

## TWENTIETH DAY

Thursday, February 16, 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 Lieutenant Noelle Nelson, The Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Solomon who was excused.

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

Senator Fernandes Salling, in commemorating the 20th anniversary of Alu Like, Inc. and commending it for its public service to the Hawaiian people, introduced, on behalf of Senator Solomon, several individuals for their achievements and dedication to the betterment of Native Hawaiians. A Senate certificate was presented by Senator Fernandes Salling and leis were presented to all of the guests by various Senators.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 30 and 31) were read by the Clerk and were placed on file:

Dept. Com. No. 30, from the Public Utilities Commission, Department of Budget and Finance dated February 14, 1995, transmitting a report prepared by Dennis Thomas & Associates in response to H.C.R. No. 46 (1993), reviewing the relationship between Hawaiian Electric Industries and Hawaiian Electric Company.

Dept. Com. No. 31, from the State Auditor dated February 14, 1995, transmitting a report, "Status Report on Monitoring Fiscal Accountability of the Department of Education," pursuant to Act 272, SLH 1994.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 16 and 17) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 16, transmitting H.B. No. 1274, which passed Third Reading in the House of Representatives on February 15, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Liu and carried, H.B. No. 1274, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC IMPROVEMENTS," passed First Reading by title and was referred to the Committee on Transportation and Government Affairs, then to the Committee on Judiciary.

Hse. Com. No. 17, transmitting H.B. No. 1484, H.D. 1, which passed Third Reading in the House of Representatives on February 15, 1995, was placed on file.

On motion by Senator Ihara, seconded by Senator Liu and carried, H.B. No. 1484, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed First Reading by title and was referred to the Committee on Planning, Land and Water Use Management.

## STANDING COMMITTEE REPORTS

Senator Aki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 156) recommending that S.B. No. 1337 pass Second Reading and be referred to the Committee on Agriculture, Labor, and Employment.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1337, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Agriculture, Labor, and Employment.

Senator Aki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 157) recommending that S.B. No. 1338 pass Second Reading and be referred to the Committee on Agriculture, Labor, and Employment.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1338, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Agriculture, Labor, and Employment.

Senator Matsuura, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 920 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 920, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS MENTALLY ILL PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Matsuura and Levin, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 159) recommending that S.B. No. 1082 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the joint report of the Committees was adopted and S.B. No. 1082, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 160) recommending that S.B. No. 1121 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Levin, for the Committee on Health, presented a report (Stand. Com. Rep. No. 161) recommending that S.B. No. 575, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 575, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AIDS-RELATED

SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Levin, for the Committee on Health, presented a report (Stand. Com. Rep. No. 162) recommending that S.B. No. 592, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Levin, for the Committee on Health, presented a report (Stand. Com. Rep. No. 163) recommending that S.B. No. 1593 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Grauly, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 164) recommending that S.B. No. 309 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 309, entitled: "A BILL FOR AN ACT RELATING TO CREDITORS' RIGHTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chumbley, for the Committee on Education, presented a report (Stand. Com. Rep. No. 165) recommending that S.B. No. 1157 pass Second Reading and be referred to the Committee on Transportation and Government Affairs.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Transportation and Government Affairs.

Senator Aki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 166) recommending that S.B. No. 1171 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1171, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 167) recommending that S.B. No. 1482 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1482, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO PURCHASE LAND ON THE

ISLAND OF LANAI, FOR THE DEVELOPMENT OF AGRICULTURAL, PASTORAL, OR AQUACULTURAL HOMESTEADS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 168) recommending that S.B. No. 1637 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1637, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 169) recommending that S.B. No. 1844 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1844, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fernandes Salling and Matsunaga, for the Committee on Transportation and Government Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 170) recommending that S.B. No. 901 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the joint report of the Committees was adopted and S.B. No. 901, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONTENT OF FUELS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Grauly, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 171) recommending that S.B. No. 432, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Grauly, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 172) recommending that S.B. No. 1375, 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 Liu and carried, the report of the majority of the Committee was adopted and S.B. No. 1375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Grauly, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 173) recommending that S.B. No. 1261 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1261, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION," 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. 174) recommending that S.B. No. 1594, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 1594, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," 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. 175) recommending that S.B. No. 1772, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 1772, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," 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. 176) recommending that S.B. No. 1773 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 1773, entitled: "A BILL FOR AN ACT RELATING TO EXTRADITIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1995.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 177) recommending that S.B. No. 1645, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 1645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 183C," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1995.

Senator Ikeda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 178) recommending that S.B. No. 310, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 310, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS AND THE AUTHORIZATION FOR ISSUANCE THEREOF," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1995.

Senator Ikeda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 179)

recommending that S.B. No. 886 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 886, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1995.

Senator Ikeda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No. 887 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.B. No. 887, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO SECTION 11 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1995.

Senator Ikeda, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 181) recommending that S.B. No. 893, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SERVICE FEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 21, 1995.

Senator Levin, for the Committee on Health, presented a report (Stand. Com. Rep. No. 182) recommending that S.B. No. 1680, 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 Liu and carried, the report of the Committee was adopted and S.B. No. 1680, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 1771:

On motion by Senator Gaulty, seconded by Senator McCartney and carried, S.B. No. 1771, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF CHILD SUPPORT THROUGH INCOME WITHHOLDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Solomon).

### RE-REFERRAL OF SENATE BILLS

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

Senate Bills                      Referred to:

No. 1157                      Committee on Education, then to the Committee on Judiciary

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No. 1897

Committee on Consumer Protection

**ADJOURNMENT**

At 11:59 o'clock a.m., on motion by Senator Ihara, seconded by Senator Liu and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 17, 1995.