

THIRTIETH DAY

Tuesday, March 15, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Jon Shimabuku, Senate Data Systems, after which the Roll was called showing all Senators present with the exception of Senators Espero, Ihara and Menor who were excused.

The President announced that he had read and approved the Journal of the Twenty-Ninth Day.

At 11:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 81 to 94) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 81 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR DRUG AND ALCOHOL SCREENING AND COUNSELING IN EMERGENCY ROOMS OR AS PART OF PRIMARY CARE."

Offered by: Senator Menor.

No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROHIBIT THE SITING OF FUTURE LANDFILLS OVER AQUIFERS."

Offered by: Senators Espero, Kanno, Chun Oakland, Nishihara, Inouye, Baker, Hooser, Menor, Hee, Ihara, Trimble.

No. 83 "SENATE CONCURRENT RESOLUTION REQUESTING THE RETURN OF THE ORIGINAL FILIPINO 'STARS AND SUN' FLAG TO THE PHILIPPINES."

Offered by: Senators Espero, Inouye, Chun Oakland, Nishihara, Kanno, Baker, Hooser, Menor, Kim, Bunda, Fukunaga.

No. 84 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Offered by: Senators Espero, Sakamoto.

No. 85 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS."

Offered by: Senators Espero, Sakamoto.

No. 86 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A FEASIBILITY STUDY ON HAVING A ROBOTICS EDUCATION COORDINATOR WITHIN THE UNIVERSITY."

Offered by: Senators Espero, Hee, Sakamoto.

No. 87 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE COUNTIES OF THE STATE TO DEVELOP AND IMPLEMENT STRATEGIES FOR THE CONTINUED USE BY FIRE FIGHTERS OF THE REVENUES FROM VENDING MACHINES ON FIRE STATION PREMISES."

Offered by: Senator Espero, by request.

No. 88 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAM AUDIT ON THE EFFICACY OF LICENSE SUSPENSIONS FOR THE NONPAYMENT OF CHILD SUPPORT."

Offered by: Senators Nishihara, Espero, Ige.

No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REVISE THE HEALTH EDUCATION CONTENT AND PERFORMANCE STANDARDS FOR MIDDLE OR INTERMEDIATE AND HIGH SCHOOLS."

Offered by: Senators Nishihara, Espero, Baker, Ige.

No. 90 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE LEGISLATIVE REFERENCE BUREAU STUDY THE STANDARDS OF ACHIEVEMENT UTILIZED BY OTHER JURISDICTIONS TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT."

Offered by: Senators Nishihara, Espero, Baker, Ige.

No. 91 "SENATE CONCURRENT RESOLUTION REQUESTING A UNIVERSAL SINGLE-PAYER HEALTH CARE SYSTEM FOR HAWAII."

Offered by: Senator Fukunaga.

No. 92 "SENATE CONCURRENT RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX."

Offered by: Senators Hemmings, Hogue.

No. 93 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ASSIST IN THE REESTABLISHMENT OF THE CHILD AND ADOLESCENT MENTAL HEALTH UNIT, KNOWN AS THE MOLOKINI UNIT, AT MAUI MEMORIAL MEDICAL CENTER, IN ORDER TO PROMOTE A LOCAL SYSTEM OF CARE ON THE ISLAND OF MAUI BASED ON THE HAWAII CHILD AND ADOLESCENT SYSTEM PROGRAM

PRINCIPLES AND CONSISTENT WITH THE MANDATES OF THE 1997 FELIX CONSENT DECREE.”

Offered by: Senators Baker, Tsutsui, English, Chun Oakland, Hanabusa, Inouye, Fukunaga.

No. 94 “SENATE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII.”

Offered by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa, Inouye, Espero, Fukunaga.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 44 to 53) were read by the Clerk and were deferred:

Senate Resolution

No. 44 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROHIBIT THE SITING OF FUTURE LANDFILLS OVER AQUIFERS.”

Offered by: Senators Espero, Kanno, Chun Oakland, Inouye, Baker, Hooser, Menor, Hee, Ihara, Fukunaga, Trimble, Taniguchi.

No. 45 “SENATE RESOLUTION REQUESTING THE RETURN OF THE ORIGINAL FILIPINO ‘STARS AND SUN’ FLAG TO THE PHILIPPINES.”

