

THIRTY-SEVENTH DAY

Thursday, March 22, 2007

The Senate of the Twenty-Fourth Legislature of the State of Hawai'i, Regular Session of 2007, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Michael O. Silva, Palisades Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Kim and Whalen who were excused.

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

Senator Sakamoto, in commemoration of the University of Hawai'i's 100th Anniversary, introduced President David McClain, Joyce Najita, Dr. Fujio Matsuda, Robert Fujimoto and Kenji Rasmussen.

Senator Hee introduced Natasha Kai and congratulated her on being the first Rainbow Wahine soccer player to receive All-American honors. Accompanying Natasha were her parents, Benny and Sharon Kai, and Team Captain Leslie Osborne.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 558 to 562) were read by the Clerk and were placed on file:

Gov. Msg. No. 558, dated March 20, 2007, transmitting a Report Relating to Monthly Enforcement Activities of the Division of Conservation and Resources Enforcement for February 2007, prepared by the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement, pursuant to Act 160, Section 19.3, SLH 2006.

Gov. Msg. No. 559, dated March 14, 2007, transmitting a Report on Expenditures from the Bond Protocol Account for FY 2006, prepared pursuant to Act 178, Section 145, SLH 2005.

Gov. Msg. No. 560, letter dated March 15, 2007, transmitting proposed changes to the General Appropriations Act for the Department of Agriculture, the Department of Commerce and Consumer Affairs, the Department of Defense, the Department of Health, and the Department of Land and Natural Resources.

Gov. Msg. No. 561, dated March 16, 2007, transmitting a Report for the 2nd Quarter of FY 2006-2007 on Position Vacancies of Over One Year, prepared by the Department of Human Services, pursuant to Act 178, Section 159, SLH 2005.

Gov. Msg. No. 562, letter dated March 20, 2007, transmitting proposed changes to the General Appropriations Act of 2007 for the Department of Accounting and General Services.

HOUSE COMMUNICATION

Hse. Com. No. 472, returning S.B. No. 921, S.D. 1, which passed Third Reading in the House of Representatives on March 21, 2007, in an amended form, was read by the Clerk and was placed on file.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 921, S.D. 1, and requested a conference on the subject matter thereof.

STANDING COMMITTEE REPORTS

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1135) recommending that H.B. No. 758, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 758, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1136) recommending that H.B. No. 1294 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1137) recommending that H.B. No. 1567 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1567, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1138) recommending that H.B. No. 1400 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1139) recommending that H.B. No. 1403, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1403, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1140) recommending that H.B. No. 1440, H.D. 3, pass Second Reading and be referred jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1440, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred jointly to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1141) recommending that H.B. No. 1564 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1564, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1142) recommending that H.B. No. 1565, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1565, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1143) recommending that H.B. No. 1566 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1566, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1144) recommending that H.B. No. 1568 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1568, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1145) recommending that H.B. No. 1569 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1569, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING

COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1146) recommending that H.B. No. 1570 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1147) recommending that H.B. No. 1572 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1572, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1148) recommending that H.B. No. 1573 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1573, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Ige, for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1149) recommending that H.B. No. 16, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 16, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Ige, for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1150) recommending that H.B. No. 136, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 136, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIDS RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1151) recommending that H.B. No. 1563 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1563, entitled: "A BILL FOR AN ACT MAKING

APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1152) recommending that H.B. No. 1291, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1291, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1153) recommending that H.B. No. 15, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 15, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1154) recommending that H.B. No. 24, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 24, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1155) recommending that H.B. No. 595, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 595, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1156) recommending that H.B. No. 777, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 777, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1157) recommending that H.B. No. 1530, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1530, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1158) recommending that H.B. No. 1278, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1159) recommending that H.B. No. 870, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 870, H.D. 1, S.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1160) recommending that H.B. No. 334, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 334, H.D. 1, S.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1161) recommending that H.B. No. 1941, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1941, H.D. 1, S.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLING INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1162) recommending that H.B. No. 1943, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1943, H.D. 1, S.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services and Public

Housing, presented a joint report (Stand. Com. Rep. No. 1163) recommending that H.B. No. 426, H.D. 2, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 426, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Affordable Housing.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services and Public Housing, presented a joint report (Stand. Com. Rep. No. 1164) recommending that H.B. No. 1120, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 1120, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ige and Chun Oakland, for the Committee on Health and the Committee on Human Services and Public Housing, presented a joint report (Stand. Com. Rep. No. 1165) recommending that H.B. No. 531, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 531, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1166) recommending that H.B. No. 1377 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1377, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1167) recommending that H.B. No. 1495, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1495, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PALLIATIVE CARE RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1168) recommending that H.B. No. 1764, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No.

1764, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1169) recommending that H.B. No. 1373, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1373, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1170) recommending that H.B. No. 211, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 211, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1171) recommending that H.B. No. 1371, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1371, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1172) recommending that H.B. No. 1370, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1370, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1173) recommending that H.B. No. 1372, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1372, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM

BRANCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1174) recommending that H.B. No. 1368, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1175) recommending that H.B. No. 1785, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1785, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1176) recommending that H.B. No. 1907, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1907, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1177) recommending that H.B. No. 962, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 962, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHRONIC KIDNEY DISEASE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1178) recommending that H.B. No. 600, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 600, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Hee, for the Committee on Transportation and International Affairs and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 1179) recommending that H.B. No. 34, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English, Sakamoto and Menor, for the Committee on Transportation and International Affairs, the Committee on Education and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1180) recommending that H.B. No. 869, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 869, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Inouye, for the Committee on Transportation and International Affairs and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1181) recommending that H.B. No. 155, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Inouye, for the Committee on Transportation and International Affairs and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1182) recommending that H.B. No. 357, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 357, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Inouye, for the Committee on Transportation and International Affairs and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1183) recommending that H.B. No. 1092, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 1092, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Menor and Kokubun, for the Committee on Energy and Environment and the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1184) recommending that H.B. No. 899, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 899, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and English, for the Committee on Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, presented a joint report (Stand. Com. Rep. No. 1185) recommending that H.B. No. 277, 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 Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," 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. 1186) recommending that H.B. No. 1590, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1590, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1187) recommending that H.B. No. 1499, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1499, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kokubun, for the majority of the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1188) recommending that H.B. No. 1270, 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 Ige, seconded by Senator Gabbard and carried, the report of the majority of the Committee was adopted and H.B. No. 1270, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," 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. 1189) recommending that H.B. No. 1516, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1516, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS

AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR," 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. 1190) recommending that H.B. No. 1948, 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 Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1948, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1191) recommending that H.B. No. 1248, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 2007.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 1192) recommending that H.B. No. 931, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 931, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 2007.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1193) recommending that H.B. No. 1104, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1104, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 2007.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1194) recommending that H.B. No. 1204 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1204, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 2007.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1195) recommending

that H.B. No. 1081 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the report of the Committee was adopted and H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 2007.

Senators Inouye and English, for the Committee on Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, presented a joint report (Stand. Com. Rep. No. 1196) recommending that H.B. No. 1138 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 2007.

Senators English and Inouye, for the Committee on Transportation and International Affairs and the Committee on Intergovernmental and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1197) recommending that H.B. No. 657, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the Committees was adopted and H.B. No. 657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 2007.

Senators Menor, Fukunaga and Kokubun, for the Committee on Energy and Environment, the Committee on Economic Development and Taxation and the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1198) recommending that H.B. No. 646, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ige, seconded by Senator Gabbard and carried, the joint report of the majority of the Committees was adopted and H.B. No. 646, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1199) recommending that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

BELINDA A. ANDERSON, in accordance with Gov. Msg. No. 366;

PETER DEAN GONZALEZ, in accordance with Gov. Msg. No. 367;

DONNA DARLENE HANSEN, in accordance with Gov. Msg. No. 368;

RICHARD CHARLES JACKSON, in accordance with Gov. Msg. No. 369;

SANDRA JANE MIYOSHI, in accordance with Gov. Msg. No. 370;

JOY E. PATTERSON, in accordance with Gov. Msg. No. 371; and

G. NOELANI WILCOX, in accordance with Gov. Msg. No. 372.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1199 and Gov. Msg. Nos. 366, 367, 368, 369, 370, 371 and 372 was deferred until Friday, March 23, 2007.

Senator Ige, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1200) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

RONALD KATSUMI AWA, in accordance with Gov. Msg. No. 326;

PATRICIA MARILYN NIELSEN, in accordance with Gov. Msg. No. 327; and

MARK T. OBATAKE, in accordance with Gov. Msg. No. 328.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1200 and Gov. Msg. Nos. 326, 327 and 328 was deferred until Friday, March 23, 2007.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1201) recommending that the Senate advise and consent to the nomination of ROY W. REEBER PHD to the Hawai'i Paroling Authority, in accordance with Gov. Msg. No. 440.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1201 and Gov. Msg. No. 440 was deferred until Friday, March 23, 2007.

Senator Espero, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1202) recommending that the Senate advise and consent to the nomination of GORDON J. BRUCE to the Wireless Enhanced 911 Board, in accordance with Gov. Msg. No. 488.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1202 and Gov. Msg. No. 488 was deferred until Friday, March 23, 2007.

Senator Kokubun, for the Committee on Water, Land, Agriculture and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1203) recommending that the Senate advise and consent to the nomination of MICAH A. KANE as Chairperson of the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1203 and Gov. Msg. No. 272 was deferred until Friday, March 23, 2007.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1124 (Gov. Msg. Nos. 426 and 427):

Senator Sakamoto moved that Stand. Com. Rep. No. 1124 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawai'i Medical Education Council of the following:

JAMES E. HASTINGS MD, FACP, term to expire June 30, 2011 (Gov. Msg. No. 426); and

ARTHUR A. USHIJIMA, term to expire June 30, 2011 (Gov. Msg. No. 427),

seconded by Senator Tokuda.

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

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

Stand. Com. Rep. No. 1125 (Gov. Msg. Nos. 437, 438 and 439):

Senator Sakamoto moved that Stand. Com. Rep. No. 1125 be received and placed on file, seconded by Senator Tokuda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Center for Nursing Advisory Board of the following:

KEVIN MULLIGAN, term to expire June 30, 2011 (Gov. Msg. No. 437);

PENNYLYNN A. ONTAL, term to expire June 30, 2011 (Gov. Msg. No. 438); and

VICKY K. POLAND, term to expire June 30, 2011 (Gov. Msg. No. 439),

seconded by Senator Tokuda.

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

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

THIRD READING

H.B. No. 714, H.D. 2, S.D. 1:

On motion by Senator Kokubun, seconded by Senator English and carried, H.B. No. 714, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1108, H.D. 1:

On motion by Senator Hee, seconded by Senator Kokubun and carried, H.B. No. 1108, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1393:

Senator Hee moved that H.B. No. 1393, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition and said:

"Madam President, I rise to speak against this bill.

"Colleagues, the hour is late; the crowd has left, but before we change law, public discussion that has not occurred in the Committee hearings is important. This bill seeks to eliminate home addresses from the public record as it relates to certain payroll records. Is this good? Is it bad? Have you thought about why it was part of the public domain previously?

"If you looked at when the Legislature passed the original legislation to open up the executive branch for public scrutiny, there was a process, and I happened to be in the executive branch when we went through this time-consuming process of looking at everything we had in the file and trying to decide whether disclosure to the public was in the public interest or whether we were disclosing private information. Every record we had, we carefully went through, and if we thought that a bit of data was personal and did not have a public purpose, we made an argument for keeping it confidential. The executive branch went through this process.

"Now, I'm not privy to know, in any other division other than the division I served in, how they concluded that in this particular record regarding payroll records that disclosure of home address was significant, but I am aware of what have occurred with public contracts and payroll records in other cities across the United States, which would make one wonder whether this was a similar consideration in Hawaii. If somebody is an employee, I think it's important that we know whether he lives in Wahiawa, Hilo, or Boston. If I were an employer in Colorado and I saw that some name I was familiar with – and we no longer have social security numbers so I can't check that – had a home address that I was familiar with, maybe there might be more public disclosure that how can somebody have two jobs paid by two different parties, and this is easier to determine if the home address is public.

"We do not have the institutional knowledge to know why 15 years ago, or so, this was considered part of the public record. Until we know why it was originally there, I don't think it's a good idea to unilaterally say no, the public interest will no longer be served by having this in the public domain.

"For that reason, I will vote against this bill. Thank you."

Senator Hee rose on the measure and said:

"Madam President, this measure is brought to protect the privacy . . ."

The Chair interjected:

"For what purpose do you rise?"

Senator Hee responded:

"To support the bill, Madam President.

"This measure is to protect the privacy of authorizing agencies to withhold from public disclosure individuals' home addresses because it was supported by the Office of Information Practices and is not generally required to be disclosed under the personal privacy exemption of Chapter 92F. This measure

extends to home addresses the same protection currently provided to individuals' social security numbers in payroll records, of public work contracts, and other government records concerning public hires and consultants.

"I urge my colleagues to vote 'yes.'"

Senator Ihara rose and said:

"Madam President, could I ask the Judiciary Chair a question on a point of information?"

The President then inquired:

"Senator Hee, will you accept the point of information?"

Senator Hee replied:

"No."

Senator Ihara then requested a recess.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Ihara rose on the measure and said:

"Madam President, my question to myself or to the Senate, and I'll answer it, is would this bill, if passed, prohibit agencies from releasing the city and state of the employees? And the answer is no. So, that information is still available to the public.

"Thank you."

Senator Trimble rose in rebuttal and said:

"Madam President, I stand in brief rebuttal.

"Colleagues, and I think it was before the Chair of the Judiciary was in this elected Body, I think it was either four or five years ago . . . and again, we had some changes in the Office of Information Practices in terms of personnel and we had an individual that lived on the Big Island that delighted in the habit of sending faxes. And first, the Office of Information Practices wanted us to or sought to require each of us, if we received a fax from somebody that was not in our district that didn't relate to anything we did – in this particular case it was a memorandum of the Governor to the executive branch – the Office of Information Practices sought to convince us that that particular record, because we received it on a fax, that particular piece of paper should become part of our official record as a Senator. And later in the Session, after some thinking, they decided to introduce a bill that allowed them, or allowed us to request them to designate a particular individual as a vexatious requestor, and only one Senator, at that moment, stood up and on the Floor of the Senate opposed that bill. Fortunately, that bill did not become law.

"I do not doubt that the current people in the Office of Information Practices say or said what the Judiciary Chair said they did, but it does not relate to what I gave you as a description of the process that the executive branch went through over 15 years ago to decide what should be in the public domain and what should not. No one has answered that question. What we are trying to do is not prevent government from examining the public record. Honesty in this community is the responsibility of every citizen. That is the intent behind

having information public – not public for other government entities, but public for individuals.

"The Chair of the Judiciary Committee has not addressed that. We, as individuals, should have the right to examine records and if we see one individual that is receiving income for three or four different sources and lives at a single address, maybe that's important; maybe that should be public information and maybe the press ought to report it.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1393, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Trimble). Excused, 3 (Bunda, Kim, Whalen).

H.B. No. 1158:

Senator Hee moved that H.B. No. 1158, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Trimble rose in opposition and said:

"Madam President, I rise in opposition to H.B. No. 1158.

"Colleagues, the bill tries to do two things. One is it seeks to increase penalties. The other thing is that it seeks to change the commonly understood meaning of the word arson. The meaning that most of us grew up with is intentionally using fire to destroy property and/or life. The bill, as currently written, changes that definition to talk about fire that resulted in loss of property or life that occurred in a reckless manner.

"I would like each of you to reexamine your life, because I believe that common sense is experienced based and we acquire this common sense by doing things that perhaps in some occasion our parents, or our colleagues, or our friends, or our playmates consider as reckless. Fortunately, and almost all, well, in all of the cases where I grew up, this type of behavior perhaps did not result in unpleasant consequences to anyone other than myself.

"I would hate to see society change its nature to think in terms of criminality in terms of reckless behavior. We do not, as a basis of law, have recklessness in the first degree, second degree, or third. We look at what happens, usually not what it was intended, not whether it was careless, but what actually resulted. That should be the basis for our desire to punish people. And so, when we change, we morph the definition of the word arson to include behavior that may be reckless, I think it's wrong.

"Thank you, Madam President."

Senator Hee rose in favor of the measure and said:

"Madam President, I rise to speak in favor of the bill.

"It's real simple – this bill is because of people who throw a cigarette butt or kids who play under the kiawe tree and end up burning in excess of 10,000 acres. This bill amends it because the bill was flawed and it had 10,000 . . . I beg your pardon, 10,000 square feet. It didn't say 'or more,' so it had to be 10,000 square feet. It was an oversight on the Legislature last year.

“The Governor has asked us to consider, and we have considered the Governor’s request. The Governor has asked us to also consider that ‘recklessly’ be measured to the extent that it is an offense of arson in the fourth degree for any fires or causes property to be burned.

“It’s common sense. I urge my colleagues to exercise common sense. Thank you.”

The motion was put by the Chair and carried, H.B. No. 1158, entitled: “A BILL FOR AN ACT RELATING TO ARSON,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Trimble). Excused, 3 (Bunda, Kim, Whalen).

H.B. No. 1427:

On motion by Senator English, seconded by Senator Inouye and carried, H.B. No. 1427, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Kim, Whalen).

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 8, 2007; Friday, March 9, 2007; Monday, March 12, 2007; Tuesday, March 13, 2007; and Wednesday, March 14, 2007:

Senate
Concurrent
Resolution

Referred to:

No. 48 Committee on Human Services and Public Housing, then to the Committee on Ways and Means

No. 49 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

No. 50 Jointly to the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

No. 51 Committee on Education

No. 52 Jointly to the Committee on Public Safety and the Committee on Education

No. 53 Committee on Energy and Environment

No. 54 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Public Safety

No. 63 Committee on Intergovernmental and Military Affairs

No. 64 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 65 Committee on Economic Development and Taxation

No. 66 Jointly to the Committee on Education and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means

No. 67 Committee on Education

No. 68 Jointly to the Committee on Commerce, Consumer Protection and Affordable Housing and the Committee on Judiciary and Labor

No. 69 Jointly to the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs

No. 70 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Intergovernmental and Military Affairs

No. 71 Committee on Human Services and Public Housing, then to the Committee on Ways and Means

No. 72 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

No. 73 Committee on Education

No. 74 Jointly to the Committee on Education and the Committee on Water, Land, Agriculture and Hawaiian Affairs, then to the Committee on Ways and Means

No. 75 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

No. 76 Committee on Education

No. 77 Jointly to the Committee on Education and the Committee on Human Services and Public Housing

No. 78 Committee on Education

No. 79 Committee on Education

No. 80 Jointly to the Committee on Human Services and Public Housing, the Committee on Health and the Committee on Intergovernmental and Military Affairs

No. 81 Committee on Human Services and Public Housing, then to the Committee on Ways and Means

No. 82 Committee on Intergovernmental and Military Affairs

No. 83 Committee on Judiciary and Labor

No. 84 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means

No. 85 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Intergovernmental and Military Affairs, then to the Committee on Ways and Means

No. 86 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Intergovernmental and Military Affairs, then to the Committee on Ways and Means

No. 87 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 88 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 89 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 90 Committee on Water, Land, Agriculture and Hawaiian Affairs, then to the Committee on Judiciary and Labor

No. 91 Jointly to the Committee on Human Services and Public Housing and the Committee on Transportation and International Affairs

No. 92 Jointly to the Committee on Education and the Committee on Human Services and Public Housing

No. 93 Jointly to the Committee on Health and the Committee on Public Safety

No. 94 Jointly to the Committee on Transportation and International Affairs and the Committee on Education

No. 95 Jointly to the Committee on Education and the Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 96 Jointly to the Committee on Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor

No. 97 Committee on Commerce, Consumer Protection and Affordable Housing, then to the Committee on Ways and Means

No. 98 Committee on Transportation and International Affairs, then to the Committee on Ways and Means

No. 99 Committee on Human Services and Public Housing, then to the Committee on Ways and Means

No. 100 Jointly to the Committee on Commerce, Consumer Protection and Affordable Housing and the Committee on Judiciary and Labor

No. 101 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 102 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 103 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 104 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Economic Development and Taxation, then to the Committee on Judiciary and Labor

No. 105 Committee on Health

No. 106 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs, the Committee on Intergovernmental and Military Affairs and the Committee on Energy and Environment

No. 107 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Intergovernmental and Military Affairs

No. 108 Committee on Intergovernmental and Military Affairs

No. 109 Jointly to the Committee on Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor

No. 110 Jointly to the Committee on Intergovernmental and Military Affairs and the Committee on Water, Land, Agriculture and Hawaiian Affairs

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, March 8, 2007; Friday, March 9, 2007; Monday, March 12, 2007; Tuesday, March 13, 2007; and Wednesday, March 14, 2007:

Senate Resolution	Referred to:
No. 26	Committee on Education
No. 27	Jointly to the Committee on Public Safety and the Committee on Education
No. 28	Committee on Energy and Environment
No. 29	Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Public Safety
No. 38	Committee on Education, then to the Committee on Ways and Means
No. 39	Committee on Economic Development and Taxation
No. 40	Jointly to the Committee on Education and the Committee on Transportation and International Affairs, then to the Committee on Ways and Means
No. 41	Jointly to the Committee on Commerce, Consumer Protection and Affordable Housing and the Committee on Judiciary and Labor
No. 42	Jointly to the Committee on Human Services and Public Housing and the Committee on Intergovernmental and Military Affairs
No. 43	Committee on Education
No. 44	Jointly to the Committee on Education and the Committee on Human Services and Public Housing
No. 45	Committee on Education
No. 46	Committee on Education
No. 47	Jointly to the Committee on Human Services and Public Housing, the Committee on Health and the Committee on Intergovernmental and Military Affairs

No. 48 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means

No. 49 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Intergovernmental and Military Affairs, then to the Committee on Ways and Means

No. 50 Jointly to the Committee on Water, Land, Agriculture and Hawaiian Affairs and the Committee on Intergovernmental and Military Affairs, then to the Committee on Ways and Means

No. 51 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 52 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 53 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 54 Committee on Water, Land, Agriculture and Hawaiian Affairs, then to the Committee on Judiciary and Labor

No. 55 Jointly to the Committee on Human Services and Public Housing and the Committee on Transportation and International Affairs

No. 56 Jointly to the Committee on Education and the Committee on Human Services and Public Housing

No. 57 Jointly to the Committee on Health and the Committee on Public Safety

No. 58 Jointly to the Committee on Transportation and International Affairs and the Committee on Education

No. 59 Jointly to the Committee on Education and the Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 60 Jointly to the Committee on Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor

No. 61 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 62 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 63 Committee on Water, Land, Agriculture and Hawaiian Affairs

No. 64 Committee on Health

No. 65 Committee on Intergovernmental and Military Affairs

No. 66 Jointly to the Committee on Intergovernmental and Military Affairs and the Committee on Transportation and International Affairs, then to the Committee on Judiciary and Labor

No. 67 Jointly to the Committee on Intergovernmental and Military Affairs and the Committee on Water, Land, Agriculture and Hawaiian Affairs

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 639, H.D. 2 Committee on Energy and Environment

No. 835, H.D. 2 Jointly to the Committee on Commerce, Consumer Protection and Affordable Housing and the Committee on Ways and Means

No. 1063 Committee on Intergovernmental and Military Affairs, then to the Committee on Ways and Means

The President made the following announcement:

“Members, the deadline for filing Second Reading bills moving laterally to final Committee is 8:00 p.m. tonight.”

ADJOURNMENT

At 12:24 o'clock p.m., on motion by Senator Ige, seconded by Senator Gabbard and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 23, 2007.