

THIRTIETH DAY

Tuesday, March 14, 1995

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 10:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Rex Britt, Superintendent, Hawaii District, The United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senators Aki, Holt, Ige, Matsunaga, Tam and Taniguchi who were excused.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 383 and 384) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 383, returning S.B. No. 1682, which passed Third Reading in the House of Representatives on March 13, 1995, in an amended form, was placed on file.

On motion by Senator Ikeda, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1682 and S.B. No. 1682, H.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," was placed on the calendar for Final Reading on Wednesday, March 15, 1995.

Hse. Com. No. 384, returning S.B. No. 1690, which passed Third Reading in the House of Representatives on March 13, 1995, in an amended form, was placed on file.

On motion by Senator Ikeda, seconded by Senator Baker and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1690 and S.B. No. 1690, H.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR OPERATING EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM," was placed on the calendar for Final Reading on Wednesday, March 15, 1995.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 165 to 183) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING A REASSESSMENT REGARDING THE PROVISION OF OPTIMAL INSURANCE COVERAGE FOR TEMPOROMANDIBULAR DISORDER SERVICES."

Offered by: Senator Ikeda.

Referred to: Committee on Consumer Protection, then to the Committee on Ways and Means

No. 166 "SENATE CONCURRENT RESOLUTION SUPPORTING EFFORTS TO FOSTER THE GROWTH OF DIVERSIFIED AGRICULTURE WITHIN THE STATE."

Offered by: Senators Kawamoto, Bunda, Kanno.

Referred to: Committee on Agriculture, Labor, and Employment

No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING ALL STATE AND COUNTY AGENCIES TO WORK TOGETHER IN THE INTEREST OF THE PUBLIC TO MAKE IT EASIER, LESS TIME CONSUMING, AND LESS EXPENSIVE TO PRODUCE HOUSING IN HAWAII."

Offered by: Senators Kawamoto, Kanno.

Referred to: Committee on Housing, then to the Committee on Transportation and Government Affairs

No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER CONVERTING ALL PUBLIC SCHOOLS TO CALENDAR YEAR UTILIZATION (YEAR ROUND EDUCATION) BY THE 1997-1998 SCHOOL YEAR."

Offered by: Senators Solomon, Fernandes Salling, Chumbley, Tanaka, Aki, Ige, Ikeda.

Referred to: Committee on Education

No. 169 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CONSIDER PURCHASING A HOTEL FACILITY TO SERVE AS A SITE FOR THE UNIVERSITY OF HAWAII, WEST HAWAII."

Offered by: Senators Solomon, Fernandes Salling, Chumbley, Tanaka, Aki, Fukunaga, Ige, Ikeda.

Referred to: Committee on Higher Education, Culture, and Arts

No. 170 "SENATE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE HAWAII STATE LEGISLATURE TO REJECT ANY PROPOSED INCREASES SUBMITTED BY THE LEGISLATIVE SALARY COMMISSION."

Offered by: Senator Liu.

Referred to: Committee on Leadership

No. 171 "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATIVE SALARY COMMISSION TO PROPOSE NO SALARY INCREASE."

Offered by: Senator Liu.

Referred to: Committee on Leadership

No. 172 "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROCEED EXPEDITIOUSLY WITH EFFORTS TO CLEAR ITS PRESENT BASEYARD OPERATIONS FROM THE KAKAOKO PENINSULA AND KOKEA STREET AREAS."

Offered by: Senator Holt.

Referred to: Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

No. 173 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SCHEDULE, GIVING A MINIMUM OF TEN DAYS' NOTICE, AND

CONVENE PUBLIC HEARINGS TO DISCLOSE AND JUSTIFY ANY ACTION TO RESTRICT OR AMEND ANY EXPENDITURE ITEMS INCLUDED IN ANY BUDGET PASSED BY THE LEGISLATURE."

Offered by: Senator Tam.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 174 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO SUBMIT RECOMMENDATIONS ON THE BIOLOGICAL RESEARCH OPTIONS AND ALTERNATIVES THAT WOULD ENABLE THE ELIMINATION OF IVY GOURD, COCCINIA GRANDIS."

Offered by: Senator Tam.

Referred to: Committee on Agriculture, Labor, and Employment

No. 175 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO DEVELOP AN ALTERNATIVE CORRECTIONAL SYSTEM BASED ON THE CONCEPT OF PU'UHONUA."

Offered by: Senator Aki.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Judiciary

No. 176 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO ESTABLISH A PROGRAM FOR TESTING AND EVALUATING THE LEARNING PROBLEMS OF CHILDREN WITH LEUKEMIA."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Health and the Committee on Education

No. 177 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO REVIEW AND RECOMMEND IMPROVEMENTS WITH RESPECT TO EXISTING STATE PROGRAMS AND POLICIES RELATING TO THREATENED AND ENDANGERED SPECIES, AND TO RECOMMEND WAYS TO BETTER COORDINATE STATE, FEDERAL, AND PRIVATE THREATENED AND ENDANGERED SPECIES RECOVERY EFFORTS."

Offered by: Senators Levin, Tam.

Referred to: Committee on Ecology and Environmental Protection

No. 178 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE POSSIBILITY OF ESTABLISHING A PUBLIC BENEFIT CORPORATION TO MANAGE AND OPERATE THE COMMUNITY MENTAL HEALTH CENTERS."

Offered by: Senator Levin.

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

No. 179 "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF PROCUREMENT OFFICER

TO EXPLORE METHODS TO DISCOURAGE CHANGE ORDERS AND OTHER COST OVERRUNS IN STATE CONSTRUCTION PROJECTS."

Offered by: Senator Matsuura.

Referred to: Committee on Transportation and Government Affairs, then to the Committee on Ways and Means

No. 180 "SENATE CONCURRENT RESOLUTION REQUESTING HOUSE AND SENATE EMPLOYEES TO DONATE TO THE HAWAII FOODBANK STATE EMPLOYEES' FOOD DRIVE."

Offered by: Senators Matsuura, Aki, Anderson, Bunda, Chumbley, Fukunaga, Gaulty, Holt, Ige, Ihara, Ikeda, Iwase, Kanno, Kawamoto, Levin, Liu, McCartney, Mizuguchi, Solomon, Tam, Tanaka, Taniguchi.

Referred to: Committee on Human Services

No. 181 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE, THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, AND THE STATE FOUNDATION ON CULTURE AND THE ARTS TO EXECUTE ARTISTS' CONTRACTS IMMEDIATELY AND TO REPORT TO THE LEGISLATURE THIS SESSION."

Offered by: Senator Fukunaga.

Referred to: Committee on Higher Education, Culture, and Arts

No. 182 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO NEGOTIATE WITH THE UNITED STATES DEPARTMENT OF DEFENSE TO DEVELOP A SECURE RESIDENTIAL DRUG TREATMENT CENTER AT THE BARBERS POINT NAVAL AIR STATION."

Offered by: Senators Gaulty, Chumbley, Matsuura, McCartney, Solomon, Tam, Tanaka.

Referred to: Jointly to the Committee on Judiciary and the Committee on Planning, Land and Water Use Management

No. 183 "SENATE CONCURRENT RESOLUTION REDUCING ILLEGAL SALES OF TOBACCO PRODUCTS TO MINORS."

Offered by: Senators Gaulty, Aki, Chumbley, Fukunaga, Ihara, Kawamoto, Matsuura, McCartney, Solomon, Tam, Tanaka.

Referred to: Committee on Judiciary

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 145 to 162) were read by the Clerk and were referred to committees:

Senate Resolution

No. 145 "SENATE RESOLUTION SUPPORTING EFFORTS TO FOSTER THE GROWTH OF DIVERSIFIED AGRICULTURE WITHIN THE STATE."

Offered by: Senators Kawamoto, Bunda, Kanno.

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

No. 146 "SENATE RESOLUTION REQUESTING ALL STATE AND COUNTY AGENCIES TO WORK TOGETHER IN THE INTEREST OF THE PUBLIC TO MAKE IT EASIER, LESS TIME CONSUMING, AND LESS EXPENSIVE TO PRODUCE HOUSING IN HAWAII."

Offered by: Senators Kawamoto, Kanno.

Referred to: Committee on Housing, then to the Committee on Transportation and Government Affairs

No. 147 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER CONVERTING ALL PUBLIC SCHOOLS TO CALENDAR YEAR UTILIZATION (YEAR ROUND EDUCATION) BY THE 1997-1998 SCHOOL YEAR."

Offered by: Senators Solomon, Fernandes Salling, Chumbley, Tanaka, Aki, Fukunaga, Ige, Ikeda.

Referred to: Committee on Education

No. 148 "SENATE RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CONSIDER PURCHASING A HOTEL FACILITY TO SERVE AS A SITE FOR THE UNIVERSITY OF HAWAII, WEST HAWAII."

Offered by: Senators Solomon, Fernandes Salling, Chumbley, Tanaka, Aki, Ige, Ikeda.

Referred to: Committee on Higher Education, Culture, and Arts

No. 149 "SENATE RESOLUTION URGING THE MEMBERS OF THE HAWAII STATE LEGISLATURE TO REJECT ANY PROPOSED SALARY INCREASES SUBMITTED BY THE LEGISLATIVE SALARY COMMISSION."

Offered by: Senator Liu.

Referred to: Committee on Leadership

No. 150 "SENATE RESOLUTION URGING THE LEGISLATIVE SALARY COMMISSION TO PROPOSE NO SALARY INCREASE."

Offered by: Senator Liu.

Referred to: Committee on Leadership

No. 151 "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROCEED EXPEDITIOUSLY WITH EFFORTS TO CLEAR ITS PRESENT BASEYARD OPERATIONS FROM THE KAKAOKO PENINSULA AND KOKEA STREET AREAS."

Offered by: Senator Holt.

Referred to: Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

No. 152 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO SCHEDULE, GIVING A MINIMUM OF TEN DAYS' NOTICE, AND CONVENE PUBLIC HEARINGS TO DISCLOSE AND JUSTIFY ANY ACTION TO RESTRICT OR AMEND ANY

EXPENDITURE ITEMS INCLUDED IN ANY BUDGET PASSED BY THE LEGISLATURE."

Offered by: Senator Tam.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 153 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO SUBMIT RECOMMENDATIONS ON THE BIOLOGICAL RESEARCH OPTIONS AND ALTERNATIVES THAT WOULD ENABLE THE ELIMINATION OF IVY GOURD, COCCINIA GRANDIS."

Offered by: Senator Tam.

Referred to: Committee on Agriculture, Labor, and Employment

No. 154 "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO DEVELOP AN ALTERNATIVE CORRECTIONAL SYSTEM BASED ON THE CONCEPT OF PU'UHONUA."

Offered by: Senator Aki.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Judiciary

No. 155 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO ESTABLISH A PROGRAM FOR TESTING AND EVALUATING THE LEARNING PROBLEMS OF CHILDREN WITH LEUKEMIA."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Health and the Committee on Education

No. 156 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO REVIEW AND RECOMMEND IMPROVEMENTS WITH RESPECT TO EXISTING STATE PROGRAMS AND POLICIES RELATING TO THREATENED AND ENDANGERED SPECIES, AND TO RECOMMEND WAYS TO BETTER COORDINATE STATE, FEDERAL, AND PRIVATE THREATENED AND ENDANGERED SPECIES RECOVERY EFFORTS."

Offered by: Senators Levin, Tam.

Referred to: Committee on Ecology and Environmental Protection

No. 157 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE POSSIBILITY OF ESTABLISHING A PUBLIC BENEFIT CORPORATION TO MANAGE AND OPERATE THE COMMUNITY MENTAL HEALTH CENTERS."

Offered by: Senator Levin.

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

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Offered by: Senator Matsuura.

Referred to: Committee on Transportation and Government Affairs, then to the Committee on Ways and Means

No. 159 "SENATE RESOLUTION REQUESTING HOUSE AND SENATE EMPLOYEES TO DONATE TO THE HAWAII FOODBANK STATE EMPLOYEES' FOOD DRIVE."

Offered by: Senators Matsuura, Aki, Anderson, Bunda, Chumbley, Fukunaga, Gaulty, Holt, Ige, Ihara, Ikeda, Iwase, Kanno, Kawamoto, Levin, Liu, McCartney, Mizuguchi, Solomon, Tam, Tanaka, Taniguchi.

Referred to: Committee on Human Services

No. 160 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE, THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, AND THE STATE FOUNDATION ON CULTURE AND THE ARTS TO EXECUTE ARTISTS' CONTRACTS IMMEDIATELY AND TO REPORT TO THE LEGISLATURE THIS SESSION."

Offered by: Senator Fukunaga.

Referred to: Committee on Higher Education, Culture, and Arts

No. 161 "SENATE RESOLUTION REQUESTING THE SENATE JUDICIARY COMMITTEE TO HOLD INTERIM PUBLIC HEARINGS AND MAKE RECOMMENDATIONS WITH RESPECT TO THE ELECTION OF THE ATTORNEY GENERAL."

Offered by: Senators Gaulty, Chumbley, Matsuura, McCartney, Solomon, Tam, Tanaka.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 162 "SENATE RESOLUTION REDUCING ILLEGAL SALES OF TOBACCO PRODUCTS TO MINORS."

Offered by: Senators Gaulty, Aki, Chumbley, Fukunaga, Ihara, Kawamoto, Matsuura, McCartney, Solomon, Tam, Tanaka.

Referred to: Committee on Judiciary

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

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

House Bill Referred to:

No. 1067, H.D. 2 Jointly to the Committee on Agriculture, Labor, and Employment and the Committee on Planning, Land and Water Use Management

No. 1186, H.D. 1 Jointly to the Committee on Communications and Public Utilities and the Committee on Consumer Protection

No. 1868 Jointly to the Committee on Communications and Public Utilities and the Committee on Judiciary

No. 2021, H.D. 1 Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The President re-referred the following Senate concurrent resolution that was offered:

Senate
Concurrent
Resolution Referred to:

No. 47 Jointly to the Committee on Education, the Committee on Higher Education, Culture, and Arts and the Committee on Communications and Public Utilities

ADJOURNMENT

At 10:42 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., Wednesday, March 15, 1995.