

EIGHTEENTH DAY

Tuesday, February 13, 1996

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Darrell Rott, Aiea Seventh-Day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Fukunaga, Holt and Ihara who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 159 and 160) were read by the Clerk and were placed on file:

Gov. Msg. No. 159, letter dated January 11, 1996, regarding S.R. No. 139 (1995), which requests that the Employees' Retirement System (ERS) study, investigate, and evaluate the financial impact if the employees could retire on an unreduced pension when the combination of their age plus their years of service equal 80.

Gov. Msg. No. 160, letter dated January 11, 1996, regarding S.R. No. 138 (1995), which requests that the Employees' Retirement System (ERS) study and determine the financial impact of raising the percentage factors in the retirement benefit formulas for noncontributory and contributory employees.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 7 and 8) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 7, transmitting H.B. No. 2359, which passed Third Reading in the House of Representatives on February 12, 1996, was placed on file.

On motion by Senator Baker, seconded by Senator Liu and carried, H.B. No. 2359, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection.

Hse. Com. No. 8, transmitting H.B. No. 3174, H.D. 1, which passed Third Reading in the House of Representatives on February, 12, 1996, was placed on file.

On motion by Senator Baker, seconded by Senator Liu and carried, H.B. No. 3174, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD," passed First Reading by title and was referred to the Committee on Consumer Protection.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 19 and 20) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 19 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION CONVENE A SCHOOL BUS SAFETY TASK FORCE."

Offered by: Senator Fernandes Salling

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

No. 20 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TEN-YEAR MORATORIUM ON THE IMPOSITION OF ALL LANDING FEES FOR AERONAUTICAL USERS OF ANY AIRPORT OWNED OR CONTROLLED BY THE STATE."

Offered by: Senator Kawamoto.

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

SENATE RESOLUTION

The following resolution (S.R. No. 12) was read by the Clerk and was referred to committees:

Senate Resolution

No. 12 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TEN-YEAR MORATORIUM ON THE IMPOSITION OF ALL LANDING FEES FOR AERONAUTICAL USERS OF ANY AIRPORT OWNED OR CONTROLLED BY THE STATE."

Offered by: Senator Kawamoto.

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

STANDING COMMITTEE REPORTS

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1635) recommending that H.B. No. 547 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and H.B. No. 547, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1636) recommending that S.B. No. 2108 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2108, entitled: "A BILL FOR AN ACT RELATING TO RULES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1637) recommending that

S.B. No. 2156 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2156, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1638) recommending that S.B. No. 2434 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2434, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF NEW MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the majority of the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1639) recommending that S.B. No. 2466 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the majority of the Committee was adopted and S.B. No. 2466, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1640) recommending that S.B. No. 2470 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2470, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATION OF FIRES, IMMUNITY FOR INFORMATION RECEIVED FROM INSURERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1641) recommending that S.B. No. 3232, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 3232, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1642) recommending that H.B. No. 548 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and H.B. No. 548, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1643) recommending that S.B. No. 2508, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2508, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1644) recommending that S.B. No. 2583, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2583, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY OVERSIGHT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Transportation and Government Affairs, presented a report (Stand. Com. Rep. No. 1645) recommending that S.B. No. 3115, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 3115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS QUALIFIED TO TAKE SPECIMENS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 1646) recommending that S.B. No. 2133, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2133, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND IMPROVEMENT OF WATER SYSTEMS IN PUNA, HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 1647) recommending that S.B. No. 2150, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2150, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE ANAHOLA WATER SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 1648) recommending that S.B. No. 2548 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2548, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 1649) recommending that S.B. No. 2656, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 2656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 1650) recommending that S.B. No. 3066 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 3066, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Iwase, for the Committee on Planning, Land and Water Use Management, presented a report (Stand. Com. Rep. No. 1651) recommending that S.B. No. 3092 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Iwase and carried, the report of the Committee was adopted and S.B. No. 3092, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF A COMMISSION ON HAWAII IN THE TWENTY-FIRST CENTURY," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 3021	Jointly to the Committee on Education and the Committee on Ways and Means
No. 3263	Jointly to the Committee on Transportation and Government Affairs and the Committee on Ways and Means

At this time, Senator Matsunaga, chairman of the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing, pursuant to Senate Rule 20, for S.B. No. 2405 and S.B. No. 2706, and the Chair granted the waiver.

At this time, Ben Villafior, Sergeant-at-Arms of the Senate, was called to the podium for the following presentation by President Mizuguchi:

"Members of the Senate, not only has our Sergeant-at-Arms made the headlines in the Sunday Advertiser -- a very nice, warm and personal story about his life and the service that he has given to the Senate -- but as most of you know, he also conducts an aerobics class. He takes full charge of that class and keeps our staff healthy and in fit form for their work here in the Senate. I think some of the Senators need to enroll in this class because I noticed that Senators Holt, Anderson and Ihara are out on sick leave. Ben, maybe what you need to do is to get some of the Senators to join your aerobics class.

"The members of Ben's aerobics class made him a T-shirt and today I am presenting it to him on behalf of all of those who participate in his class. Ben, would you please come up and accept this T-shirt. It says: 'Sports Legend, the Original Superstar, Boxercise with Ben, Five-time World Champion.' How about a nice hand for our Sergeant-at-Arms."

The President then made the presentation to Ben Villafior on behalf of the aerobics class.

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Baker, seconded by Senator Liu and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 14, 1996.