THIRTEENTH DAY

Tuesday, February 7, 2006

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mike Young, First Unitarian Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senator Kokubun who was excused.

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

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 211 to 229) were read by the Clerk and were placed on file:

Gov. Msg. No. 211, dated January 20, 2006, transmitting the High Technology Development Corporation's 2005 Annual Report.

Gov. Msg. No. 212, dated January 23, 2006, transmitting the Corrections Population Management Commission's 2005 Annual Report, pursuant to Section 353F-5, HRS.

Gov. Msg. No. 213, dated January 24, 2006, transmitting the 2005 Annual Report of the Natural Energy Laboratory of Hawaii Authority, pursuant to Chapter 277D, HRS.

Gov. Msg. No. 214, dated January 26, 2006, transmitting the 2005 Annual Report of the State of Hawaii Overseas Offices, prepared by the Department of Business, Economic Development and Tourism, Strategic Marketing and Support Division, pursuant to Section 201-84.

Gov. Msg. No. 215, dated January 31, 2006, transmitting a Preliminary Report on the Implementation of Act 183, Incentives for Important Agricultural Lands, prepared by the Department of Agriculture

Gov. Msg. No. 216, dated January 31, 2006, transmitting a Follow-up Report on Edible School Gardens, prepared by the Department of Education pursuant to S.R. No. 7 (2005) and H.R. No. 21 (2005).

Gov. Msg. No. 217, dated January 31, 2006, transmitting the Small Business Regulatory Review Board Annual Report, prepared by the Department of Business, Economic Development, and Tourism, Business Assistance Branch, pursuant to Chapter 201M, HRS.

Gov. Msg. No. 218, dated February 3, 2006, transmitting the Disability and Communication Access Board Annual Report for Fiscal Year 2004-2005, pursuant to Section 348F-4, HRS.

Gov. Msg. No. 219, dated February 3, 2006, transmitting a Report of Stakeholder Group Activities to Implement a Crisis Stabilization Services at the Maui Memorial Medical Center, prepared by the Department of Health and the Hawaii Health Systems Corporation, pursuant to S.C.R. No. 93 (2005).

Gov. Msg. No. 220, dated February 3, 2006, transmitting a report prepared by the Department of Health, pursuant to H.C.R. No. 229 (2005), requesting the Legislative Reference Bureau to coordinate studies, with the assistance of the Department of Health, to evaluate the impact of the physician "on-call" crisis on the Queen's Medical Center Trauma Center to provide emergency medical services in the State of Hawaii, and to recommend any appropriate government and private sector responses to the on-call crisis to ensure continued access to trauma level care.

Gov. Msg. No. 221, dated January 23, 2006, transmitting the 2005 Annual Report of the Hawaii Community Development Authority for Fiscal Year Ending June 30, 2005.

Gov. Msg. No. 222, dated January 24, 2006, transmitting the Hawaii Strategic Development Corporation's 2005 Annual Report.

Gov. Msg. No. 223, dated February 3, 2006, transmitting the Student Substance Abuse Assessment and Treatment Advisory Task Force Report, prepared by the Department of Health pursuant to Act 213, Section 3, SLH 2005.

Gov. Msg. No. 224, dated February 3, 2006, transmitting a Report on the Implementation of the State Plan for Substance Abuse, prepared by the Department of Health, Alcohol and Drug Abuse Division, pursuant to Section 321-195, HRS.

Gov. Msg. No. 225, letter dated January 27, 2006, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2309, which makes an emergency appropriation and authorization for $5,169,458 from general funds to allow the Department of Education (DOE) to fund the cost of the DOE's electricity usage for Fiscal Year 2005-2006.

Gov. Msg. No. 226, letter dated January 27, 2006, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2310, which makes an emergency appropriation and authorization for $5,785,448 from general funds to allow the Department of Education (DOE) to meet the projected shortfall for student transportation for Fiscal Year 2005-2006.

Gov. Msg. No. 227, letter dated January 31, 2006, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2363, which makes an emergency appropriation and authorization for $1,600,000 from general funds to assist in the purchase and preservation of Waimea Valley, Oahu.

Gov. Msg. No. 228, letter dated January 31, 2006, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2241, which makes emergency appropriations and authorizations for $1,214,367 from general funds to the DNA Registry Special Fund and from the DNA Registry Special Fund to the Department of the Attorney General to carry out the purposes of Act 112, SLH 2005, relating to the mandatory collection of DNA samples from all convicted persons, and for $1,076,217 from general funds to the Department of the Attorney General to fund sexual assault treatment programs as provided in Act 133, SLH 2005.

Gov. Msg. No. 229, informing the Senate that on February 4, 2005, she signed into law House Bill No. 1949 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 45, from the University of Hawaii dated January 25, 2006, transmitting the Annual Report of the Research Corporation of the University of Hawaii for Fiscal Year Ending June 30, 2005, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 2004) recommending that S.B. No. 218, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Health.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was recommitted to the Committee on Health.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 2005) recommending that S.B. No. 204, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Education and Military Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Second Reading and was recommitted to the Committee on Education and Military Affairs.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 2006) recommending that S.B. No. 2340 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 2340, 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 Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2007) recommending that S.B. No. 301, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Labor.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 301, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was recommitted to the Committee on Labor.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 204, S.D. 1	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 218, S.D. 1	Committee on Health, then to the Committee on Ways and Means
No. 301, S.D. 1	Jointly to the Committee on Labor and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2286	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 2287	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 2307	Committee on Transportation and Government Operations, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means
No. 2541	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 2803	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2918	Jointly to the Committee on Intergovernmental Affairs and the Committee on Energy, Environment, and International Affairs, then to the Committee on Ways and Means
No. 3032	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 3079	Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 3257	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 3, from the Hawaii Health Systems Corporation Oahu Region (Leahi and Maluhia) dated January 27, 2006, transmitting a Report Relating to a Feasibility Study to Expand the Program of All-Inclusive Care for the Elderly (PACE) to Rural Communities in Hawaii, pursuant to Act 45, SLH 2004, was read by the Clerk and was placed on file.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 8, 2006.