Offered by: Senators Espero, Inouye, Chun Oakland, Nishihara, Kanno, Baker, Tsutsui, Hooser, Menor, Kim, Bunda, Fukunaga.

No. 46 “SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A PERMANENT STATE CULTURAL PUBLIC MARKET WITHIN THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.”

Offered by: Senators Espero, Sakamoto.

No. 47 “SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT PEER EDUCATION PROGRAMS IN ALL PUBLIC SECONDARY SCHOOLS.”

Offered by: Senators Espero, Sakamoto.

No. 48 “SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A FEASIBILITY STUDY ON HAVING A ROBOTICS EDUCATION COORDINATOR WITHIN THE UNIVERSITY.”

Offered by: Senators Espero, Hee, Sakamoto.

No. 49 “SENATE RESOLUTION EXPRESSING OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY AND URGING HAWAII’S CONGRESSIONAL DELEGATION TO REJECT PROPOSED CHANGES TO THE SOCIAL SECURITY SYSTEM.”

Offered by: Senators Menor, Nishihara, Kanno, Ige, Tsutsui, Espero, Hee, Inouye, Bunda, Hooser, Chun Oakland, Baker, Kokubun, Taniguchi, English.

No. 50 “SENATE RESOLUTION REQUESTING A UNIVERSAL SINGLE-PAYER HEALTH CARE SYSTEM FOR HAWAII.”

Offered by: Senator Fukunaga.

No. 51 “SENATE RESOLUTION URGING OUR CONGRESSIONAL DELEGATION TO WORK TOWARD NATIONAL PARK STATUS FOR THE KAWAINUI MARSH COMPLEX.”

Offered by: Senators Hemmings, Hogue.

No. 52 “SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ASSIST IN THE REESTABLISHMENT OF THE CHILD AND ADOLESCENT MENTAL HEALTH UNIT, KNOWN AS THE MOLOKINI UNIT, AT MAUI MEMORIAL MEDICAL CENTER, IN ORDER TO PROMOTE A LOCAL SYSTEM OF CARE ON THE ISLAND OF MAUI BASED ON THE HAWAII CHILD AND ADOLESCENT SYSTEM PROGRAM PRINCIPLES AND CONSISTENT WITH THE MANDATES OF THE 1997 FELIX CONSENT DECREE.”

Offered by: Senators Baker, Tsutsui, English, Chun Oakland, Hanabusa, Inouye, Fukunaga.

No. 53 “SENATE RESOLUTION URGING THE STATE AND COUNTIES TO RECOGNIZE WALKING AND BICYCLING AS FUNDAMENTAL MEANS OF RECREATION AND TRANSPORTATION IN HAWAII.”

Offered by: Senators Baker, Chun Oakland, Tsutsui, Hanabusa, Inouye, Espero, Fukunaga.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1011 (Gov. Msg. No. 208):

Senator Baker moved that Stand. Com. Rep. No. 1011 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ALEX B. WALTER PHD to the Mental Health and Substance Abuse, Hawaii Service Area Board, term to expire June 30, 2008, seconded by Senator Chun Oakland.

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

Ayes, 22. Noes, none. Excused, 3 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1012 (Gov. Msg. Nos. 209, 210 and 211):

Senator Baker moved that Stand. Com. Rep. No. 1012 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Mental Health and Substance Abuse, Kauai Service Area Board of the following:

ROY A. ASHER, term to expire June 30, 2007 (Gov. Msg. No. 209);

CANDACE M. SANDAL, term to expire June 30, 2008 (Gov. Msg. No. 210); and

BRENDA K. VIADO, term to expire June 30, 2006 (Gov. Msg. No. 211),

seconded by Senator Chun Oakland.

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

Ayes, 22. Noes, none. Excused, 3 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1017 (Gov. Msg. No. 150):

Senator Baker moved that Stand. Com. Rep. No. 1017 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of LIZ ANN K. IHU to the State Council on Developmental Disabilities, term to expire June 30, 2008, seconded by Senator Chun Oakland.

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

Ayes, 22. Noes, none. Excused, 3 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1018 (Gov. Msg. No. 151):

Senator Baker moved that Stand. Com. Rep. No. 1018 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of BRIAN KAJIYAMA to the Disability and Communication Access Board, term to expire June 30, 2006, seconded by Senator Chun Oakland.

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

Ayes, 22. Noes, none. Excused, 3 (Espero, Ihara, Menor).

Stand. Com. Rep. No. 1016 (Gov. Msg. No. 376):

Senator Hanabusa moved that Stand. Com. Rep. No. 1016 be received and placed on file, seconded by Senator Hee and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RANDAL K.O. LEE to the office of Judge, Twelfth Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Hee.

Senator Hanabusa rose in support of the nominee and said:

"Mr. President, I rise in support of Gov. Msg. No. 376, submitting for consideration and confirmation to the Circuit Court of the First Circuit, 12th Division, State of Hawaii, gubernatorial nominee Randal K.O. Lee for a term of 10 years.

"Mr. President, Mr. Lee is someone that should be well known to all of us. I must say that after going through his confirmation process, I can understand why. But I'd like to share with you, Mr. President and my colleagues, a different part of him and what you do not see on the television screen.

"First of all, just by way of background, Mr. Lee received his Bachelor of Arts degree from the University of Hawaii in

political science and Juris Doctorate from Southwestern University School of Law. He was licensed to practice law in Hawaii since 1981 and he has served in California both as a public defender as well as a prosecuting attorney. He spent 20 years here, 25 actually, in public service, most of it in Honolulu. We all know him for his great work in handling complex white collar and public corruption cases. Of recent note, of course, are the campaign spending related ones.

"Let me tell you about the people who came forward to testify on his behalf. As expected, you had Mr. Bob Watada and Major Hanagami, who along with Mr. Lee created what I call the three-legged stool that made the campaign spending corruption cases work. They all shared one thing in common and that was their commitment to the public and the commitment to the public good. That was very impressive in and of itself.

"However, there was someone who came forward . . . and by the way, Mr. President, you've got to understand that this Chair asked people to please rest on their written testimony because we had two judges to get through, but nobody paid attention, especially these particular ones that I want to talk to. One was an Edward Harada, a public defender for 20 years. He's never come before this Legislature but came before us to testify. And I think he said the most compelling thing. He said there is nothing as wonderful as our judicial system when it works. And he said when it works you have a good prosecutor, a good defense attorney, a good jury, and a good judge. He said at the end of that process, no matter which side you're on, you go to your opponent before the jury comes in, before anything else happens when it's over, and you shake his hand or her hand and you say a job well done. And he said that whenever he has faced Mr. Lee, that is what he has done.

"Mr. Lee was very interesting in that he had the testimony from all people, including those civil type lawyers who came forward to defend on campaign spending. The public defenders all came forward and the defense bar. One who I've known for a very long time is Sam King Jr. Sam, if anybody – it must be the name Sam – doesn't take my heed when I say, you want to rest on your testimony? No, Sam had to come forward and what he wanted to tell me was that what made Mr. Lee so unique was that he actually listened and if you could come forward with the evidence, he would actually change his mind if you were persuasive and he believed that it warranted it. He said he felt that Mr. Lee was the best that the Prosecutor's Office had – the absolute best. And he also said that the one thing with him is you know he has power because they decide whether to go forward or not. But the one thing you will never say about Randal Lee is the fact that he abused that power.

"If you know Sam King Jr. like I've known Sam King Jr., that is a major testament. The fact that he even came up here to testify is something given that it is Sam King Jr. For those of you who don't know, he's also a criminal defense lawyer. I don't know if he's ever been on the prosecution side.

"For myself, Mr. President, what I'd like to share is that when Mr. Lee came to my office he brought a really beaten up file. And I thought, gee, that file looks real old. And he started to talk about himself and I think he must have sensed that I kept looking at this beaten up file. And he said he brought this file because there's one case, an unpublished memo opinion from the Supreme Court, where they basically reversed a trial court judge because he had not given discovery early enough. He said he thought it had been given but it wasn't given and this was the case. And he said, 'any questions you have, I'm standing here ready to answer them.' So I told him that I just have one question, which is where did you get your file? Did you have to send for it? Did you have to ask for it? Where was

your file? And he said, 'probably what you really want to hear. I keep this file with me at all times to remind me so I will never forget.' That, to me, is a very, very major statement.

"When I asked him the question we all want to know, which is, why do you want to be a judge and why do you want to do this? And he said he's always wanted to be a judge. And then he said something else. He said, 'But I know it's going to be really hard.' And I said why is that? He said, 'Because I have a son, Ryan, and a daughter, Rayna, and I can never make them happy with any decision that I have. When I seem to side with Ryan, Rayna thinks I'm favoring him and when I make a decision that seems to favor Rayna, Ryan is unhappy. It's a tough job.' And I said, well, anybody who goes forward, one, remembering what mistake he may have thought he committed; and secondly, knowing how difficult it is to make that hard decision but is willing to take it on, I believe, Mr. President, would make an excellent judge.

"I would like to close by saying the Hawaii State Bar Association ranked him highly qualified and I concur. And I believe that this Senate plus the Judiciary Committee should be proud about one thing – and that is that we have made that Hawaii State Bar Association be very honest in their rankings. And I think Mr. Lee's is highly deserved.

"With that, Mr. President, I ask that you, along with my colleagues join me in voting to consent to the nomination of Randal K.O. Lee. Thank you very much."

Senator Hee rose to speak in favor of the nominee and stated:

"Mr. President, I rise to speak in favor of the nominee.

"Mr. President and members, I want to congratulate the next judge of the circuit court with a few comments and observations that I have had the privilege of making first as Judiciary Chairman in 1987 and 1988 and then as a Vice Chair to Senator Hanabusa this year.

"It's not unusual, members, when nominees come before the Committee, to have a multitude of defense lawyers and a multitude of plaintiff lawyers to testify in support of a nominee. So much so that over time, I've always expected that lawyers had a presumption that the nominee would be confirmed and therefore it may be in their interest as a lawyer who would appear before the next judge to come and applaud the effort of the nominee as a lawyer. So in that regard, it was not unusual that people like Sam King, who I have seen before, appear and other plaintiff lawyers who if they did not appear in person sent their messages to members of the Committee that they were in full support.

"The other issue that is not unusual is that negative unsigned letters are very common with nominees. For example, of the second nominee that we heard that same day, I received three unsigned negative letters. With one of the nominees that we recently confirmed, I received many unsigned negative allegations of improper behavior as a lawyer. With this particular nominee, who has been in the public eye and has been in very high profile cases and has been, as the prosecutor has said, maybe has ruffled feathers and his confirmation may be controversial, with this particular nominee I received not one – not one negative, unsigned, anonymous, please keep this to yourself allegation about the nominee. That speaks loudly for this nominee.

"I want to congratulate him because I, too, saw the folder but it was not, I guess, presented in the same way as the previous speaker. He put it right on my desk and said 'I want you to know that this is something that I regret as a lawyer having

participated in it. It is an unpublished opinion. I was not disciplined by ODC, but I was wrong. I should have disclosed to the other party this information. I made a mistake. It has never happened before; it will not happen again.' I applaud him for free disclosure. I applaud him because we didn't have to go seek it out; we didn't have to search it out.

"Lastly, what was unusual about this particular confirmation was that never in my experience as the Judiciary Chairman or as the Vice Chair this year has any public defender come forward in support of a nominee. And to that I believe speaks very clearly about the fairness of this nominee from his adversaries upon whom he meets who defend people who cannot afford lawyers. I think it's a tremendously high compliment to anyone who could be nominated to have the public defender come forward – and not one public defender but many public defenders come forward – and talk about the fairness of this particular nominee.

"It is really a privilege for me today, members, to vote in favor of this nominee. Thank you."

Senator Slom rose to speak in support of the nomination as follows:

"Mr. President, on behalf of your Minority, we want to offer our very strong support and qualified support for Gov. Msg. No. 376 for judge-to-be Randal Lee.

"You've heard about the character traits that he exhibited during his confirmation process and the fact that he does believe in full disclosure. The issue of his being a familiar face on the six o'clock and ten o'clock news is something that he neither sought nor shied away from in terms of the responsibility that brought him that notoriety. He has always been open. He has been complete in his details. He has been the consummate attorney in terms of unparalleled experience and the highest integrity.

"We are very fortunate to have this man and to have his family allow us to have his services as a judge. I guess the only question, Mr. President, is why he hasn't been a judge sooner? But he had important work to do and it's going to be a very difficult task to fill his shoes in the Office of the Prosecutor because it's not just a question of him ruffling feathers or making people uncomfortable. It's an issue of bringing back trust to government – trust that the people had had tarnished before and the idea that there are people in public office that truly take their public service seriously and will dedicate whatever it takes to get the job done.

"Randal Lee is one of those individuals and we're proud to support his confirmation for judge. Thank you, Mr. President."

Senator Kanno rose to support the nominee and said:

"Mr. President, I rise in support of the nominee.

"He is bright, dedicated, hardworking and has committed his life to public service. I am proud to say that he's also a constituent of mine.

"He attributes his success as a lawyer to the sacrifices of his parents and the values instilled in him by his parents. He says his parents have always encouraged him to work hard, have integrity, be honest, and have respect for others. The nominee has also strived to instill the same values in his children.

"I am confident that he will do an excellent job as a judge. I urge my colleagues to support the nominee. Thank you."

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

Ayes, 22. Noes, none. Excused, 3 (Espero, Ihara, Menor).

At this time, Senator Hanabusa introduced Judge Lee to the members of the Senate. (Judge Lee, who was seated in the gallery with members of his family, rose to be recognized.)

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock p.m.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

MATTERS DEFERRED FROM MONDAY, MARCH 14, 2005

The President made the following committee assignments of House concurrent resolutions that were received on Friday, March 11, 2005:

House
Concurrent
Resolution Referred to:

No. 3, H.D. 1 Jointly to the Committee on Commerce, Consumer Protection and Housing, the Committee on Human Services and the Committee on Intergovernmental Affairs

No. 7 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 51 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 57 Committee on Transportation and Government Operations, then to the Committee on Ways and Means

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 10, 2005, and Friday, March 11, 2005:

Senate
Concurrent
Resolution Referred to:

No. 65 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 66 Committee on Education and Military Affairs

No. 67 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 68 Committee on Higher Education

No. 69 Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs

No. 70 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 71 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 72 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs

No. 73 Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 74 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 75 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs

No. 76 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 77 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 78 Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology

No. 79 Jointly to the Committee on Human Services and the Committee on Health

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, March 10, 2005, and Friday, March 11, 2005:

Senate
Resolution Referred to:

No. 30 Committee on Education and Military Affairs

No. 31 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 32 Committee on Education and Military Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 33 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 34 Committee on Media, Arts, Science and Technology, then to the Committee on Ways and Means

No. 35 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs

No. 36 Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 37 Jointly to the Committee on Labor and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 38 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Intergovernmental Affairs

No. 39 Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Judiciary and Hawaiian Affairs

No. 40 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 41 Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology

No. 42 Jointly to the Committee on Human Services and the Committee on Health

RE-REFERRAL OF HOUSE BILLS

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

House Bill Referred to:

No. 8, H.D. 1 Committee on Education and Military Affairs

No. 30, H.D. 1 Jointly to the Committee on Health, the Committee on Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 155, H.D. 1 Committee on Commerce, Consumer Protection and Housing

No. 164, H.D. 1 Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs

No. 390, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 416, H.D. 2 Committee on Business and Economic Development, then to the Committee on Water, Land, and Agriculture

No. 491 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Ways and Means

No. 852, H.D. 2 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Business and Economic Development, then to the Committee on Judiciary and Hawaiian Affairs

No. 1528, H.D. 2 Jointly to the Committee on Labor and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 1542, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1773, H.D. 1 Committee on Labor, then to the Committee on Ways and Means

Senator Baker, Chair of the Committee on Health, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 1734 and Gov. Msg. No. 395.

Senator Baker noted:

“Mr. President, H.B. No. 1734, H.D. 1, is very similar to two measures we heard previously which would repeal residential zones back to the counties and allow DOH to license special treatment facilities and therapeutic living programs.

“Gov. Msg. No. 395 is the reappointment of Dr. Russell Stodd to the Board of Directors of the Hawaii Health Systems Corporation.”

The Chair then granted the waiver.

Senator Hanabusa, Chair of the Committee on Judiciary and Hawaiian Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following House Bills:

H.B. No. 313;
H.B. No. 320;
H.B. No. 494;
H.B. No. 496;
H.B. No. 500;
H.B. No. 806;
H.B. No. 1221;
H.B. No. 1378;
H.B. No. 1393;
H.B. No. 1709;
H.B. No. 1739;
H.B. No. 1745; and
H.B. No. 1763.

Senator Hanabusa noted:

“Mr. President, we missed the cut-off by five hours.”

The Chair then granted the waiver.

ADJOURNMENT

At 12:29 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 16, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate