

FORTIETH DAY

Thursday, March 28, 1996

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Tatsuo Muneto, Honpa Hongwanji Hawaii Betsuin, after which the Roll was called showing all Senators present.

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

The following introductions were made to the members of the Senate:

Senator Taniguchi, on behalf of President Mizuguchi and the members of the Senate, introduced several visitors from Hiroshima, Japan, and several members of the Honolulu Japanese Chamber of Commerce in celebration of the 15th Anniversary of the "Sister Chamber" affiliation between the Honolulu Japanese Chamber of Commerce and the Hiroshima Chamber of Commerce and Industry. A Senate certificate and leis were presented to all of the guests by various Senators.

At this time, the following Senators introduced their student "shadows":

Senator Baker introduced Janelle Ishida and Catherine Corpus from Molokai High and Intermediate School;

Senator Ihara introduced Trena Sykes-Hebert from Kaimuki High School and Daniel Evans from Kahuku High School;

Senator Kawamoto, on behalf of himself and Senator Ige, introduced Carol Fulk from Pearl City High School;

Senator Ikeda introduced Deidre Caparosa and Melanie Fong from Kaiser High School;

Senator Iwase introduced Michelle Mariano from Waipahu High School;

Senator Solomon introduced Kalehua Etrata from Laupahoehoe High School;

Senator Fernandes Salling introduced Omar Gaya and Jayme Chew from Kauai High School;

Senator Bunda introduced Nemy Tacuboy from Leilehua High School;

Senator Levin introduced Jason Masters and Zen Hunter-Ishikawa from Ka'u High School;

Senator Gaulty, on behalf of himself and President Mizuguchi, introduced Marvin Tagaban from Moanalua High School;

Senator Tam introduced Wendy Ing from Roosevelt High School; and

President Mizuguchi introduced Kristy Kakazu from Moanalua High School.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

ORDER OF THE DAY

MATTERS DEFERRED FROM
WEDNESDAY, MARCH 27

THIRD READING

H.B. No. 2576, H.D. 1:

Senator Gaulty moved that H.B. No. 2576, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator McCartney.

Senator Baker rose in support of the measure as follows:

"Mr. President, I rise to speak in support of this measure.

"Mr. President, it seems very unusual that we would need a bill to accomplish the purpose of this measure. This bill would ensure that non-patient spouses may stay with their patient spouses at their Kalaupapa homes and not have to go top-side or leave Kalaupapa when their patient spouse is absent from the settlement for treatment or other business. Unfortunately, a measure very similar to this one was passed by both houses last year, only to be vetoed erroneously by the Governor.

"For a very small number of patients that still call Kalaupapa home, a measure like this is very important. And I ask all of my colleagues to continue to support the patients there, by passing this measure.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and H.B. No. 2576, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2416, H.D. 1, S.D. 1:

On motion by Senator Gaulty, seconded by Senator McCartney and carried, H.B. No. 2416, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3822, S.D. 1:

On motion by Senator Gaulty, seconded by Senator McCartney and carried, H.B. No. 3822, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3793, H.D. 1, S.D. 1:

On motion by Senator Tam, seconded by Senator Aki and carried, H.B. No. 3793, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3456:

On motion by Senator Matsuura, seconded by Senator Grauly and carried, H.B. No. 3456, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, AND FOSTER BOARDING HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 4035, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 4035, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PACKAGED SOIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

FINAL READING

S.B. No. 2783, S.D. 1, H.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2783, S.D. 1, H.D. 1, and S.B. No. 2783, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

AGREE/DISAGREE

S.B. No. 2124 (H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2124, and requested a conference on the subject matter thereof.

DISAGREE AND APPOINTMENT OF CONFEREES

S.B. No. 2189, S.D. 1 (H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2189, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Grauly, chairman, Chumbley, McCartney, Tam, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2890 (H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2890, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Grauly, chairman, Matsuura, Chumbley, Anderson as managers on the part of the Senate at such conference.

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

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

"Mr. President, I want you to look at the Advertiser for Tuesday. It has, 'State runs short on jobless pay'. I think what bothers me more than anything else is that last year we had workers' comp, unemployment, automobile insurance ... we went over the gamut looking at reforms and we asked the state, Where do you stand on these particular items? Are you going to be able to meet your needs, because, indeed, we are all in trouble -- private enterprise and the state. The state didn't seem to think they had a problem at that time, and yet in the Advertiser it says:

'State Labor Director Lorraine Akiba told lawmakers yesterday that her department has already exceeded, by \$2 million, its annual allotment from the Legislature for unemployment benefits for state workers.

'To cover its costs, the department had to take money out of the trust fund into which private employers pay.'

And we pay into that fund for our employees.

"I think what bothers me more is when we stand on this floor and we're trying to help the economy and we say, let's look at horse racing which will help; let's look at shipboard gaming. And they say, what kind of message are we sending to our youth. And yet, the next statement says, 'Which law do we choose to break? We're going to violate that. Now what kind of message does that send out to our children -- that it's all right to either break this law or that law. I don't think that's a very fair way to look at it -- when we try to help the economy, we have to look at our children.

"Also, it bothers me that we've been getting letters from different unions and they're asking us not to hear the workers' compensation bill; that they don't need it at this time. Last year, they realized that we were all in trouble; that workers and businesses together had to solve problems. This year they act like there's no problem at all -- we have lots of money; we don't have to take care of this. If they would start looking at the number of businesses that are going out of business, they would realize that they're going to have to look at every law that we have that will help our economy.

"I ask you, ladies and gentlemen and my fellow colleagues, look at what we're doing. I don't think that it's fair to say that we have to set an example for our children and yet we break the very laws that we make.

"Thank you very much."

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Ihara, seconded by Senator Liu and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 29, 1996.