

THIRTY-THIRD DAY

Friday, March 17, 2006

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Keli'ihoyalani Wilson, Office of Senator Clayton Hee, after which the Roll was called showing all Senators present with the exception of Senators Hee, Kanno, Kokubun and Taniguchi who were excused.

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

At this time, Senator Sakamoto introduced and welcomed Admiral Gary Roughead, who assumed duties as Commander, U.S. Pacific Fleet, on July 8, 2005. Accompanying Admiral Roughead was Lieutenant Commander Brett Coffey.

At this time, President Bunda invited Admiral Roughead to the podium to address the members of the Senate.

Admiral Roughead addressed the Senate as follows:

"Thank you very much for this honor of being able to be before you today. Senator Sakamoto, thank you for your support.

"Senator Bunda and distinguished Senators, it truly is an honor for me to be here. I send regrets on behalf of my wife who had to be back on the mainland. She very much wanted to be here but some family matters took her back east. I really am a fortunate man and if she was here today, you'd really realize why I am so fortunate. She is the best thing that I have going for me.

"But I would also say that I'm fortunate because I'm beginning what is my sixth year in this great state in a senior military position. And as I truly believe and as I tell young sailors and young officers that are coming along, there is no better place to serve in our Navy, in our military than in the State of Hawaii, and I mean that sincerely because there is no atmosphere, there is no greater support that our military receives anywhere other than in your great state.

"For our Navy, it has been important for so many years – the State of Hawaii and the support that you give us – over 100 years. It is clear that it is strategically important to us in the Navy with over 30 ships, 70 shore commands, 15,000 sailors, and 20,000 dependents that are with those sailors, it clearly is a strategic part of our Navy. But it's also important because we are a maritime nation and a maritime world. It is clear that that dimension in the Pacific has been recognized. Most recently as we've completed our four-year defense review, there has been a reaffirmation of the importance of the Pacific to the point where there will be a realignment of forces from the Atlantic to the Pacific, and Hawaii will be key to that renewed presence and that renewed emphasis in this important part of the world.

"It's also important for me to thank the state and the people of Hawaii for the support that you give us and that you give those 15,000 sailors and the 20,000 families. Whether it is in the communities in which we live or the schools that our children attend, that support is apparent, it is strong, and it is greatly appreciated.

"It is also important to recognize and to show my appreciation on the part of the many organizations that support us, whether it is this Body, the Legislature, the state leadership and the strong delegation that does so much for our military not only in Hawaii but throughout the world. It truly is a unique relationship that we have.

"We also, in the Navy, realize that there is much that we do for the community: the interaction that we have with businesses large or small are important to us; the importance that we place on activities that are here in Hawaii, particularly the naval shipyard that is so important to the fleet and so important to the state and so important to the ability of our military to operate and project power into the Pacific; the civil-military organizations that we interact with and how they support us and we support them; the initiatives that are at play in the state, for example the public/private housing venture that we have entered into in the Navy, the best that exists in the Navy today is right here in Hawaii.

"That is only made possible because of the support, because of the interest and the strong support of this Body and the citizens of Hawaii. On behalf of them, on behalf of the sailors and the families that live and work here and serve here, I thank you for what you do for us, what you do for them, and I pledge to you that I look forward to working closely with you and the citizens of the state to continue to make the Navy and our country secure, strong, and prosperous in the years ahead.

"Thank you very much."

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 2956) recommending that H.B. No. 2639, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2639, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A MOTOR VEHICLE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 2957) recommending that H.B. No. 2422, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2422, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 2958) recommending that H.B. No. 2423, 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 Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2423, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 2959) recommending that H.B. No. 2275 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2275, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2960) recommending that H.B. No. 2692, 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 Baker, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2692, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Inouye, for the Committee on Labor and the Committee on Transportation and Government Operations, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2961) recommending that H.B. No. 2952, 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 Baker, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2952, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," 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. 2962) recommending that H.B. No. 3089, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

By unanimous consent, Stand. Com. Rep. No. 2962 and H.B. No. 3089, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' TRUST FUND," were recommitted to the Committee on Labor.

Senators English and Ige, for the Committee on Energy, Environment, and International Affairs and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2963) recommending that H.B. No. 1955, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.B. No. 1955, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Second

Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2964) recommending that H.B. No. 3018, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 3018, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Kanno and Chun Oakland, for the Committee on Labor and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2965) recommending that H.B. No. 2558, 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 Baker, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2558, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 2966) recommending that H.B. No. 2637, 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 Baker, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.B. No. 2637, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Chun Oakland, for the Committee on Health and the Committee on Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2967) recommending that H.B. No. 3142, 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 Baker, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.B. No. 3142, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA CARE," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

ORDER OF THE DAY

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM THURSDAY, MARCH 16, 2006

S.R. No. 162:

By unanimous consent, action on S.R. No. 162, entitled: "SENATE RESOLUTION AMENDING THE RULES OF THE SENATE OF THE TWENTY-THIRD LEGISLATURE OF THE STATE OF HAWAII TO REQUIRE THE USE OF THE LINE ITEM BUDGET FORMAT FOR THE SENATE BUDGET," was deferred until Friday, May 5, 2006.

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, March 15, 2006:

Senate Concurrent Resolution	Referred to:
No. 104 Affairs	Committee on Education and Military
No. 105 Affairs	Committee on Education and Military
No. 106	Committee on Labor
No. 107	Jointly to the Committee on Intergovernmental Affairs and the Committee on Commerce, Consumer Protection and Housing
No. 108	Jointly to the Committee on Health and the Committee on Human Services
No. 109	Committee on Water, Land, and Agriculture
No. 110	Committee on Transportation and Government Operations
No. 111	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing
No. 112	Committee on Labor
No. 113	Committee on Commerce, Consumer Protection and Housing
No. 114	Committee on Education and Military Affairs
No. 115	Jointly to the Committee on Health and the Committee on Human Services
No. 116	Committee on Health
No. 117	Committee on Health
No. 118	Committee on Health
No. 119	Jointly to the Committee on Health and the Committee on Human Services
No. 120	Committee on Commerce, Consumer Protection and Housing
No. 121	Committee on Health
No. 122	Committee on Judiciary and Hawaiian Affairs

No. 123	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services
No. 124 Affairs	Committee on Judiciary and Hawaiian
No. 125	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture
No. 126	Committee on Education and Military Affairs, then to the Committee on Labor
No. 127	Committee on Labor, then to the Committee on Judiciary and Hawaiian Affairs
No. 128	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 129	Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology
No. 130	Committee on Transportation and Government Operations, then to the Committee on Water, Land, and Agriculture
No. 131	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Higher Education, then jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations
No. 132	Committee on Business and Economic Development
No. 133	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 134	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 135	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Water, Land, and Agriculture
No. 136	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Media, Arts, Science and Technology
No. 137 Affairs	Committee on Judiciary and Hawaiian
No. 138	Jointly to the Committee on Health and the Committee on Higher Education
No. 139	Committee on Higher Education, then to the Committee on Water, Land, and Agriculture
No. 140	Committee on Health
No. 141	Committee on Intergovernmental Affairs
No. 142 Affairs	Committee on Judiciary and Hawaiian
No. 143	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations, then to the Committee on Ways and Means

No. 144 Committee on Human Services, then to the Committee on Health

No. 145 Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs

No. 146 Committee on Education and Military Affairs, then to the Committee on Ways and Means

No. 147 Committee on Education and Military Affairs

No. 148 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 149 Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs

No. 150 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Wednesday, March 15, 2006:

Senate Resolution	Referred to:
No. 60 Affairs	Committee on Education and Military Affairs
No. 61 Affairs	Committee on Education and Military Affairs
No. 62	Committee on Labor
No. 63	Jointly to the Committee on Intergovernmental Affairs and the Committee on Commerce, Consumer Protection and Housing
No. 64	Jointly to the Committee on Health and the Committee on Human Services
No. 65	Committee on Water, Land, and Agriculture
No. 66	Committee on Transportation and Government Operations
No. 67	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Commerce, Consumer Protection and Housing
No. 68	Committee on Human Services
No. 69	Jointly to the Committee on Higher Education and the Committee on Media, Arts, Science and Technology
No. 70	Jointly to the Committee on Health and the Committee on Human Services
No. 71	Committee on Commerce, Consumer Protection and Housing
No. 72	Committee on Health

No. 73 Affairs	Committee on Judiciary and Hawaiian Affairs
No. 74	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Human Services
No. 75	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture
No. 76	Committee on Education and Military Affairs, then to the Committee on Labor
No. 77	Jointly to the Committee on Health and the Committee on Media, Arts, Science and Technology
No. 78	Committee on Transportation and Government Operations, then to the Committee on Water, Land, and Agriculture
No. 79	Jointly to the Committee on Higher Education and the Committee on Judiciary and Hawaiian Affairs, then jointly to the Committee on Water, Land, and Agriculture and the Committee on Transportation and Government Operations
No. 80	Committee on Business and Economic Development
No. 81	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 82	Jointly to the Committee on Media, Arts, Science and Technology and the Committee on Transportation and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs
No. 83	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Water, Land, and Agriculture
No. 84	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Media, Arts, Science and Technology
No. 85	Jointly to the Committee on Health and the Committee on Higher Education
No. 86	Committee on Higher Education, then to the Committee on Water, Land, and Agriculture
No. 87	Committee on Health
No. 88	Committee on Intergovernmental Affairs
No. 89	Committee on Human Services, then to the Committee on Health
No. 90	Jointly to the Committee on Health and the Committee on Energy, Environment, and International Affairs
No. 91	Committee on Education and Military Affairs, then to the Committee on Ways and Means
No. 92	Committee on Education and Military Affairs
No. 93	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means

No. 94 Jointly to the Committee on Education and Military Affairs and the Committee on Energy, Environment, and International Affairs

No. 95 Committee on Health, then to the Committee on Ways and Means

RE-REFERRAL OF A HOUSE BILL

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

House Bill Referred to:

No. 3018, H.D. 1, S.D. 1 Committee on Labor, then jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Ways and Means

ADJOURNMENT

At 12:37 o'clock p.m., on motion by Senator Baker, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 20, 2006.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate