

NINETEENTH DAY

Wednesday, February 18, 1998

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:38 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Mark Olmos, Faith Christian fellowship, Salt Lake, after which the Roll was called showing all Senators present with the exception of Senators Bunda, D. Ige and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the Eighteenth Day.

HOUSE COMMUNICATION

Hse. Com. No. 18, transmitting H.B. No. 2709, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1998, was read by the Clerk and was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2709, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed First Reading by title and was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2040) recommending that S.B. No. 2236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE PLANS, DESIGN, AND CONSTRUCTION OF A NEW SLAUGHTERHOUSE FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Iwase and Solomon, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 2041) recommending that S.B. No. 2769 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2042) recommending that S.B. No. 2791, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2791, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep.

No. 2043) recommending that S.B. No. 3033, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3033, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2044) recommending that S.B. No. 2553, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2045) recommending that S.B. No. 2549, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2046) recommending that S.B. No. 2074, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2074, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SUPERVISORS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 20, 1998.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2047) recommending that S.B. No. 2339 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2339, entitled: "A BILL FOR AN ACT RELATING TO MOPEDES," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 20, 1998.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2048) recommending that S.B. No. 2660 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2660, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 20, 1998.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2049) recommending that S.B. No. 2911 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2911, entitled: "A BILL FOR AN ACT RELATING TO RIDING BICYCLES ON ROADWAYS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 20, 1998.

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. 2737	Committee on Ways and Means
No. 3037	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 3088	Jointly to the Committee on Human Resources and the Committee on Judiciary
No. 3179	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

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

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

"We all saw the headlines in this morning's paper, the news that two of our larger businesses -- one the largest financial institution in the state and the other, one of the largest retailers -- are now laying off people. Mr. President, some of us for many years now have talked about the plight of small businesses. We've stood by as we've watched more and more small businesses go out of business, shut down or move out of this state. Now, Mr. President, we're seeing, as we predicted, that it is affecting every business and every sector of our economy. And the question is, When are we going to act, Mr. President?

"Yesterday, I was in a committee hearing and a bill had come forth from the Revitalization Task Force and their recommendation was to form another task force. We have to stop having task forces and studies, Mr. President, and we have to act and we have to solve the problems that are affecting all businesses by cutting taxes, reducing regulations and mandated benefits, and by adopting the 12 good proposals put forward by the bi-partisan Legislative Small Business Caucus.

"Thank you, Mr. President."

Senator Anderson also rose on a point of personal privilege and said:

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

"I'd like to agree with the Minority Floor Leader on what he said. But I'd also like to say upon reading this, yesterday I was going to introduce the media because I don't think that they've been here everyday and listening to some of the things that we are saying that should help the economy. Every one of us here is interested in trying to move the state forward, to make reforms, to have changes. I don't read it in the newspaper. I read in the newspaper and I watch television a lot about what's

happening to the President and his sex life, but very little about what we're doing for our own economy.

"I sent to the House when we were doing the possibility of looking at having a gambling type of referendum. I sent, because I was requested to, the Department of the Attorney General 1963, what they had to say, if it was legal or not.

"I spoke about the 'Waimanalo plan frustrates tenants' because we were looking at taking \$8 million from HUD to kick out low income families. These are not Hawaiian homes or Hawaiian families. These are local families of all different ethnic groups that are low income and they were saying that they could buy their homes if, in fact, they could afford them. After 30 years, they now want to kick them off because they're going to get \$8 million from HUD. Those lands are encumbered under our laws. The federal government does not have, as far as they are concerned, these lands on the books as being encumbered. But because they are silent and we have a law that it's encumbered, we should tell them these are encumbered lands. They are ceded. You cannot go ahead and just throw people off. But we don't do that. Instead, we are saying, 'Well, we're going to get \$8 million.' And Hawaii Housing says they want to keep this in their inventory. They have no inventory if it's ceded. They shouldn't be able to say, we're going to throw these people out to build new homes that they can't afford. They're going to fall back on relying on us to take care of them again. We're going to be deeper in trouble.

"And when I read that the retailers (I guess that's Liberty House and others) say that we blame the slump on the Asia crisis, what are we doing to take care of ourselves? We've suggested using our state lands. We've suggested that if you have a place like Town and Country Stables that has been there for over 35 years and leasing lands, to sell them off, to have money for the general fund that would give these people a chance to expand. That they would be able to hire people. They could go to the banks for loans. We don't do that. The newspapers don't print it. It's like we don't care.

"Yesterday, we had a hearing because of the construction people. And the good Senator from Waipahu turned around and said that there have been employees who went up and said, 'I would like a job,' and they said, 'I'm sorry, we're only hiring people from San Diego.' That's a shame! We should go ahead and take care of our economy.

"I don't see that on television. I don't read it in the papers. It's like our people out there don't think that we're concerned about what's happening here.

"Frustrated? You're damn right I'm frustrated! And I think everybody out there is frustrated because they don't think that we care about what's happening in our own state.

"Why can't we build cultural parks? Why can't we take care of the tourists that are coming here now? Why can't we look for new entrepreneurs? That's fair. It's to help the economy. It's to help jobs, now. The young people must think that we don't give a damn about what's happening to their future.

"If I sound frustrated, it's because I am frustrated because every time we turn around we sit and we do nothing. And year after year it's like business as usual as far as the people are concerned because everybody is afraid to make a move.

"I'm not worried about big business and the unions and the rest of it. If they dump me, fine! But we've got to move forward. We've got to create the jobs that are needed here. We've got to take care of our people now -- not say I've got a job, the heck with the next guy.

"Thank you very much, Mr. President."

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 19, 1998.