

THIRTY-FIFTH DAY

Monday, March 19, 2001

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2001, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Norman Sakamoto, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

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

Senator Sakamoto, with the assistance of Senators Inouye, Matsuura and Hanabusa, introduced and recognized the following teachers who achieved the highest professional standards by becoming certified by the National Board for Professional Teaching Standards: Jill Hirota, Waiialua Elementary School; Bess Jennings, resource teacher, Hawaii District Office of the Department of Education; Charlene Miyashiro, Waiakeawaena School; and Devora Lemus, Maili Elementary School.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 210, dated March 13, 2001, transmitting the 2000 Annual Report prepared by the Non-Government Members of the Marine and Coastal Zone Management Advisory Group (MACZMAG), pursuant to Section 205A-3.5, HRS, and Act 104, Section 3, SLH 1995, was read by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 22, from the Department of Budget and Finance dated March 14, 2001, transmitting the Supplement to the Programs and Financial Plan and Executive Budget, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Kanno, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1050) recommending that H.B. No. 533, H.D. 2, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 533, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senators Nakata and Kawamoto, for the Committee on Labor and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 562, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the joint report of the Committees was

adopted and H.B. No. 562, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 1052) recommending that H.B. No. 670, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 1053) recommending that H.B. No. 852, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the majority of the Committee was adopted and H.B. No. 852, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

H.B. No. 700, H.D. 1:

On motion by Senator Matsuura, seconded by Senator Buen and carried, H.B. No. 700, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF POISONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 524, H.D. 1 Committee on Commerce, Consumer Protection and Housing, then jointly to the Committee on Judiciary and the Committee on Ways and Means

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

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

"We have just lost someone who was very active and dedicated in our community, Mr. Adam A. 'Bud' Smyser of the Honolulu Star Bulletin. Mr. Smyser epitomized leadership in this community and dedication to many different activities. He had a long and distinguished 55-year career with the newspaper. During that period of time, he served as a reporter, city editor, managing editor, editor in chief, editorial page editor, and most recently as contributing editor, writing his column 'Hawaii's World' twice a week.

“He came originally from York, Pennsylvania. He was in the United States Navy, and he was recruited and offered a job by the late editor of the Honolulu Star Bulletin and he started his career in 1946. He served on many committees in his community, and he was a very active advocate for Statehood for Hawaii.

“He was a gentle man. He was a good reporter, a good writer, and he was a good friend. I think we’re all going to be less without Bud Smyser in our community.

“Thank you, Mr. President.”

At this time, Senator Chun Oakland, on behalf of the Senate, extended happy birthday wishes to Senator Chumbley.

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

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

“I won’t disclose my age today, but you can tell by the gray hair and the frowns in my forehead that life is getting challenging these days.

“Mr. President, I’d also like to request a rising vote of adjournment and a moment of silence for Bud Smyser.

“Thank you, Mr. President.”

ADJOURNMENT

At 12:12 o’clock p.m., on motion by Senator English, seconded by Senator Hemmings and carried, the Senate adjourned until 11:30 o’clock a.m., Tuesday, March 20, 2001, on a rising vote, observing a moment of silence in memory of the late Adam A. “Bud” Smyser.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate