

FIFTY-FOURTH DAY

Monday, April 24, 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 the Reverend Fritz Fritschel, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

The President announced that he had read and approved the Journal of the Fifty-Third Day.

At this time, Senator Hee introduced Princess Abigail Kinoiki Kekaulike Kawananakoa in recognition of her 80th birthday.

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

The Senate reconvened at 12:24 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 526 to 529) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 526, informing the Senate that on April 21, 2006, she signed into law Senate Bill No. 2224 as Act 10, entitled: "RELATING TO CREDIT SALES," was placed on file.

Gov. Msg. No. 527, informing the Senate that on April 21, 2006, she signed into law House Bill No. 3250 as Act 11, entitled: "RELATING TO SUPERSEDEAS BONDS," was placed on file.

Gov. Msg. No. 528, informing the Senate that on April 21, 2006, she signed into law House Bill No. 2057 as Act 12, entitled: "RELATING TO HEALTH," was placed on file.

Gov. Msg. No. 529, advising the Senate of the withdrawal of the nomination of BEVERLY ANN SHEA to the Board of Veterinary Examiners, under Gov. Msg. No. 492, dated April 19, 2006, was placed on file.

In compliance with Gov. Msg. No. 529, the nomination listed under Gov. Msg. No. 492 was returned.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 50, from the State Auditor dated April 20, 2006, transmitting a report, "Implications of the Streamlined Sales Tax Agreement for General Excise Tax Revenues," prepared by Professor William F. Fox and Professor William B. Stokely of the University of Tennessee, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 781 to 793) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 781, informing the Senate that the Speaker on April 21, 2006, discharged all conferees on the following bill:

S.B. No. 3186, S.D. 2, (H.D. 2):

Discharged Representatives Morita, Herkes, Luke and Takamine as co-chairs and Representatives Caldwell, Marumoto and Souki as managers,

was placed on file.

Hse. Com. No. 782, returning S.C.R. No. 67, S.D. 1, which was adopted by the House of Representatives on April 21, 2006, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 67, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 783, returning S.C.R. No. 33, S.D. 1, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 784, returning S.C.R. No. 46, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 785, returning S.C.R. No. 48, S.D. 1, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 786, returning S.C.R. No. 52, S.D. 1, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 787, returning S.C.R. No. 74, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 788, returning S.C.R. No. 116, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 789, returning S.C.R. No. 129, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 790, returning S.C.R. No. 140, S.D. 1, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 791, returning S.C.R. No. 141, which was adopted by the House of Representatives on April 21, 2006, was placed on file.

Hse. Com. No. 792, informing the Senate that the Speaker on April 21, 2006, appointed Representatives Takamine, chair, Kawakami, Nakasone, Moses as managers on the part of the House for the consideration of amendments proposed by the Senate to H.B. No. 2412, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 793, informing the Senate that the Speaker on April 21, 2006, made the following changes to the conferees on the following bills:

H.B. No. 237, H.D. 3 (S.D. 1):

Discharged Representative Arakaki as a co-chair.

H.B. No. 2153, H.D. 2 (S.D. 2):

Discharged Representative Nakasone as a co-chair.
Added Representative Magaoay as a co-chair.

S.B. No. 1081, S.D. 2 (H.D. 1):

Added Representative Cabanilla as a manager.

S.B. No. 2961, S.D. 1 (H.D. 1):

Discharged Representative Nakasone as a co-chair.
Added Representative Magaoay as a co-chair,

was placed on file.

CONFERENCE COMMITTEE REPORT

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2213, S.D. 2, presented a report (Conf. Com. Rep. No. 5-06) recommending that S.B. No. 2213, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5-06 and S.B. No. 2213, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3711) recommending that the Senate advise and consent to the nomination of LORRAINE M. MENDOZA to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 319.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3711 and Gov. Msg. No. 319 was deferred until Tuesday, April 25, 2006.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3712) recommending that the Senate advise and consent to the nomination of LYNNE E. WOODS to the Small Business Regulatory Review Board, in accordance with Gov. Msg. No. 355.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3712 and Gov. Msg. No. 355 was deferred until Tuesday, April 25, 2006.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3713) recommending that the Senate advise and consent to the nomination of ANNA K. RIBUCAN to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 379.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3713 and Gov. Msg. No. 379 was deferred until Tuesday, April 25, 2006.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3714) recommending that the Senate advise and consent to the nomination of FRANCES PAULETTE HACKBARTH to the Board of Psychology, in accordance with Gov. Msg. No. 395.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3714 and Gov. Msg. No. 395 was deferred until Tuesday, April 25, 2006.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3715) recommending that H.C.R. No. 130, H.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 130, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF PUBLIC SAFETY TO CONDUCT A SECURITY AUDIT OF THE HAWAII YOUTH CORRECTIONAL FACILITY," was adopted.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3716) recommending that H.C.R. No. 166, H.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 166, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE DEPARTMENT OF HUMAN SERVICES TO TEMPORARILY DELAY REALIGNMENT OF ITS CHILD WELFARE SERVICE OFFICES ON ISLAND OF HAWAII TO ALLOW FOR THE CONVENING OF A PUBLIC, COMMUNITY FORUM TO DISCUSS REALIGNMENT IMPLICATIONS AND POTENTIAL IMPACT ON THE CONTINUUM OF CHILD ABUSE AND NEGLECT PREVENTION, FAMILY SUPPORT, FAMILY STRENGTHENING AND VOLUNTARY CASE MANAGEMENT SERVICES FOR FAMILIES AND CHILDREN," was adopted.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 3717) recommending that H.C.R. No. 269 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 269, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE AND CELEBRATE 2008 AS THE YEAR OF THE FAMILY AND TO ESTABLISH A FAMILY CELEBRATION COMMISSION TO ADMINISTER THE CELEBRATION," was adopted.

Senator Ige, for the majority of the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3718) recommending that H.C.R. No. 145, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.C.R. No. 145, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES PRESIDENT AND CONGRESS TO CREATE A PATHWAY FOR UNDOCUMENTED IMMIGRANTS TO LEGALIZE THEIR STATUS AND REQUESTING THE STATE AND THE FEDERAL GOVERNMENT TO ADEQUATELY REIMBURSE HEALTH CARE PROVIDERS SO THAT THEY CAN CONTINUE TO PROVIDE EMERGENCY MEDICAL TREATMENT TO THIS POPULATION," was adopted.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3719) recommending that H.C.R. No. 250 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COUNTY OFFICE OF THE PROSECUTING ATTORNEY TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING 'RECEIVING HOMES' IN EAST AND WEST HAWAII," was adopted.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3720) recommending that H.C.R. No. 16 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING APPROPRIATE SAFEGUARDS BE INSTITUTED IN HEALTH CARE FACILITIES TO MINIMIZE THE OCCURRENCE OF MUSCULOSKELETAL INJURIES SUFFERED BY NURSES," was adopted.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 3721) recommending that H.C.R. No. 62 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES OFFICE OF PERSONNEL MANAGEMENT TO TREAT HAWAII FEDERAL EMPLOYEES WITH REGARD TO PAY AND RETIREMENT BENEFITS THE SAME AS FEDERAL EMPLOYEES WHO RESIDE IN THE FORTY-EIGHT CONTIGUOUS UNITED STATES," was adopted.

Senator Espero, for the Committee on Business and Economic Development, presented a report (Stand. Com. Rep. No. 3722) recommending that H.C.R. No. 277 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE LEGISLATURE, THE ADMINISTRATION, THE UNIVERSITY OF HAWAII, AND HAWAII'S CONGRESSIONAL DELEGATION TO WORK COLLABORATIVELY WITH THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, THE JAPAN AEROSPACE EXPLORATION AGENCY, AND OTHER PUBLIC AND PRIVATE AEROSPACE-RELATED AGENCIES AND INSTITUTIONS, TO EXPAND AND DIVERSIFY THE AEROSPACE INDUSTRY THROUGH THE DEVELOPMENT OF THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," was adopted.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3723) recommending that H.C.R. No. 75, S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 75, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO MCKINLEY HIGH SCHOOL PHYSICAL EDUCATION AND ATHLETIC FACILITIES," was adopted.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3724) recommending that H.C.R. No. 80 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R.

No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT CHANGES TO THE MEDICARE PART D PROGRAM," was adopted.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3725) recommending that H.C.R. No. 105, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 105, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND THE HAWAII HEALTH SYSTEMS CORPORATION TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR A NEW PARKING STRUCTURE FOR MAUI MEMORIAL MEDICAL CENTER TO BE FUNDED BY THE ISSUANCE OF CERTIFICATES OF PARTICIPATION," was adopted.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3726) recommending that H.C.R. No. 69 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AND OPERATE A STATEWIDE SUICIDE EARLY INTERVENTION AND PREVENTION PROGRAM," was adopted.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3727) recommending that H.C.R. No. 36, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 36, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK IN COOPERATION WITH THE STATE TOURISM LIAISON AND THE HAWAII HOTEL & LODGING ASSOCIATION IN RAISING AWARENESS, EDUCATION, AND PREVENTION OF THE INCREASING INCIDENCE OF BEDBUGS," was adopted.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3728) recommending that H.C.R. No. 113, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 113, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EVALUATE AND RECOMMEND POSSIBLE PROCEDURAL, STATUTORY, AND PUBLIC POLICY CHANGES TO MINIMIZE THE CENSUS AT HAWAII STATE HOSPITAL AND TO PROMOTE COMMUNITY-BASED HEALTH SERVICES FOR FORENSIC PATIENTS," was adopted.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3729) recommending that H.C.R. No. 156, H.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 156, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING STRONG OPPOSITION TO PREEMPTIVE FEDERAL INSURANCE LEGISLATION THAT WOULD THREATEN THE POWER OF STATE

LEGISLATURES, GOVERNORS, INSURANCE COMMISSIONERS, AND ATTORNEYS GENERAL TO OVERSEE, REGULATE, AND INVESTIGATE THE BUSINESS OF INSURANCE AND PROTECT CONSUMERS," was adopted.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 3730) recommending that H.C.R. No. 73, H.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 73, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE CERTIFICATION OF NURSE AIDES WHO WORK IN SETTINGS OTHER THAN MEDICARE- OR MEDICAID-CERTIFIED NURSING FACILITIES AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RESCIND ITS DECISION TO END CERTIFICATION OF THESE NURSE AIDES," was adopted.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 3731) recommending that H.C.R. No. 202, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 202, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII IN CONSULTATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS, THE OFFICE OF HAWAIIAN AFFAIRS, THE LAND USE COMMISSION, THE OFFICE OF PLANNING, THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL, THE UNITED STATES ARMED FORCES IN HAWAII, THE COUNTIES, AND THE AFFORDABLE HOUSING AND HOMELESS ALLIANCE TO STUDY THE USE OF MOBILE HOME PARKS AS A POSSIBLE OPTION FOR SOLVING HAWAII'S AFFORDABLE HOUSING CRISIS," was adopted.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 3732) recommending that H.C.R. No. 192, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 192, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO APPOINT A SPECIAL DEPUTY ATTORNEY GENERAL TO INDEPENDENTLY AND IMPARTIALLY INVESTIGATE THE KALOKO RESERVOIR DAM COLLAPSE," was adopted.

Senator Hee, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3733) recommending that H.C.R. No. 137 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO REAFFIRM THEIR COMMITMENT TO

MAINTAINING A SYSTEMWIDE OFFICE OF THE VICE PRESIDENT FOR STUDENT AFFAIRS AND TO FILL THE VACANT POSITION OF THE VICE PRESIDENT FOR STUDENT AFFAIRS," was adopted.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3734) recommending that H.C.R. No. 270 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 270, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO SPEEDILY REBUILD A SCHOOL OF GLOBAL AND PUBLIC HEALTH," was adopted.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3735) recommending that H.C.R. No. 170 be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVITALIZE LALAMILO STATION WITH THE COLLABORATION OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was adopted.

Senators Hee and Inouye, for the Committee on Higher Education and the Committee on Transportation and Government Operations, presented a joint report (Stand. Com. Rep. No. 3736) recommending that H.C.R. No. 266, H.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 266, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF TRANSPORTATION TO WORK COLLABORATIVELY TO PURSUE, ON A PRIORITY BASIS, THE RELOCATION OF THE UNIVERSITY OF HAWAII MARINE CENTER FROM THE FORMER KAPALAMA MILITARY RESERVATION, HONOLULU HARBOR," was adopted.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3737) recommending that H.C.R. No. 314, H.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 314, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII INSTITUTE FOR ASTRONOMY TO REVIEW AND REPORT ON THE LONG-TERM DEVELOPMENT OF OBSERVATORY SITES ON THE SUMMIT OF MAUNA KEA," was adopted.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 3738) recommending that the Senate advise and consent to the nominations to the Radiologic Technology Board of the following:

ADLEEN ICHINOSE, in accordance with Gov. Msg. No. 346; and

LESTER UYEDA, in accordance with Gov. Msg. No. 347.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3738 and Gov. Msg. Nos. 346 and 347 was deferred until Tuesday, April 25, 2006.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3739) recommending that the Senate advise and consent to the nomination of AMY E. YASUNAGA RN, MSN, PHDC to the Center for Nursing Advisory Board, in accordance with Gov. Msg. No. 393.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3739 and Gov. Msg. No. 393 was deferred until Tuesday, April 25, 2006.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3740) recommending that the Senate advise and consent to the nomination of HELENE I. SOKUGAWA ED.D. to the Western Interstate Commission for Higher Education (WICHE), in accordance with Gov. Msg. No. 400.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3740 and Gov. Msg. No. 400 was deferred until Tuesday, April 25, 2006.

Senator Hee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 3741) recommending that the Senate advise and consent to the nomination of MICHAEL A. DAHLIG to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 251.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3741 and Gov. Msg. No. 251 was deferred until Tuesday, April 25, 2006.

Senator Inouye, for the Committee on Transportation and Government Operations, presented a report (Stand. Com. Rep. No. 3742) recommending that H.C.R. No. 79, as amended in S.D. 1, be adopted.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 79, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HARBORS DIVISION OF THE DEPARTMENT OF TRANSPORTATION TO PROCEED WITH EXECUTING THE TEN-YEAR LEASE APPROVED BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR PACIFIC SHIPYARDS INTERNATIONAL TO CONTINUE TO PROVIDE VITAL SHIP REPAIR SERVICES TO THE MARITIME COMMUNITY FROM ITS EXISTING HONOLULU HARBOR FACILITY," was adopted.

ORDER OF THE DAY

ADVISE AND CONSENT

Gov. Msg. No. 511:

Senator English moved that the Senate advise and consent to the nomination of JOHN DELONG to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority, term to expire June 30, 2007, seconded by Senator Kokubun.

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

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

ADOPTION OF RESOLUTIONS

H.C.R. No. 92, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 92, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO RELAX RESTRICTIONS ON THE ISSUANCE OF TEMPORARY NONIMMIGRANT E2 AND E3 VISAS TO ALLOW GRADUATE NURSES TO ENTER THE UNITED STATES FOR THE PURPOSE OF TAKING THE NATIONAL COUNCIL LICENSURE EXAMINATION FOR REGISTERED AND PRACTICAL NURSES, AND TO ALLOCATE MORE EMPLOYMENT VISAS TO INDIVIDUALS TO ENTER THE UNITED STATES TO WORK AS NURSES," was adopted.

H.C.R. No. 193, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 193, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TEMPORARY ADVISORY COMMISSION ON BIOPROSPECTING," was adopted.

H.C.R. No. 235, H.D. 1:

On motion by Senator Hee, seconded by Senator Hogue and carried, H.C.R. No. 235, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF PROVIDING VIDEO-CONFERENCING CAPABILITY IN THE STATE CAPITOL TO ENSURE CLOSE COMMUNICATION WITH NEIGHBOR ISLAND RESIDENTS," was adopted.

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, APRIL 21, 2006

Stand. Com. Rep. No. 3705 (H.C.R. No. 53):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and 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 adopted.

Stand. Com. Rep. No. 3706 (H.C.R. No. 204):

On motion by Senator Hee, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AND THE COUNTIES TO PRIORITIZE EXPENDITURE OF FEDERAL HOMELAND SECURITY FUNDS ON INTEROPERABLE COMMUNICATIONS SYSTEMS," was adopted.

Stand. Com. Rep. No. 3707 (H.C.R. No. 196):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CONCEPT OF A PUBLIC-PRIVATE JOINT VENTURE TO DEVELOP A NEW ADVANCED SIMULATOR AIRLINE TRAINING FACILITY IN HAWAII," was adopted.

Stand. Com. Rep. No. 3708 (H.C.R. No. 205):

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW PROPOSED PLANS AND EXISTING AND ANTICIPATED APPROPRIATION REQUESTS OF THE STADIUM AUTHORITY AND THE GOVERNOR FOR THE REPAIR, RENOVATION, REFURBISHMENT, OR REPLACEMENT OF THE ALOHA STADIUM," was adopted.

Stand. Com. Rep. No. 3709 (H.C.R. No. 219, H.D. 1):

By unanimous consent, Stand. Com. Rep. No. 3709 and H.C.R. No. 219, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUPPORT THE FORMATION OF A HEALTH INFORMATION EXCHANGE SYSTEM FOR THE STATE OF HAWAII," were recommitted to the Committee on Health.

FINAL READING

Conf. Com. Rep. No. 4-06 (S.B. No. 2609, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Hee and carried, Conf. Com. Rep. No. 4-06 was adopted and S.B. No. 2609, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WRIT OF CERTIORARI," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senator Kim, Chair of the Committee on Tourism, requested that the referral of H.C.R. No. 212 to the Committee on Tourism be waived, and the Chair granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Tuesday, April 25, 2006:

H.C.R. No. 212, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIR OF THE HOUSE COMMITTEE ON TOURISM AND CULTURE AND THE CHAIR OF THE SENATE COMMITTEE ON TOURISM TO EACH DESIGNATE A MEMBER OF THEIR RESPECTIVE COMMITTEES TO CONDUCT INFORMAL DISCUSSIONS ON WAYS TO REPLICATE THE HISTORIC IWILEI PINEAPPLE-SHAPED WATER TANK."

Senator English, Chair of the Committee on Energy, Environment, and International Affairs, requested that the referral of H.C.R. No. 261 to the Committee on Energy, Environment, and International Affairs be waived, and the Chair granted the waiver.

By unanimous consent, the following concurrent resolution was placed on the calendar for Adoption on Tuesday, April 25, 2006:

H.C.R. No. 261, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, WITH THE ASSISTANCE OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF FACILITY MAINTENANCE OF THE CITY AND COUNTY OF HONOLULU, TO REPORT TO THE LEGISLATURE ON THE RELATIONSHIP BETWEEN VARIOUS KAILUA

WATERWAYS, INCLUDING THE KAELEPULU POND, AND THE WATER QUALITY AND NATURAL RESOURCES OF KAILUA BEACH AND KAILUA BAY."

APPOINTMENT OF CONFEREES

H.B. No. 1878 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1878, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

H.B. No. 2313 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2313, and the request for a conference on the subject matter thereof, the President appointed Senators Menor, chair; Espero, Hogue as managers on the part of the Senate at such conference.

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., Tuesday, April 25, 2006.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate