

**TWELFTH DAY**

**Monday, February 4, 2002**

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2002, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Seaward B. Grant, C.S., First Church of Christ Scientist, after which the Roll was called showing all Senators present with the exception of Senators Buen and Hanabusa who were excused.

The President announced that he had read and approved the Journal of the Eleventh Day.

**SENATE CONCURRENT RESOLUTION**

The following concurrent resolution (S.C.R. No. 29) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 29 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE THE EFFECTIVENESS OF THE HAWAII PREPAID HEALTH CARE ACT, CHAPTER 393, HAWAII REVISED STATUTES, AND TO CONSIDER THE FEASIBILITY OF AMENDING OR REPEALING THE ACT."

Offered by: Senator Matsuura.

**SENATE RESOLUTION**

The following resolution (S.R. No. 10) was read by the Clerk and was deferred:

Senate Resolution

No. 10 "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A NON-ENFORCEMENT FOOD SAFETY CONSULTATIVE AND EDUCATION PROGRAM IN THE DEPARTMENT OF HEALTH."

Offered by: Senator Matsuura.

**STANDING COMMITTEE REPORTS**

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2008) recommending that S.C.R. No. 1 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2008 and S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Tuesday, February 5, 2002.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2009) recommending that S.B. No. 2021, 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 S.B. No. 2021, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO ENROLLMENT IN THE CHILDREN'S HEALTH INSURANCE PROGRAM," 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. 2010) recommending that S.B. No. 2039, 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 S.B. No. 2039, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VISITATION," passed Second Reading and was referred to the Committee on Judiciary.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

**ORDER OF THE DAY**

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, January 17, 2002; Tuesday, January 22, 2002; Wednesday, January 23, 2002; Friday, January 25, 2002; and Wednesday, January 30, 2002:

- |                                    |                                                                                                                                                    |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Senate<br>Concurrent<br>Resolution | Referred to:                                                                                                                                       |
| No. 2                              | Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary                                                             |
| No. 3                              | Jointly to the Committee on Education and the Committee on Health and Human Services, then to the Committee on Ways and Means                      |
| No. 4                              | Committee on Health and Human Services                                                                                                             |
| No. 5                              | Jointly to the Committee on Health and Human Services and the Committee on Education                                                               |
| No. 6                              | Jointly to the Committee on Health and Human Services and the Committee on Education                                                               |
| No. 7                              | Jointly to the Committee on Education and the Committee on Health and Human Services, then to the Committee on Ways and Means                      |
| No. 8                              | Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Tourism and Intergovernmental Affairs                        |
| No. 9                              | Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary                                       |
| No. 10                             | Jointly to the Committee on Tourism and Intergovernmental Affairs and the Committee on Transportation, Military Affairs, and Government Operations |

No. 11 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 12 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development and Technology

No. 13 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Commerce, Consumer Protection and Housing and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary

No. 14 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs

No. 15 Jointly to the Committee on Hawaiian Affairs and the Committee on Health and Human Services

No. 16 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing

No. 17 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing

No. 18 Jointly to the Committee on Health and Human Services and the Committee on Education

No. 19 Committee on Labor, then to the Committee on Ways and Means

No. 20 Jointly to 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. 21 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 22 Jointly to the Committee on Water, Land, Energy, and Environment, the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 23 Jointly to the Committee on Water, Land, Energy, and Environment, the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 24 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 25 Jointly to the Committee on Water, Land, Energy, and Environment, the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 26 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 27 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 28 Committee on Transportation, Military Affairs, and Government Operations

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Tuesday, January 22, 2002, and Wednesday, January 30, 2002:

Senate Resolution Referred to:

No. 1 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2 Jointly to the Committee on Education and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 3 Committee on Health and Human Services

No. 4 Jointly to the Committee on Health and Human Services and the Committee on Education

No. 5 Jointly to the Committee on Health and Human Services and the Committee on Education

No. 6 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Economic Development and Technology

No. 7 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Commerce, Consumer Protection and Housing and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary

No. 8 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs

No. 9 Committee on Transportation, Military Affairs, and Government Operations

**RE-REFERRAL OF SENATE BILLS**

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

Senate Bill Referred to:

No. 2029 Jointly to the Committee on Health and Human Services, the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Tourism and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 2077 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Tourism and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 2194 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Tourism and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 2326 Jointly to the Committee on Health and Human Services, the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Tourism and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

S.B. No. 2556;  
S.B. No. 2744;  
S.B. No. 2875; and  
S.B. No. 3056,

and the Chair granted the waiver.

No. 2780 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary

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

No. 2817 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

“Mr. President, I’d like to rise on a point of personal privilege.

No. 2889 Jointly to the Committee on Economic Development and Technology and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary

“Mr. President, I’d like to raise a concern about the large number of waivers for hearing notices that I’ve been hearing today. I think I understand the need for it sometimes, and I’d like to request that if a Chair moves from a 72-hour notice to a 24-hour notice, that we have some kind of explanation as to the reason. I think there are reasons, and I think for the public’s benefit it might help. Because for those bills added today, it may be difficult for them to know about the bills with enough time to testify, particularly if they’re unrelated to the existing bills.

No. 2918 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

“Thank you.”

No. 2958 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Economic Development and Technology and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

The President responded:

“We’ll take that into consideration.”

**ADJOURNMENT**

No. 2963 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary, then to the Committee on Ways and Means

At 11:58 o’clock a.m., on motion by Senator English, seconded by Senator Hemmings and carried, the Senate adjourned until 11:30 o’clock a.m., Tuesday, February 5, 2002.

No. 3002 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Commerce, Consumer Protection and Housing, the Committee on Tourism and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

Respectfully submitted,

No. 3054 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

Clerk of the Senate

Approved:

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 20 for the following Senate Bill and Senate Resolutions:

President of the Senate

S.B. No. 2077;  
S.C.R. No. 28; and  
S.R. No. 9.

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

The Senate reconvened at 11:55 o’clock a.m.

The Chair then granted the waiver.

Senator Kim, Chair of the Committee on Tourism and Intergovernmental Affairs, requested a waiver of the notice requirement pursuant to Senate Rule 20 for the following Senate Bills:

S.B. No. 2350;  
S.B. No. 2421;  
S.B. No. 2459;