THIRTY-SEVENTH DAY

Thursday, March 23, 2006

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Shuji Komogata, Soto Mission of Aiea, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Inouye, Kanno, Nishihara and Taniguchi who were excused.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 356 to 358) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 356, returning S.B. No. 2424, which passed Third Reading in the House of Representatives on March 22, 2006, was placed on file.

Hse. Com. No. 357, transmitting H.C.R. No. 19, which was adopted by the House of Representatives on March 22, 2006, was placed on file.

By unanimous consent, action on H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO STUDY POTENTIAL USE OF WATERWAYS AND LANDS WITHIN PEARL HARBOR UNDER FEDERAL JURISDICTION FOR PUBLIC TRANSPORTATION," was deferred until Friday, March 24, 2006.

Hse. Com. No. 358, transmitting H.C.R. No. 53, which was adopted by the House of Representatives on March 22, 2006, was placed on file.

By unanimous consent, action on H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE COUNTY FIRE CHIEFS TO COLLABORATE AND COOPERATE TO REACH A MUTUALLY AGREEABLE SOLUTION OVER FIRE INSPECTION RESPONSIBILITIES AT THE HONOLULU INTERNATIONAL AIRPORT AND OTHER STATE AIRPORTS," was deferred until Friday, March 24, 2006.

STANDING COMMITTEE REPORTS

Senators Espero and English, for the Committee on Business and Economic Development and the Committee on Energy, Environment, and International Affairs, presented a joint report (Stand. Com. Rep. No. 3036) recommending that H.B. No. 1888, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1888, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL COOPERATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3037) recommending that H.B. No. 2885, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2885, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT ENTERTAINMENT PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3038) recommending that H.B. No. 3261, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 3261, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INGENUITY CORPORATION CHARTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 3039) recommending that H.B. No. 3060, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 3060, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Espero, for the Committee on Media, Arts, Science and Technology and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 3040) recommending that H.B. No. 3063, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 3063, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Inouye, for the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 3041) recommending that H.B. No. 1982, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1982, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FISH," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2006.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3042) recommending that H.B. No. 1984, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1984, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVICTION DATA," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2006.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3043) recommending that H.B. No. 2299, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2299, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 803," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2006.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3044) recommending that H.B. No. 2896 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2896, entitled: "A BILL FOR AN ACT RELATING TO EMOTIONAL DISTRESS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2006.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3045) recommending that H.B. No. 3253, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 3253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2006.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3046) recommending that H.B. No. 2277, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2277, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3047) recommending that H.B. No. 2595, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2595, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY VISITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 3048) recommending that H.B. No. 3098, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 3098, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 3049) recommending that H.B. No. 1865, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1865, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Kanno, for the Committee on Education and Military Affairs and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 3050) recommending that H.B. No. 1862, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1862, 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.

Senators Fukunaga, English and Espero, for the Committee on Media, Arts, Science and Technology, the Committee on Energy, Environment, and International Affairs and the Committee on Business and Economic Development, presented a joint report (Stand. Com. Rep. No. 3051) recommending that H.B. No. 2863, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 2863, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY INNOVATION CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Sakamoto and Baker, for the Committee on Education and Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 3052) recommending that H.B. No. 1466, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1466, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 3053) recommending that H.B. No. 1891, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 1891, 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 Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3054) recommending that H.B. No. 2051, 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 Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2051, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION FOR VICTIMS OF HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Hee, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 3055) recommending that S.C.R. No. 16 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3055 and S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING AT THE UNIVERSITY OF HAWAII TO INVESTIGATE AND RECOMMEND WAYS TO ASSIST THE PUBLIC AND PRIVATE SECTORS TO RELIEVE THE NURSING SHORTAGE AND ENSURE A CONTINUOUS, ADEQUATE SUPPLY OF NURSES TO STAFF HOSPITALS AND OTHER MEDICAL FACILITIES IN THE STATE," was deferred until Friday, March 24, 2006.

Senators Baker and Hee, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 3056) recommending that S.R. No. 6 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3056 and S.R. No. 6, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING AT THE UNIVERSITY OF HAWAII TO INVESTIGATE AND RECOMMEND WAYS TO ASSIST THE PUBLIC AND PRIVATE SECTORS TO RELIEVE THE NURSING SHORTAGE AND ENSURE A CONTINUOUS, ADEQUATE SUPPLY OF NURSES TO STAFF HOSPITALS AND OTHER MEDICAL FACILITIES IN THE STATE," was deferred until Friday, March 24, 2006.

Senators Sakamoto and Kokubun, for the Committee on Education and Military Affairs and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 3057) recommending that H.B. No. 1843, 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 Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1843, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL AGRICULTURE EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

H.B. No. 2503, H.D. 2, S.D. 1:

On motion by Senator Espero, seconded by Senator Ige and carried, H.B. No. 2503, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Fukunaga, Inouye, Kanno, Nishihara, Taniguchi).

RE-REFERRAL OF HOUSE BILLS

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

House Bill	Referred to:
No. 2045, H.D. 2	Committee on Ways and Means
No. 2399, H.D. 2	Committee on Ways and Means

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
No. 196	Jointly to the Committee on Water, Land, and Agriculture, the Committee on Tourism and the Committee on Intergovernmental Affairs

RE-REFERRAL OF A SENATE RESOLUTION

The Chair re-referred the following Senate resolution that was offered:

Senate Resolution	Referred to:
No. 131	Jointly to the Committee on Water, Land, and Agriculture, the Committee on Tourism and the Committee on Intergovernmental Affairs

ADJOURNMENT

At 11:44 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., Friday, March 24, 2006.