

NINETEENTH DAY

Wednesday, February 13, 2002

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2002, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Kyle Smith, Leeward Corps Community Center, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Menor who was excused.

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

At this time, the following introductions were made to the members of the Senate:

Senator Matsuura, on behalf of himself and Senator Slom, introduced Olin Kreutz of the Chicago Bears and congratulated him on his career as a professional football player.

Senator Kim and Senator Ige introduced and commended the following members of the 2001 Junior League World Series Champion Aiea Baseball Team: Ron Yonesaki, manager; Kepa Wong, co-captain; Kyle Kiyonaga, co-captain; Shawn Ha'o; Blaze Moleta; and Kurt Nishi.

Senators Kawamoto and Tam then introduced Alfred Rascon, Director of the Selective Service System. Accompanying Mr. Rascon were Colonel Lyle Wilkes, Edward Nakano, and Lieutenant Jill Trahan.

At 11:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 41) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 41 "SENATE CONCURRENT RESOLUTION ADOPTING A SCHOOL READINESS DEFINITION AND STRATEGY."

Offered by: Senators Chun Oakland, Sakamoto, Matsuura, Kokubun, Inouye, Slom, Tam, Nakata.

SENATE RESOLUTION

The following resolution (S.R. No. 21) was read by the Clerk and was deferred:

Senate Resolution

No. 21 "SENATE RESOLUTION ADOPTING A SCHOOL READINESS DEFINITION AND STRATEGY."

Offered by: Senators Chun Oakland, Sakamoto, Matsuura, Kokubun, Inouye, Slom, Tam, Nakata.

STANDING COMMITTEE REPORTS

Senators Inouye and Kim, for the Committee on Water, Land, Energy, and Environment and the Committee on Tourism

and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2132) recommending that S.B. No. 2241 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. 2241, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT MINERAL RIGHTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye, Matsuura and Kim, for the Committee on Water, Land, Energy, and Environment, the Committee on Health and Human Services and the Committee on Tourism and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2133) recommending that S.B. No. 2511 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. 2511, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN UP SALT LAKE WATERWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Kim, for the Committee on Water, Land, Energy, and Environment and the Committee on Tourism and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 2134) recommending that S.B. No. 2653 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. 2653, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER'S LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Buen and Inouye, for the Committee on Agriculture and the Committee on Water, Land, Energy, and Environment, presented a joint report (Stand. Com. Rep. No. 2135) recommending that S.B. No. 2491 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. 2491, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Buen and Inouye, for the Committee on Agriculture and the Committee on Water, Land, Energy, and Environment, presented a joint report (Stand. Com. Rep. No. 2136) recommending that S.B. No. 2494, 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 S.B. No. 2494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LEASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Matsuura and Kim, for the Committee on Health and Human Services and the Committee on Tourism and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2137) recommending that S.B. No. 2760, 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 majority of the Committees was adopted and S.B. No. 2760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE," 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. 2138) recommending that S.B. No. 2149 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. 2149, 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. 2139) recommending that S.B. No. 2416, 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 S.B. No. 2416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LONG-TERM CARE FINANCING ACT," 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. 2140) recommending that S.B. No. 2591, 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. 2591, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANA COMMUNITY HEALTH CENTER," 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. 2141) recommending that S.B. No. 2684, 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. 2684, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES AGAINST CHILDREN," 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. 2142) recommending that S.B. No. 2761, 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. 2761, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," 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. 2143) recommending that S.B. No. 2772 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. 2772, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," 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. 2144) recommending that S.B. No. 3001, 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. 3001, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SCREENING," 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. 2145) recommending that S.B. No. 3053, 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. 3053, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH NURSING," 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. 2146) recommending that S.B. No. 2715, 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. 2715, 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.

ORDER OF THE DAY

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM TUESDAY, FEBRUARY 12, 2002

Stand. Com. Rep. No. 2088 (S.C.R. No. 28, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 2088 and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO REVIEW THE

STATE OF HAWAII'S PHOTO TRAFFIC ENFORCEMENT PROGRAM," was deferred until Thursday, February 14, 2002.

Stand. Com. Rep. No. 2089 (S.R. No. 9, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 2089 and S.R. No. 9, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO REVIEW THE STATE OF HAWAII'S PHOTO TRAFFIC ENFORCEMENT PROGRAM," was deferred until Thursday, February 14, 2002.

Stand. Com. Rep. No. 2131 (H.C.R. No. 7, H.D. 1):

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was adopted.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill Referred to:

No. 2028 Committee on Economic Development and Technology, then to the Committee on Ways and Means

Senator Ihara rose on a point of inquiry as follows:

"Mr. President, I rise on a point of inquiry and maybe a request.

"I'd like to ask the Hawaiian Affairs Chair and also the Clerk's Office to announce to the public as well, when the public decision-making will be held."

Senator Chun responded:

"Mr. President, that was announced at the hearing this morning."

Senator Ihara continued:

"Could it be announced on the PA system as well, because they don't know when our caucus ends. We could end right away or it could be long. So for the benefit of the public, if we could just announce what time. Thank you."

Senator Chun replied:

"That can be done, Mr. President."

President Bunda then stated:

"We will do that."

ADJOURNMENT

At 12:10 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 14, 2002.