

## THIRTY-SIXTH DAY

**Tuesday, March 20, 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 Sister Mary Jo McEnany, Member of the Benedictine Community of Hawaii, 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-Fifth Day.

Senator Menor, on behalf of President Bunda, congratulated the Leilehua High School Junior ROTC Exhibition Drill Team with Arms on becoming the 2000-2001 State Champions and introduced the following students: Cadet Captain Lionel Cabanit, Cadet Captain Michael Ligsay, Cadet First Lieutenant Adam Lucena, First Sergeant Raymond Hawk, Cadet Sergeant Krisette Ayson, Cheyne Bagoyo, Rhey Dacuycuy, Devaughn Hall, Jerry Ko, Ikaika Macapagal, Jessica Mowdy-Sanchez, Christina Rivera, Cedric Storay and Dayne Tavares. Accompanying the students were their advisors, Drill Master Joseph Madela and Sergeant Major Harry Kwon.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

**MESSAGE FROM THE GOVERNOR**

Gov. Msg. No. 211, dated March 22, 2001, transmitting a report, "Baby Boomer Data Hawaii 2000," prepared by the Executive Office on Aging, was read by the Clerk and was placed on file.

**STANDING COMMITTEE REPORTS**

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 100, 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 Committee was adopted and H.B. No. 100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 1538, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 1538, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No.

1056) recommending that H.B. No. 534 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. 534, entitled: "A BILL FOR AN ACT RELATING TO FUNCTIONAL PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1057) recommending that H.B. No. 662, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 662, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 687, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 687, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC NOTICE REQUIREMENTS FOR PUBLIC LAND DISPOSITIONS," passed Second Reading and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 689, 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. 689, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FOREST STEWARDSHIP PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 690, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 690, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 691, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

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

adopted and H.B. No. 691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR THE STATEWIDE TRAIL AND ACCESS PROGRAM," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1062) recommending that H.B. No. 693 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. 693, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 1063) recommending that H.B. No. 692 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 692, entitled: "A BILL FOR AN ACT RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 22, 2001.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1064) recommending that H.B. No. 569, 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. 569, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HEALTH FUND PREMIUMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1065) recommending that H.B. No. 588, H.D. 1, 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. 588, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWAL REQUIREMENTS OF THE BOARD OF MEDICAL EXAMINERS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1066) recommending that H.B. No. 646, H.D. 1, as amended in S.D. 1, 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. 646, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF STERILE SYRINGES FOR THE PREVENTION OF DISEASE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1067)

recommending that H.B. No. 653, H.D. 1, 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. 653, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TREATMENT INSURANCE BENEFITS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1068) recommending that H.B. No. 654, H.D. 1, 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. 654, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Chun, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1069) recommending that H.B. No. 186, 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 Committee was adopted and H.B. No. 186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1070) recommending that H.B. No. 624, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1071) recommending that H.B. No. 626, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 626, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1072) recommending that H.B. No. 1100, 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. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE

OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

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| House Bill              | Referred to:   |
| No. 514, H.D. 1         | Committee on Transportation, Military Affairs, and Government Operations, then jointly to the Committee on Judiciary and the Committee on Ways and Means   |
| No. 593, H.D. 1         | Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means  |
| No. 687, H.D. 1, S.D. 1 | Committee on Water, Land, Energy, and Environment, then jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary   |
| No. 695, H.D. 1         | Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Water, Land, Energy, and Environment and the Committee on Economic Development and Technology, then to the Committee on Ways and Means |
| No. 993, H.D. 1         | Committee on Health and Human Services, then to the Committee on Judiciary, then to the Committee on Ways and Means  |

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following concurrent resolution that was offered:

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| Senate<br>Concurrent<br>Resolution | Referred to:   |
| No. 39                             | Jointly to the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations |

Senator Matsuura, Chair of the Committee on Health and Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 20 for H.B. No. 516, and the Chair granted the waiver.

Senator Sakamoto, Chair of the Committee on Education, requested a waiver of the notice requirement pursuant to Senate Rule 20 for the following House Bills:

- H.B. No. 11;  
H.B. No. 512; and  
H.B. No. 1678,

and the Chair granted the waiver.

Senator Nakata, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 20 for H.B. No. 1595, and the Chair granted the waiver.

Senator Tam, Chair of the Committee on Economic Development and Technology, requested a waiver of the notice

requirement pursuant to Senate Rule 20 for the following House Bills:

- H.B. No. 554;  
H.B. No. 659;  
H.B. No. 1118;  
H.B. No. 1309; and  
H.B. No. 1310,

and the Chair granted the waiver.

**ADJOURNMENT**

At 12:05 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., Wednesday, March 21, 2001.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate