

## SIXTEENTH DAY

Friday, February 10, 1995

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Clarence Fisher, Our Lady of Sorrows Church, after which the Roll was called showing all Senators present with the exception of Senators Aki, Bunda and Liu who were excused.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 4 to 8) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 4, transmitting H.B. No. 87, H.D. 1, which passed Third Reading in the House of Representatives on February 9, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Anderson and carried, H.B. No. 87, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 5, transmitting H.B. No. 180, H.D. 1, which passed Third Reading in the House of Representatives on February 9, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Anderson and carried, H.B. No. 180, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 6, transmitting H.B. No. 357, H.D. 1, which passed Third Reading in the House of Representatives on February 9, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Anderson and carried, H.B. No. 357, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 7, transmitting H.B. No. 544, H.D. 1, which passed Third Reading in the House of Representatives on February 9, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Anderson and carried, H.B. No. 544, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 8, transmitting H.B. No. 1736, which passed Third Reading in the House of Representatives on February 9, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Anderson and carried, H.B. No. 1736, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 18) was read by the Clerk and was referred to committees:

## Senate Concurrent Resolution

No. 18 "SENATE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REINVEST IN SOUTH AFRICA IN ACCORDANCE WITH SOCIALLY RESPONSIBLE GUIDELINES AND STANDARDS."

Offered by: Senators Gaulty, Aki, Anderson, Baker, Fernandes Salling, Fukunaga, Ige, Ikeda, Kanno, Kawamoto, Levin, Matsuura, McCartney, Solomon, Tam, Tanaka, Taniguchi.

Referred to: Committee on Agriculture, Labor, and Employment, then to the Committee on Ways and Means

## SENATE RESOLUTION

The following resolution (S.R. No. 15) was read by the Clerk and was referred to committees:

## Senate Resolution

No. 15 "SENATE RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REINVEST IN SOUTH AFRICA IN ACCORDANCE WITH SOCIALLY RESPONSIBLE GUIDELINES AND STANDARDS."

Offered by: Senators Gaulty, Aki, Anderson, Baker, Fernandes Salling, Fukunaga, Ige, Ikeda, Kanno, Kawamoto, Levin, Matsuura, McCartney, Solomon, Tam, Tanaka, Taniguchi.

Referred to: Committee on Agriculture, Labor, and Employment, then to the Committee on Ways and Means

## STANDING COMMITTEE REPORTS

Senator Bunda, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 351, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 351, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF THE CROWN ELDERLY HOUSING PROJECT (PHASE III) IN WAIPAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Bunda, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 825 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 825, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND A RESEARCH PROJECT TO STUDY DIFFERENT DESIGNS AND CONSTRUCTION OF

**AFFORDABLE HOUSING,"** passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 1026, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Planning, Land and Water Use Management.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1026, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STRATEGIC PLAN FOR KA'U, HAWAII," passed Second Reading and was referred to the Committee on Planning, Land and Water Use Management.

Senator Gaulty, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 1622 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1622, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gaulty, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 1769 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1769, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gaulty, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 89, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 89, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 13, 1995.

Senator Gaulty, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 1770 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1770, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 13, 1995.

Senator Fukunaga, for the Committee on Communications and Public Utilities, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 645, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Communications and Public Utilities.

On motion by Senator Ihara, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION," passed Second Reading and was recommitted to the Committee on Communications and Public Utilities.

## ORDER OF THE DAY

### RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 315	Jointly to the Committee on Agriculture, Labor, and Employment and the Committee on Consumer Protection
No. 383	Jointly to the Committee on Communications and Public Utilities and the Committee on Consumer Protection
No. 396	Committee on Education, then to the Committee on Ways and Means
No. 508	Committee on Education, then to the Committee on Ways and Means
No. 756	Jointly to the Committee on Agriculture, Labor, and Employment and the Committee on Consumer Protection
No. 1839	Jointly to the Committee on Communications and Public Utilities and the Committee on Economic Development

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

Senator Ige, chairman of the Committee on Higher Education, Culture, and Arts, requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 634.

Senator Ige explained:

"Mr. President, for the members' information, this is a short form bill. The purpose of the hearing this afternoon is so that we can insert the appropriate language for a proper hearing next week."

The Chair granted the waiver.

Senator McCartney rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, this week has been a rough week for the Senate. There have been a lot of communication problems with the administration, and people have been called 'dictators,' 'dragon ladies' and all kinds of other names. This is the most special day of the week for me -- it's 'Aloha Friday.' It's a good day to reflect on some of the good things that have happened. I want to take a brief moment to share something good that has happened to one of our colleagues in the Senate. I hope that people take advantage of Fridays to share some of their blessings, and hopefully the news media will pick up on this and report some of the good things that our colleagues are doing.

"Mr. President, I have with me a copy of the January 1995 issue of 'Government Technology' and there's an interview in here that I'll read a short portion of. It says: 'Senator Carol Fukunaga was elected to the Hawaii State Senate in 1992. She serves as chair of the newly created Communications and Public Utilities Committee. During her tenure as an elected official, she has been a key proponent of telecommunications and information policy legislation and organized many legislative access projects. Through the efforts of Senator Fukunaga and others, Hawaii became the first state with a statewide information network. Senator Fukunaga chaired the National Conference of State Legislators, State/Federal Assembly Communications Committee this past year and is a member of the National Information Infrastructure Advisory Council.'

"This is a great article for our members to look at. I think it's a proud day when a member of this body is recognized in a national publication. I'll just share a few more quotes from the article. She said: 'In the legislative branch you always believe that the executive branch is hiding information from you.' Isn't that true, Mr. President?" (Laughter.)

The Chair responded: "We are in agreement." (Laughter.)

Senator McCartney continued:

"'Elected officials are going to have to develop a better working relationship with technology professionals' -- and I'll just add a footnote to that quote -- and with the administration. (She has some very good quotes in this article.)

"I think this is something that we're all proud of, and we should recognize and support members of this body who are recognized by the national media. So, can we give a hand to Senator Fukunaga and recognize her on this 'Aloha Friday.'"

The Chair then congratulated Senator Fukunaga.

Senator Fukunaga responded:

"Mr. President, I think the most important thing that we can take from the Vice President's comments is that 'Aloha Friday' is a day when we can reflect upon the accomplishments of this body. The Vice President has certainly gone a long way in spreading that Aloha, and I hope we can all take the comments that he has made with respect to sharing Aloha and the 'Live Aloha' program to heart. Perhaps every Friday we can acknowledge many of the other members of this body. Thank you."

Senator Holt rose on a point of personal privilege and stated:

"Mr. President, I'm rising on a point of personal privilege.

"Since this is Friday and everybody is supposed to be in a good mood, I want to let everybody know that I plan to agree with this morning's editorial, and I will keep the proposal on the table. I don't know which table or for how long, but I plan to keep it on the table. (Laughter.) Thank you."

#### ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Ihara, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 13, 1995.