

FOURTEENTH DAY

Wednesday, February 6, 2002

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2002, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sam Domingo, First United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senators Matsunaga and Sakamoto who were excused.

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

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 30 to 32) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF SPEED LIMITS ON PUBLIC ROADS AND STREETS UNDER THE JURISDICTION OF THE CITY AND COUNTY OF HONOLULU."

Offered by: Senators Kim, Hanabusa, English, Matsunaga, Kanno, Inouye, Ihara, Tam, Sakamoto, Slom, Matsuura, Buen, Chun, Kokubun, Hemmings, Chun Oakland.

No. 31 "SENATE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A CONSUMER EDUCATION CAMPAIGN INFORMING CONSUMERS OF THE RELATIVE MERITS OF GENERIC DRUGS."

Offered by: Senator Chun Oakland.

No. 32 "SENATE CONCURRENT RESOLUTION DECLARING DECEMBER 15 AS BILL OF RIGHTS DAY."

Offered by: Senators Buen, Matsuura, Kokubun, Kawamoto, Chun, Hanabusa, Chun Oakland, Matsunaga, Hogue, Kanno, English, Ihara.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 11 to 13) were read by the Clerk and were deferred:

Senate Resolution

No. 11 "SENATE RESOLUTION REQUESTING A REVIEW OF SPEED LIMITS ON PUBLIC ROADS AND STREETS UNDER THE JURISDICTION OF THE CITY AND COUNTY OF HONOLULU."

Offered by: Senators Kim, Hanabusa, English, Matsunaga, Kanno, Inouye, Ihara, Tam, Sakamoto, Slom, Matsuura, Buen, Chun, Kokubun, Hemmings, Chun Oakland.

No. 12 "SENATE RESOLUTION REQUESTING THE CREATION OF A CONSUMER EDUCATION CAMPAIGN INFORMING CONSUMERS OF THE RELATIVE MERITS OF GENERIC DRUGS."

Offered by: Senator Chun Oakland.

No. 13 "SENATE RESOLUTION DECLARING DECEMBER 15 AS BILL OF RIGHTS DAY."

Offered by: Senators Buen, Matsuura, Kokubun, Kawamoto, Chun, Hanabusa, Chun Oakland, Hemmings, Matsunaga, Hogue, Kanno, English, Ihara.

STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2017) recommending that S.B. No. 2041, 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. 2041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the majority of the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2018) recommending that S.B. No. 2044, 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 majority of the Committee was adopted and S.B. No. 2044, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2019) recommending that S.B. No. 2094, 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 S.B. No. 2094, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," 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. 2020) recommending that S.B. No. 2106, 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 S.B. No. 2106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," 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. 2021) recommending that S.B. No. 2234, 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. 2234, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO SEXUAL EXPLOITATION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Matsuura and Sakamoto, for the Committee on Health and Human Services and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 2022) recommending that S.B. No. 2457 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 S.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO MOUSE EMBRYONIC STEM CELL RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Matsuura and Nakata, for the Committee on Health and Human Services and the Committee on Labor, presented a joint report (Stand. Com. Rep. No. 2023) recommending that S.B. No. 2438, 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 joint report of the Committees was adopted and S.B. No. 2438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII VICTIMS' ECONOMIC SECURITY AND SAFETY ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Sakamoto, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 2024) recommending that S.B. No. 2206 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 S.B. No. 2206, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2025) recommending that S.B. No. 2131, 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. 2131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2026) recommending that S.B. No. 2345 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. 2345, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TARO RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2027) recommending that S.B. No. 2481, 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. 2481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK," passed Second Reading and was referred to the Committee on Judiciary.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2028) recommending that S.B. No. 2482 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. 2482, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ABATE AGRICULTURAL THEFT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2029) recommending that S.B. No. 2490, 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 S.B. No. 2490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Housing.

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. 2027	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2206	Committee on Education, then to the Committee on Judiciary, then to the Committee on Ways and Means
No. 2256	Jointly to the Committee on Judiciary, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs
No. 2257	Jointly to the Committee on Judiciary, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2292	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary, then to the Committee on Ways and Means
No. 2921	Jointly to the Committee on Tourism and Intergovernmental Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary

Senator Matsuura, Chair of the Committee on Health and Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 20 for S.B. Nos. 2780 and 3054.

Senator Matsuura noted:

“Mr. President, the reason for this waiver is this bill got referred from a double to a triple referral, so we need to process these bills as soon as possible.”

The Chair then granted the waiver.

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

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

“Mr. President, I’d like to point out that there are two bills that are being heard this week where the Committee is planning to insert . . . it’s actually a hearing on a S.D. 1 on two bills that are being heard this week. These bills are not available for the public unless someone individually drives down to the State Capitol. Like in your district, Mr. President, it’s quite a drive, and for neighbor islanders, they would need to fly in just to get a copy of the bill in order to testify on it.

“I’d like to request that the Committee Chairs who are handling these bills either have another hearing on the contents of the bill so that the public has an opportunity to testify on it, or at least have the second Committee (I think it’s Ways and Means or the Judiciary Committee, whatever that is) make sure that the Committee has a hearing on the bill with the S.D. 1 draft. Because in the Senate, the second Committee does not have to have a hearing.

“The third alternative, if this happens in the future, Mr. President, I would hope that the S.D. 1 or Senate drafts that are being heard would be put on the Internet so that people around the State could have access to the language that is being proposed for which the public is being asked to testify.

“Thank you, Mr. President.”

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

The Senate reconvened at 12:00 o’clock noon.

The President responded as follows:

“Senator Ihara, the bills that you are referring to were already set up electronically and are ready to take on those Senate drafts. So if you have any questions, please call us or the Clerk’s Office.”

ADJOURNMENT

At 12:01 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., Thursday, February 7, 2002.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate