

TWENTY-THIRD DAY

Tuesday, February 23, 1999

THIRD READING

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Woodrow Yasuhara, District Superintendent of the Hawaii Assemblies of God and Associate Pastor of the First Assembly of God Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, D. Ige and Inouye who were excused.

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

At this time, Senator Matsunaga introduced Kenneth F. Brown in honor of his retirement as chairman of The Queen's Health Systems. Accompanying Mr. Brown were Richard Griffith, president and CEO of The Queen's Health Systems; and Connie Black, trustee of The Queen's Health Systems and Queen's Medical Center.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 204 to 208) were read by the Clerk and were placed on file:

Gov. Msg. No. 204, dated February 12, 1999, transmitting the 1998 Report of the Commission to Promote Uniform Legislation, Department of the Attorney General.

Gov. Msg. No. 205, dated February 16, 1999, transmitting the Foreign-Trade Zone No. 9 Annual Report to the Foreign-Trade Zones Board on General-Purpose Zone and Special-Purpose Subzone Activity in the State of Hawaii for Federal Fiscal Year 1998 (October 1, 1997 - September 30, 1998).

Gov. Msg. No. 206, dated February 17, 1999, transmitting a Status Report prepared by the Department of Human Services, Office of Youth Services, Hawaii Youth Correctional Facility, pursuant to Act 292, SLH 1998.

Gov. Msg. No. 207, dated February 17, 1999, transmitting the 1998 Annual Report prepared by the Department of Labor and Industrial Relations, pursuant to Section 371-7, HRS.

Gov. Msg. No. 208, dated February 23, 1999, transmitting a report prepared by the Department of Business, Economic Development and Tourism, Housing and Community Development Corporation of Hawaii, pursuant to Act 170, SLH 1998, relating to the conveyance tax.

ORDER OF THE DAY

MATTER DEFERRED FROM MONDAY, FEBRUARY 22, 1999

THIRD READING

S.B. No. 1430, S.D. 1:

By unanimous consent, S.B. No. 1430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE SAFETY," was recommitted to the Committee on Transportation and Intergovernmental Affairs.

S.B. No. 1021:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 1021, entitled: "A BILL FOR AN ACT RELATING TO CLINICAL LABORATORY PERSONNEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, D. Ige, Inouye, Tanaka).

S.B. No. 1026:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 1026, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, D. Ige, Inouye, Tanaka).

REFERRAL OF SENATE CONCURRENT RESOLUTION

The President made the following committee assignment of a concurrent resolution that was offered on Monday, February 22, 1999:

Senate Concurrent Resolution	Referred to:
No. 45	Committee on Transportation and Intergovernmental Affairs

REFERRAL OF SENATE RESOLUTION

The President made the following committee assignment of a resolution that was offered on Monday, February 22, 1999:

Senate Resolution	Referred to:
No. 25	Committee on Transportation and Intergovernmental Affairs

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 513, S.D. 1	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
No. 1032	Jointly to the Committee on Health and Human Services and the Committee on Ways and Means
No. 1034	Jointly to the Committee on Health and Human Services and the Committee on Ways and Means
No. 1229	Jointly to the Committee on Health and Human Services and the Committee on Ways and Means
No. 1301	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means

No. 1302 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means

No. 1469 Jointly to the Committee on Judiciary and the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate
Concurrent
Resolution Referred to:

No. 38 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 39 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following resolutions that were offered:

Senate
Resolution Referred to:

No. 16 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 17 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

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

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

"I notice, by news accounts, that our Governor has distinguished himself at the recently concluded National Governors' Conference, distinguished himself in threatening that if the states do not get the vaunted settlement from the tobacco money -- approximately \$206 billion, of which \$1 billion is supposed to come to the Hawaii over 25 years -- that he and other governors might be compelled to file suit against the federal government.

"You know, Mr. President, I think that the population is growing weary. They hear all our speeches. They hear us talk about how we're concerned about young people, how we're concerned about everybody else. But when all is said and done, what we're doing is fighting over money. And we're fighting over which group of lawyers is going to get most of the money.

"The idea is not where the money is going to go but whether it's going to go to the federal government or to the state government, whether it's going to go to this attorney or that attorney. And I think we've lost sight of the fact of what this settlement was supposed to be for. We're even talking here about taking the primary share of the proceeds -- when and if we get any of that money -- to have a rainy day fund, and then as an after-thought, to be used for youth education programs and non-smoking programs.

"We've got to get our priorities right. We've got to start thinking about what is the right thing to do, rather than who's going to get the money, and who's going to get the credit.

"So I think that this is the message -- rather than talking about how we're going to sue people further, because so far the only people that I think have benefited from this largesse have been the attorneys in the first place, I think it's something that all of us should bear in mind.

"Thank you, Mr. President."

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 600, 612, 926 and 1106, and the Chair granted the waiver.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

STANDING COMMITTEE REPORT

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of Stand. Com. Rep. No. 532, recommending that S.B. No. 425, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means. In consequence thereof and subsequent to its recessing at 11:59 o'clock a.m., the Senate took the following action:

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 532) recommending that S.B. No. 425, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was recommitted to the Committee on Ways and Means.

ADJOURNMENT

At 11:59 o'clock a.m., the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 3, 1999.