

THIRTY-FIFTH DAY

Tuesday, March 20, 2007

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2007, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dennis Koshko, St. Anthony of Padua Catholic Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Kim, Menor and Whalen who were excused.

The President announced that she had read and approved the Journal of the Thirty-Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 551 to 554) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 551, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of STEVEN J. T. CHOW, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 552, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of MICHAEL WARREN RUFINO, term to expire June 30, 2007, was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Gov. Msg. No. 553, advising the Senate of the withdrawal of the nomination of PAMELA A. TORRES CPCM to the Procurement Policy Board, under Gov. Msg. No. 382, dated February 7, 2007, was placed on file.

In compliance with Gov. Msg. No. 553, the nomination listed under Gov. Msg. No. 382 was returned.

Gov. Msg. No. 554, advising the Senate of the withdrawal of the nomination of MARK OYAMA to the Small Business Regulatory Review Board, under Gov. Msg. No. 485, dated February 28, 2007, was placed on file.

In compliance with Gov. Msg. No. 554, the nomination listed under Gov. Msg. No. 485 was returned.

STANDING COMMITTEE REPORTS

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 567, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 567, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR SPORTS FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Taxation, presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 1630, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1630, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and Public Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 208, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 208, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and Public Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1079) recommending that H.B. No. 55, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 55, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Ige, for the Committee on Human Services and Public Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 71, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 71, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Senators Chun Oakland and Ige, for the Committee on Human Services and Public Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 325, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 325, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Tourism and Government Operations, presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 1287 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Tourism and Government Operations, presented a report (Stand. Com. Rep. No. 1083) recommending that H.B. No. 1352, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1352, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the majority of the Committee on Tourism and Government Operations, presented a report (Stand. Com. Rep. No. 1084) recommending that H.B. No. 1659, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the majority of the Committee was adopted and H.B. No. 1659, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the majority of the Committee on Tourism and Government Operations, presented a report (Stand. Com. Rep. No. 1085) recommending that H.B. No. 1767, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the majority of the Committee was adopted and H.B. No. 1767, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1086) recommending that H.B. No. 260, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1087) recommending that H.B. No. 402, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 402, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 692, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 692, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 1639, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development and Taxation.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1639, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Economic Development and Taxation.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 718, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 718, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 507, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 507, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kokubun and English, for the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Transportation and International Affairs, presented a joint report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 714, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hooser, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 714, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 22, 2007.

ORDER OF THE DAY

RE-REFERRAL OF A HOUSE BILL

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

House Bill Referred to:

No. 1831, H.D. 1 Committee on Water, Land, Agriculture and Hawaiian Affairs, then to the Committee on Ways and Means

Senator Inouye, Chair of the Committee on Intergovernmental and Military Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1950.

Senator Inouye noted:

“Madam President, we received a request to hear this measure, and it’s a joint referral of IGM and Water, Land and Hawaiian Affairs. This waiver is to ask that we schedule a hearing on Thursday, March 22nd, at 9:00 a.m.”

The Chair then granted the waiver.

Senator Taniguchi, Chair of the Committee on Commerce, Consumer Protection and Affordable Housing, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. Nos. 1311 and 1518

Senator Taniguchi noted:

“We’d like to include these bills in our hearing tomorrow.”

The Chair then granted the waiver.

At 11:47 o’clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o’clock a.m.

ADJOURNMENT

At 11:53 o’clock a.m., on motion by Senator Ige, seconded by Senator Gabbard and carried, the Senate adjourned until 11:30 o’clock a.m., Wednesday, March 21, 2007.