hanabusa then moved that the Senate agree to the amendments proposed by the House to S.B. No. 2842, S.D. 1, seconded by Senator Chun Oakland.

Senator Hanabusa noted:

"Mr. President, S.B. No. 2842, S.D. 1, H.D. 4, contains in it, basically, enabling legislation for the constitutional amendment which we are calling the 'Megan's amendment.'

"What this amendment has done is to create a task force very similar to the information charging task force, which we have used for the constitutional amendment that will be put on the ballot that cures the defect. So this is a similar kind of enabling legislation – the creation of a task force to put into play Megan's amendment."

At 11:55 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.

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2842, S.D. 1, and S.B. No. 2842, S.D. 1, H.D. 4, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES," was placed on the calendar for Final Reading on Monday, April 26, 2004.

Hse. Com. No. 551, returning S.B. No. 2843, S.D. 1, which passed Third Reading in the House of Representatives on April 15, 2003, in an amended form, was placed on file.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 2843, S.D. 1, seconded by Senator Chun Oakland.

Senator Hanabusa noted:

"Mr. President, S.B. No. 2843, S.D. 1, H.D. 2, is what we call the constitutional amendment that will address the Megan's issue.

"What the House did is to add the phrase in here that basically sets forth the time after which the conditions under which a convicted person may petition for the termination of public access.

"So this is basically just termination of their placement on it. However, this bill must be read in conjunction with S.B. No. 2842, H.D. 4, which has the enabling legislation. This is the constitutional amendment for Megan."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2843, S.D. 1, and S.B. No. 2843, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII," was placed on the calendar for Final Reading on Monday, April 26, 2004.

Hse. Com. No. 552, returning S.B. No. 2846, S.D. 1, which passed Third Reading in the House of Representatives on April 15, 2003, in an amended form, was placed on file.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 2846, S.D. 1, seconded by Senator Chun Oakland.

Senator Hanabusa noted:

"Mr. President, in S.B. No. 2846, S.D. 1, what the House did was they amended what we call the close constitutional amendment which resulted in the decision by the Hawaii Supreme Court in the Peseti Case.

"What the House did was really more technical in that they moved a portion of Section 2 of the bill within the bill itself, but the questions remains primarily the same that we are going to propose.

"Again, this is the constitutional amendment called Peseti. And for those who don't remember Peseti, Peseti is what is also called the rape shield law."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2846, S.D. 1, and S.B. No. 2846, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE I, SECTION 14, OF THE HAWAII CONSTITUTION," was placed on the calendar for Final Reading on Monday, April 26, 2004.

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.

STANDING COMMITTEE REPORTS

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3436) recommending that the Senate advise and consent to the nominations to the Center for Nursing Advisory Board of the following:

ARLENE E. ILAE, in accordance with Gov. Msg. Nos. 404 and 405; and

KEVIN MULLIGAN, in accordance with Gov. Msg. No. 406.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3436 and Gov. Msg. Nos. 404, 405 and 406 was deferred until Monday, April 19, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3437) recommending that the Senate advise and consent to the nomination of CARLITO P. CALIBOSO to the Public Utilities Commission (PUC), in accordance with Gov. Msg. No. 407.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3437 and Gov. Msg. No. 407 was deferred until Monday, April 19, 2004.

ORDER OF THE DAY

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 15, 2004

H.C.R. No. 72, H.D. 1 (Hse. Com. No. 519):

By unanimous consent, action on H.C.R. No. 72, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO RELAX RESTRICTIONS ON THE GRANTING OF NONIMMIGRANT VISAS TO NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF BUSINESS, TOURISM, AND STUDY IN THE UNITED STATES," was deferred until Monday, April 19, 2004.

H.C.R. No. 73 (Hse. Com. No. 520):

By unanimous consent, action on H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING DEL MONTE AND THE GALBRAITH ESTATE TO ALLOW RESIDENTS TO CONTINUE TO RESIDE AT POAMOHO CAMP UNTIL AT LEAST DECEMBER 2005, TO ALLOW THE RESIDENTS TIME TO FIND HOUSING SOLUTIONS OR AFFORDABLE ALTERNATIVE HOUSING," was deferred until Monday, April 19, 2004.

H.C.R. No. 81, H.D. 1 (Hse. Com. No. 521):

By unanimous consent, action on H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003," was deferred until Monday, April 19, 2004.

H.C.R. No. 84 (Hse. Com. No. 522):

By unanimous consent, action on H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO SPEEDILY REBUILD A SCHOOL OF GLOBAL AND PUBLIC HEALTH," was deferred until Monday, April 19, 2004.

H.C.R. No. 108 (Hse. Com. No. 523):

By unanimous consent, action on H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION CALLING ON THE PEOPLE'S REPUBLIC OF CHINA IMMEDIATELY AND UNCONDITIONALLY TO RELEASE REBIYA KADEER AND URGING PRESIDENT BUSH TO TAKE

URGENT STEPS TO SECURE THE RELEASE OF REBIYA KADEER AS SOON AS POSSIBLE," was deferred until Monday, April 19, 2004.

H.C.R. No. 111 (Hse. Com. No. 524):

By unanimous consent, action on H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE GOVERNOR TO RELEASE THE FUNDS APPROPRIATED FOR THE ACQUISITION OF PARADISE PARK IN MANOA," was deferred until Monday, April 19, 2004.

H.C.R. No. 115, H.D. 1 (Hse. Com. No. 525):

By unanimous consent, action on H.C.R. No. 115, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ADDRESS LIGHT POLLUTION ISSUES THROUGH THEIR BUILDING ORDINANCES," was deferred until Monday, April 19, 2004.

H.C.R. No. 145 (Hse. Com. No. 526):

By unanimous consent, action on H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING THE RIGHTS OF UNITED STATES CITIZENS IN FOREIGN COUNTRIES," was deferred until Monday, April 19, 2004.

H.C.R. No. 153, H.D. 1 (Hse. Com. No. 527):

By unanimous consent, action on H.C.R. No. 153, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED NATIONS TO CONSIDER ESTABLISHING IN HAWAII A CENTER FOR THE ADVANCEMENT OF GLOBAL HEALTH, WELFARE, EDUCATION, AND PEACE BY AND FOR CHILDREN, YOUTH, AND FAMILIES," was deferred until Monday, April 19, 2004.

H.C.R. No. 158 (Hse. Com. No. 528):

By unanimous consent, action on H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING A COLLEGE OF PHARMACY AT THE UNIVERSITY OF HAWAII AT HILO," was deferred until Monday, April 19, 2004.

H.C.R. No. 197, H.D. 1 (Hse. Com. No. 529):

By unanimous consent, action on H.C.R. No. 197, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH THE COMMUNITY TO ASSESS THE FEASIBILITY OF DEVELOPING A PARK AT KEHENA BEACH, HAWAII," was deferred until Monday, April 19, 2004.

H.C.R. No. 214 (Hse. Com. No. 530):

By unanimous consent, action on H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII 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," was deferred until Monday, April 19, 2004.

H.C.R. No. 250 (Hse. Com. No. 531):

By unanimous consent, action on H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT H.R. 677 EXTENDING VETERANS' BENEFITS TO FILIPINO VETERANS," was deferred until Monday, April 19, 2004.

H.C.R. No. 216 (Hse. Com. No. 532):

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY THE KO'OLAU GREENBELT AND HERITAGE TRAILS SYSTEM TO PROVIDE A HOLISTIC APPROACH TO WATERSHED PROTECTION AND ENCOURAGE PUBLIC AND PRIVATE PARTNERSHIPS TO DETERMINE THE FUTURE OF THE ENTIRE KO'OLAU SYSTEM," was deferred until Monday, April 19, 2004.

H.C.R. No. 236, H.D. 1 (Hse. Com. No. 533):

By unanimous consent, action on H.C.R. No. 236, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW AND CONSIDER WHETHER THE EXCEPTION OF PSEUDOEPHEDRINE FROM THE REPORTING, RECORDKEEPING, AND PERMIT REQUIREMENTS GENERALLY APPLICABLE TO LIST 1 CHEMICALS SHOULD BE REPEALED," was deferred until Monday, April 19, 2004.

H.C.R. No. 245, H.D. 1 (Hse. Com. No. 534):

By unanimous consent, action on H.C.R. No. 245, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII FOOD INDUSTRY ASSOCIATION AND THE HAWAII RETAIL ASSOCIATION TO REPORT ON THE BACKHAUL OF SHIPPING AND PACKING MATERIALS AND PALLETS," was deferred until Monday, April 19, 2004.

H.C.R. No. 258 (Hse. Com. No. 535):

By unanimous consent, action on H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was deferred until Monday, April 19, 2004.

H.C.R. No. 265, H.D. 1 (Hse. Com. No. 536):

By unanimous consent, action on H.C.R. No. 265, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE OFFICE OF YOUTH SERVICES TO DEVELOP A PLAN FOR CREATING AND IMPLEMENTING GENDER RESPONSIVE ENVIRONMENTS AT THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AND AT THE HAWAII YOUTH CORRECTIONAL FACILITY," was deferred until Monday, April 19, 2004.

H.C.R. No. 266 (Hse. Com. No. 537):

By unanimous consent, action on H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO REPEAL THE CHANGES MADE BY THE BUSH ADMINISTRATION TO THE CLEAN AIR ACT IN 2002," was deferred until Monday, April 19, 2004.

FINAL READING

S.B. No. 2294, S.D. 1, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2294, S.D. 1, and S.B. No. 2294, S.D. 1, H.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, 21. Noes, none. Excused, 4 (Ige, Kim, Menor, Sakamoto).

S.B. No. 2443, S.D. 1, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2443, S.D. 1, and S.B. No. 2443, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' LIENS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Menor, Sakamoto).

S.B. No. 2577, S.D. 1, H.D. 2:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2577, S.D. 1, and S.B. No. 2577, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PEER REVIEW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, Menor, Sakamoto).

S.B. No. 2844, S.D. 1, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2844, S.D. 1, and S.B. No. 2844, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ige, Menor).

S.B. No. 3222, S.D. 2, H.D. 2:

On motion by Senator Baker, seconded by Senator Espero and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3222, S.D. 2, and S.B. No. 3222, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen). Excused, 2 (Ige, Menor).

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

ADVISE AND CONSENT

Stand. Com. Rep. No. 3320 (Gov. Msg. No. 153):

Senator Kanno moved that Stand. Com. Rep. No. 3320 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 HENRY F. BEERMAN to the Board of Trustees of the Employees' Retirement System (ERS), term to expire January 1, 2009, 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 (Ige).

Stand. Com. Rep. No. 3321 (Gov. Msg. No. 185):

Senator Kanno moved that Stand. Com. Rep. No. 3321 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 SANDRA YAHIRO to the Board of Trustees of the Deferred Compensation Plan, term to expire June 30, 2006, 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 (Ige).

Stand. Com. Rep. No. 3322 (Gov. Msg. Nos. 311, 312, 313, 314, 315, 316, 317, 318 and 319):

Senator Kanno moved that Stand. Com. Rep. No. 3322 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 Hawai'i Workforce Development Council of the following:

TODD K. APO, term to expire June 30, 2007 (Gov. Msg. No. 311);

MARCIA A. ARMSTRONG, term to expire June 30, 2007 (Gov. Msg. No. 312);

MICHAEL FITZGERALD, term to expire June 30, 2007 (Gov. Msg. No. 313);

SIGNE A. GODFREY, term to expire June 30, 2007 (Gov. Msg. No. 314);

ERWIN HUDELIST, term to expire June 30, 2007 (Gov. Msg. No. 315);

WAYNE K. KANEMOTO, term to expire June 30, 2005 (Gov. Msg. No. 316);

STEVE B. METTER, term to expire June 30, 2007 (Gov. Msg. No. 317);

DARNNEY L. PROUDFOOT, term to expire June 30, 2007 (Gov. Msg. No. 318); and

GREGG T. YAMANAKA, term to expire June 30, 2007 (Gov. Msg. No. 319),

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 (Ige).

Stand. Com. Rep. No. 3380 (Gov. Msg. No. 421):

Senator Hanabusa moved that Stand. Com. Rep. No. 3380 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Hanabusa then moved that the Senate consent to the nomination of BERT I. AYABE to the office of Judge, 21st Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

"Mr. President, I rise to speak in favor of Gov. Msg. No. 421. Gov. Msg. No. 421, Mr. President, is consideration and confirmation to the Circuit Court of the First Circuit, the Twenty-first Division, Bert I. Ayabe for a term of ten years.

"Mr. President, colleagues, his name may be very familiar because on April 4th of last year we had confirmed Mr. Ayabe to a District Court position at that time. Just to refresh your recollection, Mr. Ayabe's education was Kaimuki High School. I remember one of the testifiers made it a point at that time to say that Mr. Ayabe turned down Punahou for Kaimuki. He did his undergraduate studies at the University of Hawaii and got his law degree at Hastings College of Law. He has practiced law since 1981.

"The testimony we received last year was that he had an extensive private practice, and right before he applied for the judgeship he was then doing a lot of arbitration and mediation, which was a positive reflection upon him.

"The Hawaii State Bar Association came forward and found Mr. Ayabe highly qualified again. They gave a vote of 10 highly qualified; 3 qualified; and 1 person abstained.

"The testimony was very supportive of Mr. Ayabe, as it had been last year as well, and I would just like to highlight some of them. One of the highest compliments came from Richard Turbin not in is role as the future president of the Hawaii State Bar Association, and he was there to testify for the Hawaii State Bar Association, but as a private attorney who had really been an adversary of Mr. Ayabe. He informed us that he was so impressed with Mr. Ayabe that he had asked Mr. Ayabe after that time to serve as a mediator and arbitrator on many of his cases. In essence, he was looking to him to resolve much of his difficult matters.

"Peter Carlisle, who asked to be taken out of order because, as we all know, he is in a very, very visible case, the Aki trial at this time, said that Judge Ayabe was absolutely terrific. He said that his prosecutors that report to him said that the thing that made Judge Ayabe such a very good judge was that he never tried to guess and he never faked it. Basically, if he didn't know the answer, he would find out before he made that decision. This sentiment was shared by the other side, so to speak, by John Tonaki, who is the public defender. He said his public defenders are very impressed with Judge Ayabe,

especially with his great temperament and the manner and the skill with which he handles that district court.

“Members, to understand what a compliment that is, you’ve got to be in district court. District Court is like that show ‘Night Court’ that they used to have. It’s not quite that bad but it gets pretty close sometimes and we have a judge who handles it very well.

“John Komeiji, someone who many of us know, said that he actually went to watch Judge Ayabe because he had spoken so highly of him last time that he wanted to make sure that when he appeared before the Committee, he wouldn’t be shot down by somebody saying, ‘Is he really as good as all of that?’ And he said, ‘Yes, he is very good.’ And then he told us probably the reason why Bert Ayabe stayed at Kaimuki High School. He said that Bert Ayabe likes to be called Mr. Bulldog. That’s Kaimuki High School’s mascot. Because he can now claim that he will be the highest ranking official who graduated from Kaimuki High School. Now I don’t think that’s the reason he turned down Punahou, but who knows. You would have to ask our Punahou colleague across the way if that’s true.

“But I waited, and of course the person that I always want to hear from whenever I hear Bert Ayabe’s name is his coach. Some of you remember him, Mr. Charlie Miyashiro. He was the one who sent me to research who is Jack Armstrong, the All-American Boy. Well anyway, the Coach came and testified. This time he added something new to his testimony. He said that since the last time he was there, he has been inducted, this is the Coach, has been inducted into the National High School Football Hall of Fame, and it was a big event. And then he smiled and said the reason I’m telling you this is so that you put credibility to what I say when I say he’s a great guy. You know, to have your coach from high school be the cheerleader for you and to be there as president of your fan club is a very high tribute. He said that he learned that to have success as a coach you must be fair, firm and friendly. That is the formula for a good coach, the formula for a good leader. And then he said it’s got to be a formula for a good judge and that all of those characteristics he attributes to Bert Ayabe.

“Mr. President and colleagues, I say that on Coach Miyashiro alone, we should confirm Bert Ayabe. The Coach went on to tell me that one of the first coaching, I guess, scrimmages he had was with Waianae High School and they lost three times. I don’t think he told me that to kind of affect my decision that Bert Ayabe is okay because here’s a coach who would throw a game for him, but no, he didn’t know that Bert Ayabe would be before us.

“This is a great person and I understand he’s in the gallery today. This is the Coach . . . not to take anything away from Bert Ayabe, but that’s the kind of support that present Judge Ayabe has, and I ask that you join me in confirming him to the First Circuit Court of the Twenty-first Circuit.

“Thank you.”

Senator Hogue rose in support of the nominee and said:

“Mr. President, I rise in support of this nominee, Bert Ayabe, who has shown great compassion, thoroughness, and willingness to be tremendously prepared on the bench, and all of the great things that have been afforded him are absolutely true.

“He also shows a great warmth when you talk with him in person. I should tell you that he’s also the father of a future girl’s basketball star at Punahou, by the way, interestingly enough. We had a great discussion about the world of sports.

When you participate in sports, you really understand the full person. And I think that because of his understanding of the world of sports, he will understand the people that come before him in the courtroom and he will do an absolutely terrific, terrific job. It’s been a wonderful training ground for him and he will be, indeed, Mr. Bulldog, Mr. Compassionate Bulldog on the bench.

“So, we give him our full unqualified support. Thank you, Mr. President.”

Senator Aduja rose in support and stated:

“I rise in support of the confirmation of Bert Ayabe to the Circuit Court of the First Judicial Circuit.

“I have known Judge Ayabe on a professional level for several years. Early on, we were adversaries in a contested summary possession case. He represented the landlord while I represented the tenant. The tenant alleged constructive eviction as a basis for failing to pay rent. Judge Ayabe and I went back and forth on the issue, but it was Judge Ayabe’s keen eye, fairness, and understanding that stands out in my memory of him during the case. We soon came to an amicable agreement and fair resolution, despite the difficulty of my client. I admired Judge Ayabe for his forthrightness, his professionalism and his character.

“From what I hear of his year on the District Court Bench, he has performed with exemplary service. Judge Ayabe’s experience in the District Court where he served on the Criminal Division is a fantastic introduction to the next branch of the judiciary. Judge Ayabe traveled to the County Courts: Waianae District Court, Ewa District Court, Kaneohe District Court, and Waipahu District Court.

“Judge Bert Ayabe has demonstrated a very high level of skill, patience, knowledge of the law and judicial temperament. He is fair, calm, and impartial. There is no doubt in my mind that he will serve as an excellent Circuit Court Judge.

“While I do not sit on the Judiciary Committee, I did attend the hearing as I had particular interest in Bert Ayabe and Alexa Fujise through my prior experiences with them. It was wonderful to see the overwhelming support that both nominees received. With that, I wholeheartedly recommend that we join in support of Judge Ayabe’s confirmation to the Circuit Court of the First Judicial Circuit.

“Thank you.”

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

Ayes, 25. Noes, none.

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

Stand. Com. Rep. No. 3381 (Gov. Msg. No. 422):

Senator Hanabusa moved that Stand. Com. Rep. No. 3381 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 ALEXA D.M. FUJISE to the office of Associate Judge, Intermediate Court of Appeals, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, seconded by Senator Chun Oakland.

Senator Hanabusa rose to speak in support of the nominee and said:

“Mr. President, I rise to speak in favor of Gov. Msg. No. 422.

“Mr. President, Gov. Msg. No. 422 is consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, gubernatorial nominee Alexa Fujise for the term of ten years.

“Mr. President, Ms. Fujise is a University of Hawaii Manoa grad and of William S. Richardson School of Law. In other words, she is completely homegrown. She has practiced law since 1980 and her experience has been clerking for Chief Justice Herman Lum. She has been employed three years at the Office of the Disciplinary Counsel, and for the last 20 years she’s worked for the Department of the Prosecuting Attorney in the capacity of their appellate work. She basically is the supervisor for their appellate division at this time.

“The Hawaii State Bar Association found Ms. Fujise qualified with four voting highly qualified and ten qualified. Mr. President, I do want to make a statement about that because the testimony that I received plus what I know of Ms. Fujise and also from all the testimony that we received and those who came forward to actually give tribute to her, that this ranking is one that is wrong. It’s caused myself and members of the Committee to really stop and wonder.

“The reason I raise this, Mr. President, is because statistically we have come across a very interesting thin in the Hawaii State Bar Association. Since last year until this we have confirmed six women judges. We had one highly qualified, I believe, on the system before they instituted this new one, and the subsequent five were four qualified, and one not qualified. One of the ones just receiving a qualified rating is Ms. Fujise.

“The men, on the other hand, Mr. President, were 11 in number – nine highly qualified, one qualified, and one not qualified. Members, the reason I raise this is because for those of you who are looking at the ranking from the Bar Association, I do not want you to hold it in any way in a lessor light of Ms. Fujise, because you will hear, from what I’m about to tell you, how very qualified she is, but there is something foul with that system that cause myself and fellow members of the Committee really cause us to pause and ponder.

“Let me tell you what the testimony was for Ms. Fujise. Peter Carlisle, who took time off of the Aki case, said one of the most humbling things that I’ve ever heard Peter Carlisle say. And you’ve got to know Peter Carlisle and been in hearings after hearings of him to appreciate this. He said that he would really, really miss her. And the reason why is because Ms. Fujise would not tell him what he wanted to hear but tell him what he needed to hear. But he real skill for Ms. Fujise is that Peter Carlisle would listen. Now that, in and of itself, is a great esteem. I don’t know that the prosecutor’s office is going to do without someone who can make Peter Carlisle listen. He said, when she said something to him, she would listen because it was just the package of how she presented herself – very calm, very well reasoned, very detailed, and so knowledgeable of the law that even Peter Carlisle listened.

“On the other side of the fence, John Tonaki, the public defender, said that he strongly supported her in this nomination because of the fact that he said when you had Alexa Fujise on the other side of you, you knew you had to be ready because she was a very formidable opponent. He said that she was very well reasoned and thorough in all of the briefs that she did. So

when they saw her name, they made sure that they were very prepared.

“Lori Nishimura, which many of us know in the role as basically the government liaison for the prosecutor’s office, called Ms. Fujise the pillar of the prosecutor’s office. And she relayed a story that I think really sums it up. She said that as she sat there talking to Ms. Fujise, the phone rang and there was a frantic prosecutor in the court on some issue of law and needed a response immediately. And she said Alexa Fujise calmly explained the law to this prosecutor and said it wasn’t in any way condescending or anything. It was a very reasoned, comforting way and she got that prosecutor through what would normally be a major crisis.

“A friend of many of us is, of course, former Senator/District Court Judge Russell Blair. And he had an interesting slant. He said he would be absolutely delighted to have had or to have Alexa Fujise second guess any of his decisions, and he felt that she would also be an excellent choice on the Appellate Court.

“Mr. President, what we need on the Appellate Court are people who know the law, are willing to study, willing to put in the time, and willing to understand what the law really means. And I think we have that in Alexa Fujise. So I ask that you and my colleagues join me in consenting to her nomination.

“Thank you very much.”

Senator Hogue also rose in support of the nominee and stated:

“Mr. President, I wanted to give bipartisan support to this nominee, Alexa Fujise.

“You’ve heard me, colleagues, talk about the aura of fairness about some of the judge nominees that we’ve had here and certainly Ms. Fujise has that. She has the aura of fairness about her and that’s so very important when you go to the bench. But she also has an aura of calmness, and I think when you face that kind of a situation when sometimes things are a little bit crazy, the attorneys are crazy, the plaintiff is crazy, the defendant is crazy, etc., etc., you need someone there on the bench that has and exudes that aura of calmness. So, we certainly appreciate that and we know that you will do a terrific, terrific job . . . very serious, very focused, very thorough and very highly qualified.

“Regarding the Judiciary Chairman’s concerns about the Hawaii State Bar Association, I want to echo those as well. Let’s call a spade a spade. Obviously we have some male chauvinists in the HSBA and that’s just got to stop, just absolutely got to stop. They have got to not be taking gender into consideration when they consider whether someone is highly qualified or qualified . . . just absolutely have to look at the person. There are some problems going on with the Hawaii State Bar Association and they’ve got to get their house in order.

“There is no doubt in my mind and those on the Committee that Alexa Fujise is highly qualified and we recommend her highly. Thank you very much, Mr. President.”

Senator Aduja rose in support of the nominee and stated:

“Senate President and colleagues, I rise in support of the confirmation of Alexa Fujise to the Intermediate Court of Appeals.

“In 1987, fresh out of law school and having recently passed the Hawaii bar exam, I was hired as a deputy prosecuting

attorney, and assigned to the appellate division. Alexa Fujise, at that time, was one of the top deputies in the division.

"To give you the flavor of the hierarchy in the department, Alexa, a top deputy, had an office. My office was a small desk in the library. Alexa soon became my mentor and my friend. The Prosecutor's office was a wonderful learning ground that I will never forget, partly because of the fast pace of moving hundreds of cases within a relatively short period of time as per our constitutional requirements and partly because of the great attorneys that comprised the department. Alexa Fujise was and is one of those great attorneys. The average 'life span' of a Deputy Prosecuting Attorney is two to three years. My own career at the Prosecutor's Office lasted three-and-a-half years. Alexa's career spanned two decades solely in the Appellate Division.

"Alexa has supervised and consulted with the appellate deputy in over 1400 cases. She has supervised and substantively edited briefs by law clerks in over 600 cases. She has written briefs without presenting arguments in over 160 cases, written appellate briefs and presented arguments in over 55 cases, and has presented arguments without briefs in 11 cases. That is over 2,226 cases, some becoming published opinions.

"The expertise gained in the area of criminal law at the Prosecutor's Office is impeccable. The issues of a legal search and seizure, confession law, statutory construction, double jeopardy, admissibility of evidence, right to due process including prosecutorial misconduct, ineffective assistance of counsel and juror misconduct are all typical issues faced by an appellate advocate.

"In my opinion, Mr. President, there can be no one more qualified for this position in the Intermediate Court of Appeals. Her experience and love for this area of the law is beyond reproach. Her temperament is calm and collected and her disposition is fair and impartial.

"She is married to the former District and Circuit Court Judge and U.S. Magistrate Francis Yamashita, whom I have also encountered during my practice as a deputy prosecuting attorney and private practitioner on many occasions. Magistrate Yamashita has always been fair and impartial with an excellent judicial temperament. Alexa will also be an excellent judge.

"Colleagues, please join me in confirming Alexa Fujise to the Intermediate Court of Appeals."

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 Fujise and her family to the members of the Senate.

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

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

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM THURSDAY, APRIL 15, 2004

Stand. Com. Rep. No. 3323 (S.C.R. No. 13):

Senator Kawamoto moved that Stand. Com. Rep. No. 3323 and S.C.R. No. 13 be adopted, seconded by Senator Hogue.

Senator Slom rose to speak in opposition to several resolutions and said:

"Mr. President, I rise in opposition to several of these resolutions.

"We all know that resolutions are really not that important because they don't have the force of law and they just request or they urge or they ask, but they are important because they are a record of what we do and they are a record of our votes. Unfortunately, my understanding is that our votes in opposition to any of these are actually not recorded and what the Clerk records is whether or not the resolution is adopted either unanimously or not unanimously.

"I think it's important because there've been a number of times when resolutions have been passed and people have then later said this is reflective of the Legislature, meaning all 76 Legislators. A case in point is last year when our good friends across the hall there introduced that wonderful resolution, the aloha to Saddam Hussein, giving him all kinds of praise and everything else. A lot of people said later they were caught by surprise where it was because they voted on 30 or 40 or 50 at the time.

"So, I'm going to just list very briefly the objections that I have, but I would suggest that in the future, if we're going to be doing a major 29 pages worth of resolutions, then we should allocate a little bit more time and have discussion on these resolutions.

"Saying that, Mr. President and Senate Clerk, please cast my 'no' vote on committee reports 3323, 3324, which is S.C.R. No. 13 and S.C.R. No. 15, which I think will have a deleterious effect on non-union construction companies in this major military government project.

"Thank you."

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 13, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ENSURE THAT AT LEAST EIGHTY PER CENT OF FEDERAL EXPENDITURES REMAIN IN HAWAII, AND THE RIGHTS OF LOCAL UNION LABOR TO FAIR WAGES UNDER THE DAVIS-BACON ACT ARE NOT CIRCUMVENTED, ON THE U.S. MILITARY PRIVATIZATION CONSTRUCTION CONTRACTS FOR IMPROVEMENTS ON HAWAII MILITARY BASES," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3324 (S.R. No. 15):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 15, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ENSURE THAT AT LEAST EIGHTY PER CENT OF FEDERAL EXPENDITURES REMAIN IN HAWAII, AND THE RIGHTS OF LOCAL UNION LABOR TO FAIR WAGES UNDER THE DAVIS-BACON ACT ARE NOT CIRCUMVENTED, ON THE U.S. MILITARY PRIVATIZATION CONSTRUCTION CONTRACTS FOR IMPROVEMENTS ON HAWAII MILITARY BASES," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3325 (S.C.R. No. 101, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 101, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE EAST-WEST CENTER TO CONDUCT AN INVENTORY OF INTERNATIONAL ACTIVITIES IN HAWAII TO AID BUSINESS, GOVERNMENT, AND CIVIC ORGANIZATIONS," was adopted.

Stand. Com. Rep. No. 3326 (S.C.R. No. 146, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 146, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII HEALTH SYSTEMS CORPORATION AND ST. FRANCIS HEALTHCARE SYSTEM TO CONTINUE THEIR PARTNERSHIP IN SERVING THE NEEDS OF DIALYSIS PATIENTS IN THE PUNA DISTRICT OF THE ISLAND OF HAWAII BY EXPANDING ITS NETWORK OF DIALYSIS TREATMENT FACILITIES TO THE KEAAU FAMILY CENTER IN THE PUNA DISTRICT AND BY CONDUCTING A NEEDS ASSESSMENT THAT WILL DETERMINE THE COST AND REQUIREMENTS OF ESTABLISHING A DIALYSIS CENTER IN PUNA," was adopted.

Stand. Com. Rep. No. 3327 (S.C.R. No. 183, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 183, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND AMERICAN INDUSTRIAL HYGIENE ASSOCIATION TO CONVENE A MOLDS WORKING GROUP TO IDENTIFY KEY ISSUES REGARDING MOLDS," was adopted.

Stand. Com. Rep. No. 3328 (S.R. No. 100, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 100, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND AMERICAN INDUSTRIAL HYGIENE ASSOCIATION TO CONVENE A MOLDS WORKING GROUP TO IDENTIFY KEY ISSUES REGARDING MOLDS," was adopted.

Stand. Com. Rep. No. 3329 (S.C.R. No. 87, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 87, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RENAMING OF THE OLD KONA AIRPORT STATE RECREATION AREA AS THE KIYONO KUNITAKE STATE RECREATION AREA," was adopted.

Stand. Com. Rep. No. 3330 (S.R. No. 44, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 44, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE RENAMING OF THE OLD KONA AIRPORT STATE RECREATION AREA AS

THE KIYONO KUNITAKE STATE RECREATION AREA," was adopted.

Stand. Com. Rep. No. 3331 (S.C.R. No. 97):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 3587 TO BENEFIT FILIPINO WORLD WAR II VETERANS AND THEIR FAMILIES," was adopted.

Stand. Com. Rep. No. 3332 (S.R. No. 51):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 51, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF H.R. 3587 TO BENEFIT FILIPINO WORLD WAR II VETERANS AND THEIR FAMILIES," was adopted.

Stand. Com. Rep. No. 3333 (S.C.R. No. 126):

Senator Kawamoto moved that Stand. Com. Rep. No. 3333 and S.C.R. No. 126 be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, on page 17, 3333 and 3334, which is S.C.R. No. 126 and S.R. No. 64, which is an oblique way of attacking President Bush in terms of reducing veteran's benefits. My understanding is that there is a reconciliation that changes the way benefits for future veterans are going to be calculated. So there's a 'no' vote for that one.

"Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO INCREASE FUNDING FOR VETERANS BENEFITS AND SERVICES AND EXPRESSING DISAPPOINTMENT IN PRESIDENT GEORGE W. BUSH'S PLANS TO REDUCE VETERANS BENEFITS," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3334 (S.R. No. 64):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 64, entitled: "SENATE RESOLUTION URGING CONGRESS TO INCREASE FUNDING FOR VETERANS BENEFITS AND SERVICES AND EXPRESSING DISAPPOINTMENT IN PRESIDENT GEORGE W. BUSH'S PLANS TO REDUCE VETERANS BENEFITS," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3335 (S.C.R. No. 203):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 203, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 3336 (S.R. No. 114):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 114, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE PASSAGE OF S. 68, RELATING TO IMPROVING BENEFITS FOR FILIPINO VETERANS OF WORLD WAR II," was adopted.

Stand. Com. Rep. No. 3337 (S.C.R. No. 106, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 106, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INQUIRY INTO THE DELAYS IN PAYMENT TO DEVELOPMENTAL DISABILITY PROVIDERS," was adopted.

Stand. Com. Rep. No. 3338 (S.C.R. No. 54):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE IMPACT OF THE DEPARTMENT OF HUMAN SERVICES' POLICY OF EXPEDITED PROCESSING OF APPLICATIONS RECEIVED FROM PREGNANT WOMEN USING THE 'MEDICAL ASSISTANCE APPLICATION FOR CHILDREN AND PREGNANT WOMEN ONLY' FORM ON EARLY ENTRY INTO PRENATAL CARE AND SUBSEQUENT BIRTH OUTCOMES," was adopted.

Stand. Com. Rep. No. 3339 (S.C.R. No. 76, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 76, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A COORDINATED STATEWIDE EFFORT TO ADDRESS FETAL ALCOHOL SPECTRUM DISORDER," was adopted.

Stand. Com. Rep. No. 3340 (S.R. No. 36, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A COORDINATED STATEWIDE EFFORT TO ADDRESS FETAL ALCOHOL SPECTRUM DISORDER," was adopted.

Stand. Com. Rep. No. 3341 (S.C.R. No. 85):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 85, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF AGRICULTURE TO CONSIDER AND INCORPORATE THE IMPORTANCE OF ECONOMIC FACTORS AND IMPACTS IN LAWS, RULES, AND POLICIES CONCERNING THE CONSERVATION OF FORESTRY AND AGRICULTURAL RESOURCES," was adopted.

Stand. Com. Rep. No. 3342 (S.R. No. 42):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 42, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF AGRICULTURE TO CONSIDER AND INCORPORATE THE IMPORTANCE OF ECONOMIC FACTORS AND IMPACTS IN LAWS, RULES, AND POLICIES CONCERNING THE CONSERVATION OF FORESTRY AND AGRICULTURAL RESOURCES," was adopted.

Stand. Com. Rep. No. 3343 (S.C.R. No. 187, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 187, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESEARCH THE DEVELOPMENT OF A SUSTAINABLE FLOOD PROJECT SPONSORSHIP PROGRAM TO PROMOTE FLOOD ABATEMENT IN LANDS FROM WAIHAOLE TO LAIE," was adopted.

Stand. Com. Rep. No. 3344 (S.C.R. No. 190, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 190, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TAKE ACTION TO PREVENT ILLEGAL ENTRY TO THE HAIKU STAIRS UNTIL THE ISSUE OF PERMANENT ACCESS TO THE HAIKU STAIRS IS RESOLVED AND THE SURROUNDING NEIGHBORHOOD IS NO LONGER IMPOSED UPON, AND REQUESTING THE MAYOR OF THE CITY AND COUNTY OF HONOLULU TO DISCLOSE TO THE PUBLIC THE CITY'S PLANS REGARDING THE FUTURE OF THE HAIKU STAIRS AND HAIKU VALLEY," was adopted.

Stand. Com. Rep. No. 3345 (S.R. No. 104, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TAKE ACTION TO PREVENT ILLEGAL ENTRY TO THE HAIKU STAIRS UNTIL THE ISSUE OF PERMANENT ACCESS TO THE HAIKU STAIRS IS RESOLVED AND THE SURROUNDING NEIGHBORHOOD IS NO LONGER IMPOSED UPON, AND REQUESTING THE MAYOR OF THE CITY AND COUNTY OF HONOLULU TO DISCLOSE TO THE PUBLIC THE CITY'S PLANS REGARDING THE FUTURE OF THE HAIKU STAIRS AND HAIKU VALLEY," was adopted.

Stand. Com. Rep. No. 3346 (S.C.R. No. 212):

Senator Kawamoto moved that Stand. Com. Rep. No. 3346 and S.C.R. No. 212 be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, on page 21, Stand. Com. Rep. No. 3346, 3347, this is a thorough evaluation of Waikane after use since 1976 training by the United States Marines. Certainly I think that there should be some kind of evaluation but I don't think that we should get into the financial problems and difficulties in costs that we had with Kahoolawe, and yet this is an open-ended resolution which really encourages that.

“Thank you.”

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 212, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO CONDUCT A THOROUGH EVALUATION OF THE CONDITION OF THE 187-ACRE PROPERTY SITUATED IN WAIKANE VALLEY THAT WAS USED BY THE UNITED STATES MARINE CORPS FOR ORDNANCE TRAINING UNTIL 1976, PLAN FOR AND CONDUCT AS THOROUGH A CLEAN-UP AND REMOVAL OF ORDNANCE AS IS TECHNOLOGICALLY POSSIBLE, CONDUCT AN ENVIRONMENTAL ASSESSMENT OF THE POTENTIAL RISK TO HUMAN HEALTH AND SAFETY, AND RETURN THE LAND TO THE STATE OF HAWAII,” was adopted with Senators Slom and Trimble voting “No.”

Stand. Com. Rep. No. 3347 (S.R. No. 123):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 123, entitled: “SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO CONDUCT A THOROUGH EVALUATION OF THE CONDITION OF THE 187-ACRE PROPERTY SITUATED IN WAIKANE VALLEY THAT WAS USED BY THE UNITED STATES MARINE CORPS FOR ORDNANCE TRAINING UNTIL 1976, PLAN FOR AND CONDUCT AS THOROUGH A CLEAN-UP AND REMOVAL OF ORDNANCE AS IS TECHNOLOGICALLY POSSIBLE, CONDUCT AN ENVIRONMENTAL ASSESSMENT OF THE POTENTIAL RISK TO HUMAN HEALTH AND SAFETY, AND RETURN THE LAND TO THE STATE OF HAWAII,” was adopted with Senators Slom and Trimble voting “No.”

Stand. Com. Rep. No. 3348 (S.C.R. No. 50, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 50, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION, WITHIN AVAILABLE RESOURCES, TO ENSURE FULL COMPLIANCE WITH THAT PORTION OF THE ADMINISTRATIVE RULES THAT CALLS FOR ‘APPROPRIATE INTERVENTION AND TREATMENT SERVICES’ FOR STUDENTS EXCLUDED FROM SCHOOL DUE TO ‘POSSESSION OF A DANGEROUS WEAPON, SWITCHBLADE KNIFE, INTOXICATING LIQUOR, OR ILLICIT DRUGS,’” was adopted.

Stand. Com. Rep. No. 3349 (S.C.R. No. 71, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3349 and S.C.R. No. 71, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

“Mr. President, on page 22, 3349, which is S.C.R. No. 71, S.D. 1, the title has been changed, but it’s the same resolution. Basically, it comes from the homosexual community which is seeking even more study and more emphasis and more public housing to protect their particular lifestyle.

“Thank you.”

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 71, S.D. 1,

entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISCRIMINATION AND HARASSMENT OF STUDENTS IN THE PUBLIC SCHOOLS,” was adopted with Senators Hemmings, Slom and Trimble voting “No.”

Stand. Com. Rep. No. 3350 (S.C.R. No. 86):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 86, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE YOUTH OF THE FIRST REPRESENTATIVE DISTRICT AND COMMUNITY AGENCIES IN THE AREA TO DEVELOP COMMUNITY-BASED YOUTH PROGRAMS,” was adopted.

Stand. Com. Rep. No. 3351 (S.R. No. 43):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 43, entitled: “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE YOUTH OF THE FIRST REPRESENTATIVE DISTRICT AND COMMUNITY AGENCIES IN THE AREA TO DEVELOP COMMUNITY-BASED YOUTH PROGRAMS,” was adopted.

Stand. Com. Rep. No. 3352 (S.C.R. No. 91):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 91, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH A TASK FORCE TO ADDRESS PROBLEMS FACED BY MILITARY IMPACTED SCHOOLS,” was adopted.

Stand. Com. Rep. No. 3353 (S.C.R. No. 133):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 133, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION REVIEW AND REVISE POLICIES TO ENLARGE AND EXPAND REGULAR OPPORTUNITIES IN EACH DISTRICT FOR MEMBERS OF THE COMMUNITIES TO PARTICIPATE MEANINGFULLY BY EXPRESSING THEIR IDEAS AND SUPPORT OF IMPORTANT ISSUES IMPACTING EDUCATIONAL ADVANCEMENT,” was adopted.

Stand. Com. Rep. No. 3354 (S.R. No. 71):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 71, entitled: “SENATE RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION REVIEW AND REVISE POLICIES TO ENLARGE AND EXPAND REGULAR OPPORTUNITIES IN EACH DISTRICT FOR MEMBERS OF THE COMMUNITIES TO PARTICIPATE MEANINGFULLY BY EXPRESSING THEIR IDEAS AND SUPPORT OF IMPORTANT ISSUES IMPACTING EDUCATIONAL ADVANCEMENT,” was adopted.

Stand. Com. Rep. No. 3355 (S.C.R. No. 156, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was

adopted and S.C.R. No. 156, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING A COLLEGE OF PHARMACY AT THE UNIVERSITY OF HAWAII AT HILO," was adopted.

Stand. Com. Rep. No. 3356 (S.C.R. No. 164):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A STUDENT EXCHANGE PROGRAM TO INVOLVE STUDENTS IN THE PUBLIC SCHOOLS IN HAWAII AND STUDENTS IN THE PROVINCES IN THE REPUBLIC OF THE PHILIPPINES WITH WHICH THE STATE HAS STATE-PROVINCE RELATIONSHIPS," was adopted.

Stand. Com. Rep. No. 3357 (S.R. No. 84):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 84, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A STUDENT EXCHANGE PROGRAM TO INVOLVE STUDENTS IN THE PUBLIC SCHOOLS IN HAWAII AND STUDENTS IN THE PROVINCES IN THE REPUBLIC OF THE PHILIPPINES WITH WHICH THE STATE HAS STATE-PROVINCE RELATIONSHIPS," was adopted.

Stand. Com. Rep. No. 3358 (S.C.R. No. 198):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF ESTABLISHING ALTERNATIVE SCHOOLS OR DROPOUT CENTERS FOR ADOLESCENTS WHO SUFFER FROM DRUG ADDICTION," was adopted.

Stand. Com. Rep. No. 3359 (S.R. No. 111):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 111, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF ESTABLISHING ALTERNATIVE SCHOOLS OR DROPOUT CENTERS FOR ADOLESCENTS WHO SUFFER FROM DRUG ADDICTION," was adopted.

Stand. Com. Rep. No. 3360 (S.C.R. No. 10, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3360 and S.C.R. No. 10, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, on page 25, my good friend, the Minority Floor Leader, just said that he'll go along with anything that the Senator from God's country will do and that's nice to know. I always mention I'm the classmate, the younger classmate, of the good Senator from God's country, and I'll go along with almost, almost anything. But, Mr. President and colleagues, this is what my good colleague has done. On 3360, which is S.C.R. No. 10, S.D. 1, that originally was a resolution to inquire into the impact for all of Hawaii citizens by the Jones Act – the cost, the lack of communication, the lack of competition, all of

the problems that we suffer when we talk about the high cost of living for other things. Now, my good colleague, my good friend, my classmate, the arbiter of God's country – and there is, by the way, only one God's country that I recognize – he gutted that resolution before he even gave it a hearing, for God's sake in God's country. And he's fixing a traffic light . . . now, come on. You know, from an evaluation of the Jones Act, which affects all of us, to a traffic signal at the intersection of Kamehameha Highway and Kuala Street in Pearl City. Come on, I'm all for traffic lights, but this was not the way to do it. So a strong 'no' vote on that.

"Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 10, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND INSTALL A TRAFFIC SIGNAL LIGHT AT THE INTERSECTION OF KAMEHAMEHA HIGHWAY AND KUALA STREET IN PEARL CITY TO ALLEVIATE TRAFFIC CONGESTION AND PROVIDE PROTECTION TO NEARBY RESIDENTS WHO FREQUENTLY CROSS THAT INTERSECTION," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3361 (S.C.R. No. 11, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3361 and S.C.R. No. 11, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"He did it again, Mr. President, the very next one, 3361 and 3362, S.C.R. No. 11, S.D. 1, and S.R. No. 7, S.D. 1. Now, here was an evaluation of the Passenger Carrier Act. Again, something that affects us, affects transportation, affects our economy, and what did he do? He gutted it again before a hearing and he stuck in a request to design and erect an attractive and appropriate sign for the Korean Vietnam Veterans Memorial on our state grounds here. I'm all for that . . . in a separate resolution, but this is not proper. I think that we should inquire into the medical condition of the good Senator from God's country because I think he had too much birthday cake and Chinese food the other day. (Laughter.)

"Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 11, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DESIGN AND ERECT AN ATTRACTIVE AND APPROPRIATE SIGNAGE FOR THE KOREAN VIETNAM VETERANS MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3362 (S.R. No. 7, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 7, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DESIGN AND ERECT AN ATTRACTIVE AND APPROPRIATE SIGNAGE FOR THE KOREAN VIETNAM VETERANS MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3363 (S.C.R. No. 38, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FULL PLEDGE OF ALLEGIANCE BE RECITED BEFORE THE START OF THE SENATE AND HOUSE FLOOR SESSION ON THE FIRST SESSION DAY OF THE WEEK," was adopted.

Stand. Com. Rep. No. 3364 (S.R. No. 19, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 19, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FULL PLEDGE OF ALLEGIANCE BE RECITED BEFORE THE START OF THE SENATE AND HOUSE FLOOR SESSION ON THE FIRST SESSION DAY OF THE WEEK," was adopted.

Stand. Com. Rep. No. 3365 (S.C.R. No. 99):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEL MONTE AND THE GALBRAITH ESTATE TO ALLOW RESIDENTS TO CONTINUE TO RESIDE AT POAMOHO CAMP UNTIL AT LEAST DECEMBER 2005, TO ALLOW THE RESIDENTS TIME TO FIND HOUSING SOLUTIONS OR AFFORDABLE ALTERNATIVE HOUSING," was adopted.

Stand. Com. Rep. No. 3366 (S.R. No. 53):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION REQUESTING DEL MONTE AND THE GALBRAITH ESTATE TO ALLOW RESIDENTS TO CONTINUE TO RESIDE AT POAMOHO CAMP UNTIL AT LEAST DECEMBER 2005, TO ALLOW THE RESIDENTS TIME TO FIND HOUSING SOLUTIONS OR AFFORDABLE ALTERNATIVE HOUSING," was adopted.

Stand. Com. Rep. No. 3367 (S.C.R. No. 161, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 161, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A JOINT IMPLEMENTATION PLAN FOR WASTE TREATMENT IN HONOKAA," was adopted.

Stand. Com. Rep. No. 3368 (S.C.R. No. 180, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3368 and S.C.R. No. 180, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, moving right along, on page 27, 3368 and 3369, which is S.C.R. No. 180, S.D. 1, and S.R. No. 97. This is requesting the Department of Health to ask the food industry, in particular, 'big box' people to find ways of taking their pallets and their wooden materials backhaul. We had a bill about that previously. The big box companies and others that work with pallets have weighed in on that issue. I don't think we have to continue trying to browbeat them on this. In some cases, they recycle the materials here. In other cases they sell the materials

here. But in terms of backhaul, they've shown that it was an economic implausibility.

"Thank you."

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 180, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH THE HAWAII FOOD INDUSTRY ASSOCIATION TO DETERMINE THE FEASIBILITY OF REQUIRING THE BACKHAUL OF SHIPPING MATERIALS AND PALLETS BY LARGE 'BIG BOX' RETAILERS AND WHOLESALERS," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3369 (S.R. No. 97, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3369 and S.R. No. 97, S.D. 1, be adopted, seconded by Senator Hogue.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 97, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH THE HAWAII FOOD INDUSTRY ASSOCIATION TO DETERMINE THE FEASIBILITY OF REQUIRING THE BACKHAUL OF SHIPPING MATERIALS AND PALLETS BY LARGE 'BIG BOX' RETAILERS AND WHOLESALERS," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3370 (S.C.R. No. 181, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 181, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOMMENDING THE LONG-TERM CARE VETERANS AFFAIRS STATE HOME IN HILO BE NAMED IN HONOR OF YUKIO OKUTSU," was adopted.

Stand. Com. Rep. No. 3371 (S.C.R. No. 107, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII FILM AND TELEVISION DEVELOPMENT BOARD TO FORMULATE AND IMPLEMENT A COMPREHENSIVE STRATEGY TO PROMOTE AND FOSTER A STRONG AND COMPETITIVE DIGITAL MEDIA INDUSTRY IN HAWAII," was adopted.

Stand. Com. Rep. No. 3372 (S.R. No. 57, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 57, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII FILM AND TELEVISION DEVELOPMENT BOARD TO FORMULATE AND IMPLEMENT A COMPREHENSIVE STRATEGY TO PROMOTE AND FOSTER A STRONG AND COMPETITIVE DIGITAL MEDIA INDUSTRY IN HAWAII," was adopted.

Stand. Com. Rep. No. 3373 (S.C.R. No. 127, S.D. 1):

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

and S.C.R. No. 127, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO DELAY THE IMPLEMENTATION OF THE ELIMINATION OF THE SOCIAL WORKER SERIES," was adopted.

Stand. Com. Rep. No. 3382 (S.C.R. No. 26, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE STATE FILM OFFICE, THE UNIVERSITY OF HAWAII, OTHER STATE AGENCIES, AND OTHER INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH AN ANNUAL INTERNATIONAL ANIMATION FILM FESTIVAL," was adopted.

Stand. Com. Rep. No. 3383 (S.R. No. 13, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 13, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE STATE FILM OFFICE, THE UNIVERSITY OF HAWAII, OTHER STATE AGENCIES, AND OTHER INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH AN ANNUAL INTERNATIONAL ANIMATION FILM FESTIVAL," was adopted.

Stand. Com. Rep. No. 3384 (S.C.R. No. 82, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO EVALUATE CHILD SUPPORT ADJUSTMENTS FOR ACTIVATED MILITARY PERSONNEL AND RECOMMEND SOLUTIONS," was adopted.

Stand. Com. Rep. No. 3385 (S.R. No. 41, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A TASK FORCE TO EVALUATE CHILD SUPPORT ADJUSTMENTS FOR ACTIVATED MILITARY PERSONNEL AND RECOMMEND SOLUTIONS," was adopted.

Stand. Com. Rep. No. 3386 (S.C.R. No. 153):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 153, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JUDICIARY WORK 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. 3387 (S.C.R. No. 154):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 154, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE DIAMONDBACK CORRECTIONAL FACILITY," was adopted.

Stand. Com. Rep. No. 3388 (S.C.R. No. 159, S.D. 2):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 159, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND EFFECTIVENESS AUDIT OF THE UNIVERSITY OF HAWAII'S EFFORTS TO RECRUIT AND RETAIN NATIVE HAWAIIAN AND HAWAIIAN STUDENTS AT THE UNIVERSITY OF HAWAII AND TO ESTABLISH A BASELINE FOR EVALUATION OF IMPROVEMENTS IN PROGRAMMING IN THE FUTURE, AND FURTHER REQUESTING THE CHANCELLORS OF THE UNIVERSITY OF HAWAII TO FORM TASK FORCES TO EVALUATE THE RESULTS OF THE AUDIT AND PLAN FOR THE IMPROVEMENT OF SERVICES TO RECRUIT AND RETAIN NATIVE HAWAIIAN AND HAWAIIAN STUDENTS," was adopted.

Stand. Com. Rep. No. 3389 (S.C.R. No. 167):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 167, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING NATIVE HAWAIIANS AS TRADITIONAL, INDIGENOUS KNOWLEDGE HOLDERS AND RECOGNIZING THEIR COLLECTIVE INTELLECTUAL PROPERTY RIGHTS," was adopted.

Stand. Com. Rep. No. 3390 (S.R. No. 87):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 87, entitled: "SENATE RESOLUTION RECOGNIZING NATIVE HAWAIIANS AS TRADITIONAL, INDIGENOUS KNOWLEDGE HOLDERS AND RECOGNIZING THEIR COLLECTIVE INTELLECTUAL PROPERTY RIGHTS," was adopted.

Stand. Com. Rep. No. 3391 (S.C.R. No. 194):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 194, 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.

Stand. Com. Rep. No. 3392 (S.C.R. No. 114):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE GOVERNOR TO RELEASE THE FUNDS APPROPRIATED FOR THE

ACQUISITION OF PARADISE PARK IN MANOA," was adopted.

Stand. Com. Rep. No. 3393 (S.C.R. No. 115):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HAROLD L. LYON ARBORETUM," was adopted.

Stand. Com. Rep. No. 3394 (S.R. No. 60):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 60, entitled: "SENATE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HAROLD L. LYON ARBORETUM," was adopted.

Stand. Com. Rep. No. 3395 (S.C.R. No. 40):

Senator Kawamoto moved that Stand. Com. Rep. No. 3395 and S.C.R. No. 40 be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, moving right along, on page 32, 3395 and 3396, S.C.R. No. 40 and S.R. No. 20, requesting the Federal Communications Commission to investigate the adverse health effects of cellular and radio antenna in Waiawa and Pearl City. Well, there are two things that can be said about that. One is that if we're concerned about the health concerns then it should be to look into the possible health impact on all of the island where there are cellular facilities. But the other is that the FCC is really important right now because it's got to get sex and scandal off the airwaves and off TV. So, I think we should let them do their job in that area as well.

"Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 40, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE FEDERAL COMMUNICATIONS COMMISSION TO INVESTIGATE AND EXAMINE THE ADVERSE HEALTH EFFECTS OF CELLULAR AND RADIO ANTENNA TOWERS IN THE WAIAWA 'PEARL CITY' INDUSTRIAL AREA, AND IF NECESSARY, TO REQUIRE THE REMOVAL OF ANY UNUSED OR POTENTIALLY DANGEROUS ANTENNAS THAT POSE A HEALTH RISK," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3396 (S.R. No. 20):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 20, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE FEDERAL COMMUNICATIONS COMMISSION TO INVESTIGATE AND EXAMINE THE ADVERSE HEALTH EFFECTS OF CELLULAR AND RADIO ANTENNA TOWERS IN THE WAIAWA 'PEARL CITY' INDUSTRIAL AREA, AND IF NECESSARY, TO REQUIRE THE REMOVAL OF ANY UNUSED OR POTENTIALLY DANGEROUS ANTENNAS THAT POSE A HEALTH RISK," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3397 (S.R. No. 48, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 48, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO SPEEDILY REBUILD A SCHOOL OF GLOBAL AND PUBLIC HEALTH," was adopted.

Stand. Com. Rep. No. 3398 (S.C.R. No. 92, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO SPEEDILY REBUILD A SCHOOL OF GLOBAL AND PUBLIC HEALTH," was adopted.

Stand. Com. Rep. No. 3399 (S.C.R. No. 136):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 136, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ESTABLISH THE ASIA-PACIFIC RISK MANAGEMENT AND INSURANCE PROGRAM WITHIN THE COLLEGE OF BUSINESS ADMINISTRATION AT THE UNIVERSITY OF HAWAII AT MANOA," was adopted.

Stand. Com. Rep. No. 3400 (S.C.R. No. 147, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE ADMINISTRATION OF MARINE LIFE CONSERVATION DISTRICTS AND OF THE STEWARDSHIP OF THE MARINE NATURAL AREA RESERVES SYSTEM BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Stand. Com. Rep. No. 3401 (S.C.R. No. 209, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 209, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE RENAMING OF HEEIA STATE PARK TO LAE 'O KEALOHI STATE PARK," was adopted.

Stand. Com. Rep. No. 3402 (S.R. No. 120, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 120, S.D. 1, entitled: "SENATE RESOLUTION URGING THE RENAMING OF HEEIA STATE PARK TO LAE 'O KEALOHI STATE PARK," was adopted.

Stand. Com. Rep. No. 3403 (S.C.R. No. 112, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 112, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, THE UNIVERSITY OF HAWAII,

THE DEPARTMENT OF EDUCATION, AND THE COUNTIES TO CREATE AND ISSUE A COORDINATED STRATEGY FOR THE INSTITUTIONAL NETWORK AND THE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS SYSTEM," was adopted.

Stand. Com. Rep. No. 3404 (S.R. No. 58, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, THE UNIVERSITY OF HAWAII, THE DEPARTMENT OF EDUCATION, AND THE COUNTIES TO CREATE AND ISSUE A COORDINATED STRATEGY FOR THE INSTITUTIONAL NETWORK AND THE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS SYSTEM," was adopted.

Stand. Com. Rep. No. 3405 (S.C.R. No. 131, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3405 and S.C.R. No. 131, S.D. 1, be adopted seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, then we come to page 34, number 3405 and 3406, S.C.R. No. 131 and S.R. No. 69, S.D. 1, urging development and support for robotics education in Hawaii. Until we can educate our young folks into reading, writing, mathematics and basics, I'm worried about those robotics, Mr. President, quite frankly. I have visions of them at night coming to take just Republicans and take them away. (Laughter.) So, I see this as a sinister move and I don't want virtual people. I don't want robots. I think we should deal with real students, real teachers, and real problems.

"Thank you."

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 131, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF AND SUPPORT FOR ROBOTICS EDUCATION IN HAWAII," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3406 (S.R. No. 69, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 69, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEVELOPMENT OF AND SUPPORT FOR ROBOTICS EDUCATION IN HAWAII," was adopted with Senators Slom and Trimble voting "No."

Stand. Com. Rep. No. 3407 (S.C.R. No. 157, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 157, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION TO HOLD THE DEPARTMENT OF LAND AND NATURAL RESOURCES ACCOUNTABLE FOR ITS DECISIONS TO INCLUDE OR ELIMINATE QUALIFIED CANDIDATES FROM THE LIST SENT TO THE GOVERNOR FOR APPOINTMENT TO THE ISLAND BURIAL COUNCILS," was adopted.

Stand. Com. Rep. No. 3408 (S.R. No. 80, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 80, S.D. 1, entitled: "SENATE RESOLUTION TO HOLD THE DEPARTMENT OF LAND AND NATURAL RESOURCES ACCOUNTABLE FOR ITS DECISIONS TO INCLUDE OR ELIMINATE QUALIFIED CANDIDATES FROM THE LIST SENT TO THE GOVERNOR FOR APPOINTMENT TO THE ISLAND BURIAL COUNCILS," was adopted.

Stand. Com. Rep. No. 3409 (S.C.R. No. 168, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 168, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES REPORT TO THE LEGISLATURE ON THE PROGRESS OF THE DIVISION OF BOATING AND OCEAN RECREATION IN ADDRESSING THE AUDITOR'S CONCERNS IN THE 1998 AND 2001 AUDITS OF THE MANAGEMENT OF STATE BOATING FACILITIES," was adopted.

Stand. Com. Rep. No. 3410 (S.R. No. 88, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 88, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES REPORT TO THE LEGISLATURE ON THE PROGRESS OF THE DIVISION OF BOATING AND OCEAN RECREATION IN ADDRESSING THE AUDITOR'S CONCERNS IN THE 1998 AND 2001 AUDITS OF THE MANAGEMENT OF STATE BOATING FACILITIES," was adopted.

Stand. Com. Rep. No. 3411 (S.C.R. No. 171):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 171, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COORDINATE EFFORTS AND PROMOTE THE USE OF COMPOST," was adopted.

Stand. Com. Rep. No. 3412 (S.R. No. 91):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 91, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COORDINATE EFFORTS AND PROMOTE THE USE OF COMPOST," was adopted.

Stand. Com. Rep. No. 3413 (S.C.R. No. 174, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 174, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ADDRESS LIGHT POLLUTION ISSUES THROUGH THEIR ORDINANCES," was adopted.

Stand. Com. Rep. No. 3414 (S.R. No. 93, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was

adopted and S.R. No. 93, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO ADDRESS LIGHT POLLUTION ISSUES THROUGH THEIR ORDINANCES," was adopted.

Stand. Com. Rep. No. 3415 (S.C.R. No. 175, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 175, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES SECRETARY OF ENERGY SUPPORT A PARTNERSHIP BETWEEN ICELAND AND HAWAII FOR THE DEVELOPMENT AND DEPLOYMENT OF RENEWABLE HYDROGEN TECHNOLOGIES AS PART OF THE INTERNATIONAL PARTNERSHIP FOR A HYDROGEN ECONOMY," was adopted.

Stand. Com. Rep. No. 3416 (S.R. No. 94, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 94, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE UNITED STATES SECRETARY OF ENERGY SUPPORT A PARTNERSHIP BETWEEN ICELAND AND HAWAII FOR THE DEVELOPMENT AND DEPLOYMENT OF RENEWABLE HYDROGEN TECHNOLOGIES AS PART OF THE INTERNATIONAL PARTNERSHIP FOR A HYDROGEN ECONOMY," was adopted.

Stand. Com. Rep. No. 3417 (S.C.R. No. 185, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 185, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING IMMEDIATE DEVELOPMENT AND IMPLEMENTATION OF ALTERNATIVE RULES UNDER THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S SAFE DRINKING WATER ACT'S LEAD AND COPPER RULE," was adopted.

Stand. Com. Rep. No. 3418 (S.R. No. 102, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 102, S.D. 1, entitled: "SENATE RESOLUTION URGING IMMEDIATE DEVELOPMENT AND IMPLEMENTATION OF ALTERNATIVE RULES UNDER THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S SAFE DRINKING WATER ACT'S LEAD AND COPPER RULE," was adopted.

Stand. Com. Rep. No. 3419 (S.C.R. No. 81, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 81, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO MAINTAIN AND UTILIZE THE SELF-SUFFICIENCY STANDARD AS A FRAMEWORK TO EVALUATE PROGRAMS AND DEVELOP PUBLIC POLICY," was adopted.

Stand. Com. Rep. No. 3420 (S.C.R. No. 135, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 135, S.D. 1, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE CONVENING OF AN AFFORDABLE HOUSING TASK FORCE," was adopted.

Stand. Com. Rep. No. 3421 (S.C.R. No. 199):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND LABOR AND INDUSTRIAL RELATIONS TO JOINTLY EXAMINE ISSUES RELATING TO PUBLIC ASSISTANCE INVOLVING INCENTIVES AND REQUIREMENTS TO WORK AND INCOME AND ASSET THRESHOLDS THAT MAY ACT AS DISINCENTIVES TO WORK," was adopted.

Stand. Com. Rep. No. 3422 (S.C.R. No. 96):

Senator Kawamoto moved that Stand. Com. Rep. No. 3422 and S.C.R. No. 96 be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, moving down the list, and I'm almost finished. I know you're happy about that. Thank you for fixing my microphone because that could have been a tragedy. (Laughter.)

"On page 38 and 39, 3422 and 3423, urging the United States Congress to amend the laws about immigration. We're talking about an alien convicted of crimes, and the idea here is to seek a waiver from the deportation and it having more delay. And this reminds me of the bill that was just talked about earlier, the Megan's law where all of the 1,900-plus convicted felons wanted to have an individual hearing. They've had the hearing; they've been convicted; let them go and say aloha to them.

"Thank you."

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE LAWS ON IMMIGRATION TO ALLOW IMMIGRATION AUTHORITIES TO EXERCISE JUDICIAL DISCRETION IN A PROCEEDING TO DEPORT AN ALIEN CONVICTED OF A CRIME AND TO ALLOW A CONVICTED ALIEN TO SEEK A WAIVER FROM DEPORTATION UPON DEMONSTRATION OF SUCCESSFUL REHABILITATION EVIDENCED BY NO SUBSEQUENT CRIMINAL CONVICTIONS," was adopted with Senators Hemmings, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3423 (S.R. No. 50):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 50, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE LAWS ON IMMIGRATION TO ALLOW IMMIGRATION AUTHORITIES TO EXERCISE JUDICIAL DISCRETION IN A PROCEEDING TO DEPORT AN ALIEN CONVICTED OF A CRIME AND TO ALLOW A CONVICTED ALIEN TO SEEK A WAIVER FROM DEPORTATION UPON DEMONSTRATION OF SUCCESSFUL REHABILITATION EVIDENCED BY NO SUBSEQUENT CRIMINAL CONVICTIONS," was adopted with Senators Hemmings, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3424 (S.C.R. No. 123):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON EMPLOYEE OVERPAYMENT WITHIN THE UNIVERSITY OF HAWAII SYSTEM," was adopted.

Stand. Com. Rep. No. 3425 (S.R. No. 47):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 47, entitled: "SENATE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH A TASK FORCE TO ADDRESS PROBLEMS FACED BY MILITARY IMPACTED SCHOOLS," was adopted.

Stand. Com. Rep. No. 3426 (S.C.R. No. 125):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ALLOW PRESCRIPTION DRUGS TO BE IMPORTED FROM CANADA," was adopted.

Stand. Com. Rep. No. 3427 (S.R. No. 63):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 63, entitled: "SENATE RESOLUTION URGING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ALLOW PRESCRIPTION DRUGS TO BE IMPORTED FROM CANADA," was adopted.

Stand. Com. Rep. No. 3428 (S.C.R. No. 149):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.C.R. No. 149, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR HAWAII SUPERFERRY, INC. AND REQUESTING EXPEDITIOUS ADMINISTRATIVE PROCESSING OF NECESSARY PERMITS," was adopted.

Stand. Com. Rep. No. 3429 (S.R. No. 79):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.R. No. 79, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR HAWAII SUPERFERRY, INC. AND REQUESTING EXPEDITIOUS ADMINISTRATIVE PROCESSING OF NECESSARY PERMITS," was adopted.

Stand. Com. Rep. No. 3430 (S.C.R. No. 64, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENSURE THAT THE HAWAIIAN SPINNER DOLPHIN POPULATION ARE MANAGED AND PROTECTED IN A MANNER THAT IS CONSISTENT WITH THE UNITED

STATES MARINE MAMMAL PROTECTION ACT," was adopted.

Stand. Com. Rep. No. 3431 (S.R. No. 29, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENSURE THAT THE HAWAIIAN SPINNER DOLPHIN POPULATION ARE MANAGED AND PROTECTED IN A MANNER THAT IS CONSISTENT WITH THE UNITED STATES MARINE MAMMAL PROTECTION ACT," was adopted.

Stand. Com. Rep. No. 3432 (S.C.R. No. 120, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3432 and S.C.R. No. 120, S.D. 1, be adopted, seconded by Senator Hogue.

Senators Kokubun, Baker and English requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 120, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY EVALUATING THE FEASIBILITY AND NECESSITY OF THE CREATION OF A MAUNA KEA SCIENCE RESERVE AUTHORITY," was adopted.

Stand. Com. Rep. No. 3433 (S.C.R. No. 162, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3433 and S.C.R. No. 162, S.D. 1, be adopted, seconded by Senator Hogue.

Senators Kokubun, Baker and English requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 162, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY EVALUATING THE NECESSITY FOR AND IMPACT OF IMPLEMENTING A NEW PROJECT APPROVAL PROCESS FOR THE MANAGEMENT OF THE MAUNA KEA SCIENCE RESERVE," was adopted.

Stand. Com. Rep. No. 3434 (S.C.R. No. 118, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3434 and S.C.R. No. 118, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Finally, on page 41, number 3434, which is S.C.R. No. 118, S.D. 1, this is the resolution that disses the hard work of the executive salary commission. They all testified about why they were coming forward with the need for the salary increases. We pass salary increases for the HGEA on a regular basis year after year, month after month, but most of these people in the executive branch have not had an increase in their salaries in 12-14 years.

"Thank you."

Senator Hemmings rose in opposition to the resolution and said:

"I want to cast a very strong 'no' vote on Stand. Com. Rep. No. 3434 on page 41, which is S.C.R. No. 118, S.D. 1, and add the following comments, Mr. President.

"It seems last year in austere financial times, a much more austere budget scenario was going to be facing us and the council of revenues' problems, that we could afford to pass a pay raise for ourselves and sit on our hands. I think the Senate Republicans did offer a resolution to challenge that. Those pay increases added up to 26 percent over the next eight years. It was enough money for that.

"Right now, there is a bill – it's S.B. No. 2718. It's in Conference Committee. It's going to give compensation to the officials of the legislative service agencies. And I might add, these people deserve a pay raise too, but it's being given to them. But yet, in the branch of government that has not been given a pay raise for over 14 years is once again being denied it.

"It's important to have these pay raises put in perspective. The pay raise for the executive branch of government would amount to approximately half-a-million dollars a year. Yesterday, we passed a pay raise that was arbitrated, not negotiated, for HGEA workers that amounts to \$54 million a year beginning in 06. This is for a union that's had 25 percent increases in the last six years. And trust me, these people do good work, but they also get good pay and benefits, far in excess than their counterparts, oftentimes, in the private sector who are suffering in a beleaguered economy. We're turning down executive pay raises

"It's important to note that the committee report says that we have to contend with pending unbudgeted salary adjustments for various collective bargaining units. I think maybe therein lies the problem. Once again, this Legislature and the Majority Party is more concerned about that than fairness to the judicial and the executive branches of government.

"I might also note that the Governor makes less money than the head librarian. I might also note that there are 361 civil servants employed in the executive branch of government that make considerably more than the department heads.

"The committee report noted, I must say lamely, that these new directors have only been on the job for 14 months, why should they get the pay raise? Well, I might add, why should recent hires in the civil service get extensive pay raises with extensive benefits? I might add that the fringe benefits for recent hires, someone getting hired in the executive branch of government in the civil service area, the fringe benefits are by far and away the most benevolent in the nation.

"Mr. President, it's unfair, and as the newspaper said, it's petty politics at its worst.

Senator Ihara rose in opposition to the resolution and said:

"Mr. President, a 'no' vote on S.C.R. No. 118, Stand. Com. Rep. No. 3434, which would disapprove recommendations of the executive salary commission.

"I must respectfully disagree with the committee report for that resolution. This is Stand. Com. Rep. No. 3434. It said that the commission had no statutory authority to establish a tiered system of compensation for department heads. My reading of, and I'll quote HRS 26-55(b), it says 'the commission may recommend different salaries for department heads and executive officers.'

"Thank you."

Senator Hogue rose with reservations and said:

"Mr. President, strong reservations on Stand. Com. Rep. No. 3434 and 3435.

"The reason why I ask for reservations is because I would have gone along with the idea that we're not going to grant executive and judiciary pay raises. I would have gone along with that if we also voted down legislative pay raises. That would have been a consistent position. But it is very wrong, extremely wrong to accept legislative pay raises and then disapprove similar pay raises for the executive and judiciary branches.

"It does not, does not look good to the public. I think we should be ashamed of doing something like that, and I just want to note my total disagreement with the way that this Body has handled these particular measures.

"Thank you, Mr. President."

Senator Aduja requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE RECOMMENDATIONS OF THE 2004 EXECUTIVE SALARY COMMISSION," was adopted with Senators Hemmings, Ihara, Slom and Trimble voting "No."

Stand. Com. Rep. No. 3435 (S.C.R. No. 119, S.D. 1):

Senator Kawamoto moved that Stand. Com. Rep. No. 3435 and S.C.R. No. 119, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

"Mr. President, the last one, 3435, which was S.C.R. No. 119, recommendations of the judicial salary commission. We heard from the Governor; we heard from the people on the commission; we heard from attorneys about the need to adjust those salaries and that you want to turn down as well. I don't know what the reasoning is behind it, but that's it.

"Thank you."

Senator Hemmings rose in opposition to the resolution and said:

"I also want to address Stand. Com. Rep. No. 3435, which is on page 41, S.C.R. No. 119, S.D. 1. This resolution also rejects the commission's recommendations for pay raises for the judiciary. In actual dollars, our judiciary is ranked 32 in the nation for pay compensation. In dollars adjusted for the cost of living in Hawaii, we're dead last – dead last. It's once again just not fair.

"This Legislature . . . the Majority Party, I should be more specific, has found money for pay increases for themselves, for the people that work directly for them, and for the labor unions, but cannot find enough pay to give our judges an adequate salary for the work they do. I find it quite ironic that the Majority Party can stand up and laud all the nominees that come to this Floor for advise and consent and get voted into a judicial position of great prestige, and the entire third branch of

government, the judiciary, relies on their confidence and their integrity and we insult them without giving them a pay raise.

“So, for these reasons, I’m voting against these resolutions. I know, Mr. President, you have noted that maybe this could be done next year. Well, maybe the pay raises that we gave the HGEA could be done a year or two years from now in view of all the excessive benefits and pay raises they’ve gotten. Maybe the pay raises that we gave ourselves last year could have been delayed. Maybe the pay raises that we’re contemplating for legislative offices could be delayed. These people deserve a pay raise and they deserve it now, and these two resolutions are an insult to them.

“Thank you, Mr. President.”

Senators Ihara, Hogue and Aduja requested their votes 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. 119, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION RELATING TO THE RECOMMENDATIONS OF THE 2004 JUDICIAL SALARY COMMISSION,” was adopted with Senators Hemmings, Slom and Trimble voting “No.”

ADOPTION OF RESOLUTIONS

S.C.R. No. 39, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 39, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT,” was adopted.

S.C.R. No. 43, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 43, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH ESTABLISH A VIOLENCE PREVENTION UNIT THAT INCLUDES SEXUAL ASSAULT, TO PROVIDE SAFETY FOR VICTIMS OF SEXUAL ASSAULT, PROMOTE EFFECTIVE INTERVENTION, AND REDUCE THE INCIDENCE OF SEXUAL ASSAULT,” was adopted.

S.C.R. No. 44:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 44, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO FORM AN OVERSIGHT COMMITTEE OF THE DOMESTIC VIOLENCE PREVENTION SPECIAL FUND AND THE SPOUSE AND CHILD ABUSE SPECIAL ACCOUNTS WITH THE DEPARTMENT OF HUMAN SERVICES AND JUDICIARY,” was adopted.

S.C.R. No. 48:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 48, entitled: “SENATE CONCURRENT RESOLUTION SUPPORTING THE REBUILDING AND REFURBISHING OF STUDENT HOUSING AT THE UNIVERSITY OF HAWAII,” was adopted.

S.C.R. No. 60, S.D. 1:

Senator Kawamoto moved that S.C.R. No. 60, S.D. 1, be adopted, seconded by Senator Hogue.

Senator Slom rose in opposition and said:

“Finally, on page 42, S.C.R. No. 60, S.D. 1, trying to get a waiver for the ‘no child left behind’ for Hawaii and several other states have tried to do. I certainly agree with the idea that there should be funding for any unfunded mandate, but we’re always trying to get a waiver or exempt ourselves from laws that we don’t like. I think we should work with them or we should try to amend them at the time that they’re being discussed.

“That, Mr. President, are my ‘no’ votes. Thank you very much.”

The motion was put by the Chair and carried, S.C.R. No. 60, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING MEMBERS OF CONGRESS TO INCLUDE WAIVERS OR MAKE CHANGES TO NO CHILD LEFT BEHIND AND PROVIDE SUFFICIENT FUNDING THAT WILL ALLOW HAWAII TO USE THE LAW AS AN OPPORTUNITY TO IMPROVE EDUCATION,” was adopted with Senators Slom and Trimble voting “No.”

S.C.R. No. 61, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 61, S.D. 1, 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 adopted.

S.C.R. No. 62, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 62, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A REPORT FROM THE CHARTER SCHOOL ADMINISTRATIVE OFFICE THAT SURVEYS EACH INDIVIDUAL CHARTER SCHOOL IN THE STATE OF HAWAII TO DETERMINE ITS FUNCTION, LOCATION, ENROLLMENT, STAFF SIZE, OPERATING AND MAINTENANCE COSTS, PHYSICAL CONDITION, CURRENT STATUS, AND PROJECTED FUTURE NEEDS,” was adopted.

S.C.R. No. 68, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 68, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING COOPERATIVE VENTURES WITH ORGANIZATIONS ON THE U.S. MAINLAND IN PROMOTING HAWAII AND ITS PRODUCTS,” was adopted.

S.C.R. No. 72, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 72, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, DEPARTMENT OF HUMAN SERVICES, OFFICE OF THE PUBLIC GUARDIAN, AND ALL PROVIDERS OF LONG-TERM CARE SERVICES TO CONSIDER TRANSFER TRAUMA BEFORE RELOCATING FACILITY RESIDENTS AND TAKE NECESSARY STEPS TO MITIGATE THE POSSIBLE IMPACT ON THE

HEALTH, SAFETY, AND WELFARE OF FACILITY RESIDENTS," was adopted.

S.C.R. No. 79, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 79, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL ON DEVELOPMENTAL DISABILITIES TO CONVENE A TASK FORCE TO IDENTIFY ISSUES AND SOLUTIONS REGARDING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THEIR CHOICE OF RESIDENTIAL SETTING," was adopted.

S.C.R. No. 95, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH CONVENE A TASK FORCE TO EXAMINE THE FEASIBILITY OF ALLOWING PRIVATE PAY PATIENTS ON A FEE FOR SERVICES BASIS TO RECEIVE DAY CONTINUING SERVICES, INCLUDING MENTAL HEALTH TREATMENT, PSYCHOSOCIAL REHABILITATION SERVICES, AND OTHER COMMUNITY SUPPORT SERVICES PROVIDED BY THE DEPARTMENT'S COMMUNITY HEALTH CENTERS," was adopted.

S.R. No. 49, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, S.R. No. 49, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH CONVENE A TASK FORCE TO EXAMINE THE FEASIBILITY OF ALLOWING PRIVATE PAY PATIENTS ON A FEE FOR SERVICES BASIS TO RECEIVE DAY CONTINUING SERVICES, INCLUDING MENTAL HEALTH TREATMENT, PSYCHOSOCIAL REHABILITATION SERVICES, AND OTHER COMMUNITY SUPPORT SERVICES PROVIDED BY THE DEPARTMENT'S COMMUNITY HEALTH CENTERS," was adopted.

RECONSIDERATION OF ACTION TAKEN

S.B. No. 2395, S.D. 2, H.D. 1:

Senator Kim moved that the Senate reconsider its action taken on April 15, 2004, in disagreeing to the amendments proposed by the House to S.B. No. 2395, S.D. 2, seconded by Senator Hanabusa.

At 1:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:12 o'clock p.m.

The motion was put by the Chair and carried.

Senator Kim moved that the Senate agree to the amendments proposed by the House to S.B. No. 2395, S.D. 2, seconded by Senator Hanabusa.

Senator Kim noted:

"Mr. President, this measure is the information practices for the convention center. The House basically made some style changes."

Senator Ihara rose in opposition to the motion and said:

"Mr. President, I rise to speak in opposition to the motion that the Senate agree to the House amendments to S.B. No. 2395.

"I'm taking this unusual move to speak on this bill at this time because I want to sound the alarm to the members and the public that the Senate is about to pass this bill on Monday. The Senate originally passed this bill at the recommendation of the Senate Judiciary Committee. The House companion bill came to the Senate, the Judiciary Committee heard the bill and voted to hold the bill. So, the Committee had actually reversed its position and, nonetheless, we are seeing this bill here before us again.

"I am opposed to this bill because it would keep secret the user's identity, the users of Hawaii's public convention center. I think this is an ill-advised policy that I must oppose.

"S.B. No. 2395 sets a hasty precedent, in my mind, that Hawaii's open records laws and citizen's right to know may be disregarded for economic reasons. This bill poses a significant policy question in my mind – how much are our citizen's rights, these rights, how much are they worth? A million dollars? Two million dollars? Because it is purely and only for economic reasons that this bill was even proposed. It is only because Hawaii's convention center is in economic trouble, flowing in red ink, that this bill is needed and before us today.

"If the convention center was doing half as well as expected when first proposed years ago, this bill would not have been introduced, I believe. This bill takes away forever the public's right to know who is using our convention center, because all users who demand secrecy will get it if this bill passes. Mr. President, this bill provides that if and when the convention center becomes an economic success, which I hope it will, it must still continue to provide secrecy. The bill disregards citizen's right to know even when the reasons for this bill goes away.

"Mr. President, the Senate will vote on this bill for Final Reading on Monday and I hope Senators enjoy the weekend. I'll try to sound as large an alarm I can make and I hope that we will consider keeping the lights on in the convention center when we vote on Monday.

"Thank you."

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I, too, rise in opposition to the action contemplated here.

"I applaud the previous speaker – his remarks, his dedication to this. I spoke up and voted against this in Committee on several occasions. On the second floor I was very happy that the Senate had taken this position, and there is no way that we can justify this bill. There's no way that we can talk about open government and sunshine and public information, and pass this bill. There was no need for this bill.

"There may be something going on that we're not discussing, but we certainly aren't discussing it in public right here. And quite frankly, this bill does not pass the smell test and we should stop it today – not on Monday. We should do it today.

"Thank you."

Senator Kim rose in rebuttal and said:

“Mr. President, I rise to speak in support or rebuttal.

“Mr. President, this bill will not forever remove certain information and the public from knowing. This measure was amended and it continues to be in that form, in the House form, where up until 10 days after the event. And it’s only in cases, specific cases, when a client feels that they would like this information for various reasons that were stated that this information be kept confidential.

“I believe that whether or not the convention center is doing well or not really has no bearing on this. The fact of the matter is, you have certain types of conventions that come into town that may want to have some of their records kept confidential, and this is a means in which the convention center can also remain viable and competitive with its competition throughout the nation.

“Also, if a booking is canceled, that information is made available. I was also told that if a Legislator were to ask for that information, that information would also be available.

“Thank you.”

Senator Hogue rose in opposition and said:

“Mr. President, I rise in opposition to this measure.

“This measure doesn’t pass the smell test or the common sense test. Think about this – we can have some entity coming in here; we can’t release the information for 10 days; hundreds, if not thousands, of people are running around and we ask the convention center what’s going on and they say, ‘well, contractually, we can’t tell you.’ And so, it makes absolutely no common sense.

“In its form right now, we should vote it down. Thank you.”

Senator Ihara rose in opposition and said:

“Mr. President, just a quick note and further comments in opposition to the motion to agree.

“I want us to be clear that any and all users of the convention center who request it and have a legitimate reason to duly note their verification but demand that their use of the convention center be kept from the public while they are using the convention center – any and all users who say that they want their use of the convention center be kept secret, will be kept secret and the public will never, never know who is using the convention center while they are using it. They will only find out about who the user of the convention center is, the identity of that user, after, if they’re from the mainland, after they leave town. And that’s when we’ll find out.

“I believe that this is Hawaii’s convention center and I am quite concerned about the policy that this legislation would provide.

“Thank you.”

Senator Inouye rose to speak on the motion and said:

“Mr. President, I will be voting for the motion, however, I will leave my remarks, if this passes, to our decision-making on Monday.

“It has been brought to my attention . . . I received a call from San Francisco on this measure, but apparently it didn’t pass so I have no problem with that. However, one thought that was put to mind for my information was that there’s a certain

industry that is very concerned about the non-information posting, as well as not knowing who’s using the industry as it relates to an incident that happened in San Francisco with regards to WTO and their plans to have conferences worldwide. There is a concern that in the event that there is a conference to be held here in our state with regards to an activity of WTO (World Trade Organization) or anything that affects decision-making of that body as it relates to the biotech industry and the process of GMOs, that in the event something does come to Hawaii, that no one will know of it until they leave as well as how it affects, if in the event such conferences are held here, that security measures will be needed and how can we differentiate security requests of our police departments as well as civil defense and those of that nature, Mr. President and colleagues.

“It’s a concern that I’ve dealt with in the last couple of days and I thought this measure died so I didn’t have to worry about that. But I just needed to hear that with all of you that I will be looking at this measure and will probably make some decisions at that time.

“Thank you.”

Senator Slom rose and said:

“Roll Call vote, Mr. President.”

Senators Chun Oakland, Fukunaga, Hooser, Ige and Inouye requested their votes be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 2395, S.D. 2, and S.B. No. 2395, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,” was placed on the calendar for Final Reading on Monday, April 19, 2004, on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Hemmings, Hogue, Ihara, Slom, Trimble). Excused, 2 (Kanno, Whalen).

At 1:23 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

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

APPOINTMENT OF CONFEREES

S.B. No. 14, 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. 14, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Kanno, Taniguchi, co-chairs; Hooser, Hogue as managers on the part of the Senate at such conference.

S.B. No. 473, 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. 473, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Chun Oakland, co-chairs; Aduja, Whalen as managers on the part of the Senate at such conference.

S.B. No. 643, 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. 643, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Hanabusa, Taniguchi, co-chairs; Chun Oakland, English as managers on the part of the Senate at such conference.

S.B. No. 1000, 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. 1000, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Chun Oakland, English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1138, 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. 1138, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; Chun Oakland, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 1615 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1615, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, co-chairs; Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2004, 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. 2004, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Menor, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2021, 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. 2021, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto chair; Aduja, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2045, 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. 2045, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Kanno, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2063, 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. 2063, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2077, 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. 2077, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Kawamoto, Taniguchi, Inouye, co-chairs; Kokubun, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2114 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2114, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Hooser, Kokubun, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2131, 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. 2131, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Aduja, Espero, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2134 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2134, and the request for a conference on the subject matter thereof, the President appointed Senators English, Kokubun, Kawamoto, co-chairs; Taniguchi, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2165, 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. 2165, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Baker, Taniguchi, co-chairs; Kim, Kokubun, Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2200 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2200, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Hanabusa, co-chairs; Hooser, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2226, 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. 2226, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Taniguchi, co-chairs; Baker, Hooser, Inouye, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2246, 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. 2246, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, chair; Aduja, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2280, 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. 2280, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, co-chairs; Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2281, 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. 2281, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, Fukunaga, Taniguchi, co-chairs; Aduja, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2302, 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. 2302, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, Taniguchi, co-chairs; Espero, Slom as managers on the part of the Senate at such conference.

S.B. No. 2344, 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. 2344, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Aduja, Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2364, 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. 2364, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Taniguchi, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2380, 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. 2380, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, Taniguchi, co-chairs; Fukunaga, Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2385, 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. 2385, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, Espero, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2396, 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. 2396, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kim, Taniguchi, co-chairs; Tsutsui, Slom as managers on the part of the Senate at such conference.

S.B. No. 2399, 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. 2399, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, co-chairs; Inouye, Taniguchi, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2405, 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. 2405, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators English, Hanabusa, co-chairs; Kokubun, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2413, 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. 2413, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, Taniguchi, co-chairs; Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2438, 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. 2438, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, Kokubun, co-chairs; Espero, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2538, 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. 2538, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Chun Oakland, Menor, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2558, 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. 2558, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Ige, Taniguchi, co-chairs; Aduja, Espero, Kokubun, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2586, 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. 2586, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Menor, co-chairs; Chun Oakland, Inouye, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2605 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2605, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Taniguchi, co-

chairs; Baker, Espero, Kawamoto, Kim, Kokubun, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2606, 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. 2606, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Menor, Hanabusa, co-chairs; Kawamoto, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2607, 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. 2607, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Hanabusa, co-chairs; Fukunaga, Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2654, 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. 2654, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Baker, Taniguchi, co-chairs; Inouye, Kim, Kokubun, Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2671, 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. 2671, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2690, 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. 2690, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, co-chairs; Chun Oakland, Taniguchi, Tsutsui, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2693, 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. 2693, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, co-chairs; Aduja, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2716, 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. 2716, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, chair; Chun Oakland, Hooser, Whalen as managers on the part of the Senate at such conference.

S.B. No. 2748, 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. 2748, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Hanabusa, Taniguchi, co-chairs; Chun Oakland, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2782, 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. 2782, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, English, co-chairs; Aduja, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 2790, 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. 2790, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Chun Oakland, English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2791, 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. 2791, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Chun Oakland, English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2834, 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. 2834, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; Chun Oakland, Kokubun, Slom as managers on the part of the Senate at such conference.

S.B. No. 2835, 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. 2835, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; Chun Oakland, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2840, 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. 2840, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; English, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2861, 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. 2861, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, chair; Chun Oakland, English, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2869, 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. 2869, S.D. 2,

and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, Taniguchi, co-chairs; Espero, Kanno, Kokubun, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2929, 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. 2929, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Baker, Taniguchi, co-chairs; Inouye, Kim, Kokubun, Tsutsui, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2930, 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. 2930, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Baker, Taniguchi, co-chairs; Kim, Kokubun, Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2936, 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. 2936, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Taniguchi, co-chairs; Kokubun, Tsutsui, Trimble as managers on the part of the Senate at such conference.

S.B. No. 2976, 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. 2976, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2994, 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. 2994, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; Chun Oakland, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 2996, 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. 2996, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Kokubun, Taniguchi, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3020 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3020, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Kanno, Taniguchi, co-chairs; Hooser, Hogue as managers on the part of the Senate at such conference.

S.B. No. 3024, 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. 3024, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, Fukunaga, Taniguchi, co-chairs; Hooser, Kokubun, Tsutsui, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3041, 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. 3041, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Baker, Hanabusa, co-chairs; Fukunaga, Ige, Trimble as managers on the part of the Senate at such conference.

S.B. No. 3044 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3044, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kawamoto, Hanabusa, co-chairs; Hooser, Trimble as managers on the part of the Senate at such conference.

S.B. No. 3051, 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. 3051, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, co-chairs; Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 3080, 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. 3080, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Kim, Taniguchi, co-chairs; Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3086 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3086, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, co-chairs; Kanno, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3104, 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. 3104, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairs; English, Kokubun, Hogue as managers on the part of the Senate at such conference.

S.B. No. 3129, 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. 3129, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Taniguchi, co-chairs; Aduja, Kokubun, Whalen as managers on the part of the Senate at such conference.

S.B. No. 3135, 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. 3135, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Taniguchi, co-chairs; Chun Oakland, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3153, 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. 3153, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, Inouye, co-chairs; Baker, Kokubun, Taniguchi, Hemmings as managers on the part of the Senate at such conference.

S.B. No. 3182 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3182, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, Kokubun, Trimble as managers on the part of the Senate at such conference.

S.B. No. 3207, 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. 3207, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, Kokubun, co-chairs; Taniguchi, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2397, 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. 2397, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kim, Kokubun, Sakamoto, Trimble as managers on the part of the Senate at such conference.

H.B. No. 2511 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2511, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, chair; Kokubun, Tsutsui as managers on the part of the Senate at such conference.

H.B. No. 2844, 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. 2844, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Chun Oakland, Taniguchi, co-chairs; Hooser, Tsutsui as managers on the part of the Senate at such conference.

CONFERENCE COMMITTEE REPORT

On motion by Senator Kawamoto, seconded by Senator Hogue and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 1:24 o'clock p.m., the Senate took the following actions:

Senator Kim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2061, H.D. 2, S.D. 1, presented a report (Conf. Com. Rep. No. 11-04) recommending that H.B. No. 2061, 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. 11-04 and H.B. No. 2061, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," was deferred for a period of 48 hours.

ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, April 19, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate