

THE  
 TWENTY-THIRD LEGISLATURE  
 STATE OF HAWAII  
 REGULAR SESSION OF 2005  
 JOURNAL OF THE SENATE

FIRST DAY

**Wednesday, January 19, 2005**

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, was called to order at 10:03 o'clock a.m., by the Honorable Lorraine R. Inouye, Temporary Chair of the Senate.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawaii Pono'i" led by "Keahiwai."

The Lord's Prayer was then sung by Mr. Daniel Kalekini, Jr.

The Divine Blessing was invoked by Pastor Mike Lwin, New Hope Leeward.

Nominations now being in order for a temporary clerk, Senator Tsutsui nominated Paul T. Kawaguchi, seconded by Senator Espero.

Senator Menor moved that the nominations be closed, seconded by Senator Ige and carried.

The Chair declared Paul T. Kawaguchi as Temporary Clerk of the Senate.

Senator Menor then moved that a committee of three Senators be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, second by Senator Ihara and carried.

The Chair thereupon appointed Senators Kim, Tsutsui and Hemmings to serve on such committee.

At 10:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:18 o'clock a.m.

**SPECIAL COMMITTEE REPORT**

Senator Kim, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"The Honorable Lorraine R. Inouye  
 Temporary Chair of the Senate  
 The Twenty-third State Legislature  
 State Capitol  
 Honolulu, Hawaii 96813

Dear Chair Inouye:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the

Twenty-third Legislature of the State of Hawaii, Regular Session of 2005, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire on November 4, 2008 are:

First Senatorial District

Lorraine R. Inouye

Third Senatorial District

Paul Whalen

Fifth Senatorial District

Rosalyn H. Baker

Sixth Senatorial District

J. Kalani English

Seventh Senatorial District

Gary L. Hooser

Twelfth Senatorial District

Gordon Trimble

Sixteenth Senatorial District

David Y. Ige

Seventeenth Senatorial District

Ron Menor

Eighteenth Senatorial District

Clarence K. Nishihara

Twenty-first Senatorial District

Colleen Hanabusa

Twenty-second Senatorial District

Robert Bunda

Twenty-third Senatorial District

Clayton Hee

Respectfully submitted,

/s/ Donna Mercado Kim

/s/ Shan S. Tsutsui

/s/ Fred Hemmings”

Senator Fukunaga moved that Special Committee Report No.1 be adopted, seconded by Senator Chun Oakland and carried.

The Committee on Credentials was thereupon discharged with thanks.

The Chair then called upon Chief Justice Ronald T.Y. Moon of the Hawaii State Supreme Court to approach the rostrum to administer the oath of office to the newly elected members of the Senate.

Chief Justice Moon administered the oath of office to the newly elected members of the Senate who were standing at their respective desks.

The Roll was then called by the Temporary Clerk showing all Senators present.

Nominations for officers of the Senate being next in order, Senator Kim placed in nomination the name of Senator Robert Bunda for President of the Senate, seconded by Senator Sakamoto.

Senator Baker moved that the nominations be closed, seconded by Senator English.

The motion to close the nominations was then put by the Chair and carried and the Temporary Clerk was directed to cast a unanimous ballot for Senator Robert Bunda as President of the Senate.

The ballot having been so cast, Senator Robert Bunda was declared unanimously elected President of the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005.

The Chair then appointed Senators Kim and Hemmings to escort the President to the rostrum and the President addressed the members of the Senate and guests as follows:

“Lieutenant Governor and Mrs. Aiona, Chief Justice Moon, Mayor Baptiste, Mayor Kim, Congressman Abercrombie, Congressman and Mrs. Case, Former Governor and Mrs. Ariyoshi, Former Governor and Mrs. Waihee, Mrs. Cayetano, Superintendent Hamamoto, General Renuart, Rear Admiral Alford, Colonel O’Neal, Colonel Killian, esteemed colleagues, honored guests, ladies and gentlemen:

“Aloha and welcome to the 2005 Regular Session of the Hawaii State Legislature.

“My friends, it’s been a while since we’ve convened in an atmosphere of optimism about our economy. As we open our Session, the national economy is strong and our local economy is enjoying steady growth fueled by tourism, construction, defense spending and agriculture. Each new quarterly report on tax revenues seems to validate confidence in our future.

“But while we here in the Legislature may have reason to feel optimistic, what is the mood of people working to make a living beyond these Chambers? Do our immediate concerns over a balanced budget line up in any way with the concerns of parents balancing their family checkbook? Perhaps, in this period of a relatively stable economic outlook, we Legislators

should look beyond the necessary but predictable legislative agenda. We will soon examine various proposals to deal with our traffic problems, our inadequate supply of affordable housing, environmental challenges and continued educational reform, to name a few.

“Perhaps we need to adopt a guiding principle that will unify us in our work this Session. A mantra, if you will. One that will help to put our work in perspective and make it more relevant to those who elected us. Rather than suggest it outright, let me illustrate it through the story of one individual living here in the islands. For the moment, let’s just call him ‘M.’

“‘M’ is a young local boy who married his high school sweetheart. They have a six-year-old son, with another child on the way. Both he and his wife have to work full-time just to make ends meet. But skyrocketing gas prices only made things worse – and then, last month, their landlord told them, he was raising their rent for the new year. Their food bill is also rising, in spite of trips to Costco and Wal-Mart. They rent an apartment in Leeward Oahu and have been putting away a little each month to buy a house. They thought that was within reach and started to look at homes in Central Oahu early last year. Then home prices went through the roof. With a second child on the way, ‘M’ and his wife were faced with a tough choice – do they continue to chase their dream of owning their own home, or begin the long task of saving for college tuition?

“And that’s where we have to leave them. It’s an unfinished story that will not attract much attention, nor grab headlines. It never does. It’s a story that’s not dramatic enough. It is not tragic and it is not heroic. In fact, you could almost say it’s downright mundane. But you know what? It’s a story we can all empathize with and one we all share, because the story of ‘M’ is the story of ‘M’ost of us.

“We are the great majority – the, quote/unquote, middle class. Even that classification doesn’t engender much excitement. But it’s a story whose time has come. Whether we are talking about the carpenter building a home in Mililani or the office worker in Lihue.

“All of us here in the Senate come from various backgrounds, and a few of us even belong to a different party, but we have one thing very important in common – we are solidly middle-class citizens. We have to pay bills and pay taxes, most of us have to save to put our children through college, and some of us are paying to support our aging parents. We are part of the mainstream of middle class citizens that advocate family values and value community service as a civic duty. Our personal story should be reflected in our decision-making as Legislators – for that is representative government at its best.

“We are a nation of immigrants, and Hawaii is one of its most successful models. Since the middle of the last century, government in Hawaii has a history and tradition of looking out for the little guy – the guy on the bottom rung. We have a responsibility and duty to continue to do that, and we will, invoking the best of our traditions in Hawaii – the Aloha Spirit.

“But something else has transpired here over the last several generations. As a society, we have by-and-large succeeded through the politics of inclusion. The children, grandchildren and great grandchildren of our immigrant forefathers are now a part of our middle class majority. In the process, they have changed the face of Hawaii. Unfortunately, we in government have been slow to respond to the needs of this changing population. A very broad cross section of our population has

for a very long time been feeling the pinch – the pinch of being left out of the picture.

“Does this sound familiar? You don’t qualify for government assistance, whether it’s for food, housing, higher education or tax relief. But, as a taxpayer, you shoulder the bulk of the cost of society, whether it’s paying for highways, schools or sewer lines. Two recent studies show that the majority of Hawaii’s working families is falling victim to an income gap where income levels are not keeping pace with the cost of living in the islands. Your grocery bill is 52 percent more expensive than the national average. Gasoline is 32 percent more expensive than on the mainland. And Hawaii’s housing prices are more than double the national average.

“How can government help you, even while we are taking care of those who still need to be brought into our circle of inclusion? For most of us, education was our ticket to upward mobility. In today’s fast changing, technology-driven world, education continues to be the key to success for our children.

“Last session, we carefully approved major educational reform – not change for change sake – but real reform towards more efficient and effective governance of our school system, including the repair and maintenance of our school facilities. Now, we must continue our efforts to put more power into the hands of those who have the best working knowledge of the system – the superintendent, who in turn is able to delegate more authority to principals who ultimately empower our teachers in the classroom. While our schools prepare our students for college, middle-class parents are bracing themselves for the cost of higher education. With tuition increases a certainty at the University of Hawaii next year, we must ensure access to scholarships and tuition waivers to help our local families.

“Government can also help those in the middle by making it easier for them to go to and from work. And while potholes need to be filled, it is not only potholes that are slowing down and tying up traffic. A solution to our transportation problems on all islands has eluded us for many, many years. Every attempt has fallen short, despite the best efforts of many people.

“Therefore, I am proposing the formation of a statewide transit authority to oversee the development, financing, construction, and operation of a mass transit system in each county. The shape that the system would take for each island might differ. But a statewide transit authority would provide the financial muscle, coordination, and intrastate cooperation that would bridge differences in philosophy and geography, to bring tangible solutions to our communities. With the participation of each county, the transit authority would provide the forum and bear the ultimate responsibility for finding transportation solutions for each island. Whether it’s rail or otherwise, there is one thing that we all know: Our traffic woes will not remain status quo, and neither can our response.

“Perhaps our greatest challenge is to provide adequate housing for our people, particularly our middle class families. Currently, only about 55 percent of our residents own their own homes. That ranks Hawaii as the third lowest state in the country when it comes to homeownership.

“During the interim, the Senate Task Force on Affordable Housing toured the state for a first-hand look at the issue and will be proposing initiatives this Session to help our first-time homebuyers. We need to provide not just hope for them, but definitive actions that will bring homeownership within their reach.

“But in the long run, the price of a home is a function of supply and demand. Here in Hawaii, with a scarcity of land, we are essentially talking about supply. That is why we need to look closer at how we make lands for home construction available, even as we provide safeguards to protect the natural beauty of these islands.

“In 1978, the people of Hawaii approved a constitutional amendment to preserve and protect agriculture. All lands were categorized or zoned, based on its most appropriate use. The Land Use Commission was established to oversee land use issues. But that was 27 years ago. Times and this State have changed, and so have the needs of our families.

“Is the Land Use Commission functioning in the best interest of our people today? Are the zoning categories doing what they were meant to do? Do some of its functions belong more appropriately with the counties? I think it’s time for a major and comprehensive review, to look for better ways to provide housing for our people while protecting the aina.

“Finally, and perhaps most importantly, I firmly believe we need to review the tax burden of our citizens in the middle.

“Also established by a constitutional amendment, the Tax Review Commission is mandated to periodically review our overall income tax structure. In its last report to the Legislature in 2002, the Commission once again recommended increases in both the standard deduction and personal exemptions. As the Commission critically stated, our State income tax brackets are so compressed that people on public assistance pay income taxes while the highest marginal rate for married taxpayers filing jointly begins when their taxable income reaches \$80,000.

“Today, the median income of a family of four in Hawaii, with both parents working, is around \$70,000 a year. If that same middle-class family earned a mere \$900 more a month, they would be taxed in the same bracket as a family with an annual income of \$900,000!

“So let me put it to you this way: Two experienced school teachers with a combined taxable income of \$80,000 would be taxed at the same rate as one of our top CEOs here in Hawaii. This, ladies and gentlemen, is simply not fair. Maybe it’s time for a tax cut for the middle class. Maybe it’s time to review the entire system.

“By adjusting the brackets upward, we would not only bring our tax laws more in line with economic realities in Hawaii but it could also provide long-term tax relief to our middle-income families. This brings me back to my point at the beginning of this speech – the mantra, if you will, that should guide us in our decision making. We need to grow and protect our middle class.

“If we don’t address all of these needs – the needs of the majority – we in Hawaii will become increasingly a society of haves and have-nots. Even now, we are seeing signs that we are fast becoming a playground for the world’s ultra rich. The multi-million dollar homes once limited to Oahu’s Kahala Avenue have been joined by equally expensive homes on Maui, Kauai, and the Big Island.

“At the other end of the spectrum, if we do nothing, many will slip out of the economic middle class and become part of the have-nots, placing an even greater burden on government. They are the ones who have fallen between the cracks and who do not qualify for a wide range of government and private assistance programs. They are the ones lost in the invisible middle ground of our society.

“We have an opportunity to remove existing impediments so that they can earn a decent living, make a home for their families, and provide quality education for their children . . . so that their children, too, can confidently pursue the American dream, and know that it is attainable – not only by heroic measures, but by measures achievable by all of us.

“Mahalo and Aloha.”

Senator Hemmings, Minority Leader of the Senate, then responded as follows:

“President Bunda, esteemed colleagues and distinguished guests, and most importantly the people of Hawaii – Aloha.

“We have reasons to be optimistic, Mr. President. You’re so correct. Record numbers of workers are employed, business is growing, and as a result, tax revenues are up. In these times of economic prosperity, besides counting our blessings, we must lay the foundation for enduring prosperity. The Old Testament tells us of a very wise Joseph, son of Sam Slom, I mean Jacob, (laughter) counseling the Pharaoh of Egypt during the seven years of plenty to prepare for the inevitable years of famine. So it must be. Wise leaders see beyond today. Let’s be wise. If we are to meet the challenges of continuing prosperity, we need to capitalize on everyone’s talents. The loyal opposition in this political process chooses to be proponents rather than opponents. On many significant issues, we all stand on common ground. Today and throughout this Session, let’s work to capitalize on that which we hold in common.

“Last Session, the executive branch of government emphasized conservation and fiscal responsibility. Yes, for many years we balanced the budget by juggling the books and raiding funds designated for specific uses. For the first time in many years, we can implement a state budget that lives within our means. The Governor has proposed a budget that does just that. Let’s work together to make it happen.

“It should be noted that the Council on Revenues has projected a huge increase of state revenues from the original estimate. Having heard that, many special interest groups are clamoring to spend the money. It has already been spent. In the six-year budget plan, the Office of Budget and Finance told us last year that we face well over \$200 million in new obligations, including a \$160 million in increased debt costs, \$70 million more to increase public employee fringe benefits and the list goes on. The point is any increase in tax revenues has already been spent. Let’s not lose sight of the goal of having government live within its means.

“Mr. President, I’d like to add parenthetically to my prepared remarks. What music it is to our ears here in our Caucus to hear you talk about a tax cut. We know by prior experience that tax cuts do grow an economy and result in increased revenues to governments, something Adam Smith said 200 years ago. Mr. President, if the Majority is serious about tax cuts, Republicans have bills ready to go. We want to help you. It is prudent for each of us as Legislators to recognize that we cannot fund everything. We must have the wisdom and integrity to set priorities and then have the courage to stand by them.

“Once again we stand on common ground. We agree that education reform is not a moot issue. Last year this Legislature ‘reinvented education.’ Although we may not agree with some of the methodology, we can agree on the goal and recognize that public education needed change. Last year’s reinventing education was the start, not the end, of reforming our public education system. After years of hearing that increasing spending was going to solve our education problems, it’s so important to recognize that simply increasing the budget will

not necessarily yield improvement. The education budget of nearly \$2 billion is proof that Hawaii’s taxpayers are most generous when it comes to funding education. Management, not money, is the key to improvement. The collapse of a ceiling at Kailua Elementary is grim evidence of years of neglect of repair and maintenance of our schools. Keeping our children safe, especially in schools, must be a priority. Once again, the ‘system’ of fixing schools is time consuming and expensive. Let’s make sure that repair and maintenance money ends up fixing schools, not sustaining a government program with a fancy name.

“Regardless of political labels, we can focus on solutions that work. That is why Senate Republicans will be asking this Legislature to authorize the creation of more charter schools. A recent audit and ongoing challenges of charter schools should not deter us. The evidence is overwhelming that, despite inconsistent funding and other trials and tribulations, charter schools have succeeded in: (1) improving student achievement especially with our Native Hawaiian children; (2) providing for flexibility to meet differing demands; and so importantly (3) involving parents. These schools represent the ultimate decentralization, the ultimate empowerment of principals, teachers and parents. Our quest is simple – increase the number of charter schools and streamline the system for creating them.

“Now lets talk about traffic. Traffic congestion steals our time, and tests our patience. For too long, many have been led to believe that a multi-billion dollar fixed railway on Oahu is the only solution. I will guarantee you that a solution will do absolutely nothing for the neighbor islands and more than likely would be an economic abyss. There are immediate solutions that can be ultimately very positive and impact gridlock favorably. These solutions would cost relatively little and could be implemented quickly.

“For instance, after years of debate, our state transit authority commonly called the Department of Transportation opened the Nimitz contraflow lane. Even prior critics are now lauding the change. The same was done on a trial basis for the Lunalilo H-1 ramp. The Department of Transportation cordoned off the Lunalilo onramp at rush hour eliminating crossover congestion. Ask anyone from East Honolulu and they will confirm the positive effect of these changes. Castle Junction on the Windward side is much more expeditious with the improvements there.

“Experience has shown that with bold leadership, immediate improvements can be made all over the State in each of our Senatorial districts. Traffic statewide, but especially on Oahu, can be expedited with common sense, small, inexpensive, but significant, changes. Let’s eliminate gridlock to make them happy.

“We have common ground on another important issue, Mr. President and colleagues. Last year this Legislature passed Senate Concurrent Resolution 135 that called upon the Governor to convene an affordable housing task force. We have a report and subsequently the Senate has instituted a bipartisan committee to further investigate the issue. Once again, we agree on the goal of making affordable housing a reality. More importantly, we can agree on some of the solutions reiterated by the task forces. This Legislature should reduce the long and tedious permitting process for housing projects. Mr. President, we agree the State Land Use Commission has been clearly identified as a costly regulatory barrier. We don’t need to study it. Let’s eliminate the State Land Use Commission and allow counties to control their destiny over land use.

“We can agree that public/private partnerships can work. Certainly the state has the land and those in the building and trades workforce have the talent to build low-cost housing for those who qualify. Let’s provide the incentive to create public/private partnerships necessary to get the job done. Senate Republicans recognize that there are a myriad of reasons for homelessness and we must remember them all when looking for solutions. Economic hardship, substance abuse and even mental health issues are all pieces of the problem. To help us reach the laudable goal of housing for everyone, for all our families, solutions must be equally as diverse.

“Senate Republicans will be introducing legislation to facilitate a Constitutional Convention in 2008. We recognize that judicial activism has often preempted legislative intent. Laws should come from the Legislature elected by the people, not from the benches of our judiciary. We have seen empirical evidence increasing ‘ballot initiatives’ that are needed to override judicial decisions or activism, as some would call it. Some people would say that a few of the codicils in our Constitution need to be eliminated altogether. Whatever your opinion may be, isn’t it time for a Constitutional Convention.”

At this time, Senator Hemmings paused to drink some water, then continued:

“It’s amazing that with some of the purist water in the world, we drink bottled water. (Laughter.)

“Mr. President, colleagues, all of us in this Chamber believe that Hawaii is a special place. We can find ways to work together to make sure Hawaii doesn’t lose its magic quality we call ‘aloha’. Senate Republicans represent the dreams, hopes and aspirations of many people in Hawaii. Once again, we will not abandon the principles that bind us together. Our belief is that the people should reign supreme over government. We will respect the rights of victims and society to supercede the alleged rights of criminals. We reaffirm that the chief regulator and beneficiary of a healthy economy should be all the people of Hawaii, OUR constituents.

“I close by emphasizing that there is much more that binds us together than tears us asunder. I know that the diversity of Hawaii’s people, Hawaii’s gifts of nature, and the undeniable spirit of individual freedom is indeed our strength and our future. Aloha.”

At 10:56 o’clock a.m., the Senate stood in recess subject to the call of the Chair. At this time, the members of the Senate and their guests were entertained by the “Makaha Sons.”

The Senate reconvened at 11:16 o’clock a.m.

The President then announced that nominations were in order for the office of Vice President of the Senate.

Senator Taniguchi placed in nomination the name of Senator Kim for Vice President of the Senate, seconded by Senator Kokubun.

Senator Hooser moved that the nominations be closed, seconded by Senator Nishihara.

The motion was then put by the Chair and carried and the Temporary Clerk was directed to cast a unanimous ballot for Senator Kim as Vice President of the Senate.

The ballot having been so cast, Senator Kim was declared unanimously elected as Vice President of the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005.

## SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

S.R. No. 1, providing for the election of Paul T. Kawaguchi for Clerk of the Senate, Lorna A. Woo for Assistant Clerk of the Senate, Bienvenido C. Villaflo for Sergeant-at-Arms of the Senate, and Viola F. Goings for Assistant Sergeant-at-Arms of the Senate, Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, was offered by Senators Hanabusa and Hemmings.

On motion by Senator Hanabusa, seconded by Senator Hemmings and carried, S.R. No. 1 was adopted.

The President thereupon administered the oath of office to the newly elected Clerk, Assistant Clerk, Sergeant-at-Arms and Assistant Sergeant-at-Arms of the Senate.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 1) was read by the Clerk and was disposed of as follows:

S.C.R. No. 1, entitled: “SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS,” was offered by Senators Hanabusa and Hee.

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.C.R. No. 1 was adopted.

At 11:19 o’clock a.m., the Senate stood in recess subject to the call of the Chair. “The Krush” then entertained the members of the Senate and their guests.

The Senate reconvened at 11:48 o’clock a.m.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Hee, seconded by Senator Hogue and carried, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1 “A BILL FOR AN ACT RELATING TO MEDICAL SCHOOL FACULTY.”

Introduced by: Senator Baker, by request.

No. 2 “A BILL FOR AN ACT RELATING TO REAL PROPERTY.”

Introduced by: Senator Chun Oakland.

No. 3 “A BILL FOR AN ACT RELATING TO HUMAN SERVICES.”

Introduced by: Senator Chun Oakland.

No. 4 “A BILL FOR AN ACT RELATING TO MEDICINE.”

Introduced by: Senator Chun Oakland.

No. 5 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Chun Oakland, by request.

No. 6 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."

Introduced by: Senator Chun Oakland, by request.

No. 7 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator Chun Oakland.

No. 8 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Chun Oakland.

No. 9 "A BILL FOR AN ACT RELATING TO HOLDING PUBLIC OFFICE."

Introduced by: Senator Chun Oakland, by request.

No. 10 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senator Chun Oakland.

No. 11 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Chun Oakland.

No. 12 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, English, Ihara.

No. 13 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Chun Oakland, Hooser.

No. 14 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Tsutsui, Taniguchi, Ihara.

No. 15 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senators Chun Oakland, Slom, Hogue.

No. 16 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senators Chun Oakland, Slom, Hogue.

No. 17 "A BILL FOR AN ACT RELATING TO SPORTS AND MULTI-PURPOSE USE FACILITIES."

Introduced by: Senators Chun Oakland, Trimble.

No. 18 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Chun Oakland.

No. 19 "A BILL FOR AN ACT RELATING TO DENTAL REIMBURSEMENT RATES."

Introduced by: Senators Chun Oakland, Baker.

No. 20 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senator Chun Oakland.

No. 21 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Senators Chun Oakland, Ihara.

No. 22 "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS."

Introduced by: Senators Chun Oakland, Baker.

No. 23 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT AND YOUTH DAY CARE."

Introduced by: Senator Chun Oakland.

No. 24 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Tsutsui, Baker, Ihara, Taniguchi.

No. 25 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senator Chun Oakland.

No. 26 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Chun Oakland.

No. 27 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI CHILD AT-RISK EVALUATION PROGRAM."

Introduced by: Senator Chun Oakland.

No. 28 "A BILL FOR AN ACT RELATING TO LEASEHOLD."

Introduced by: Senator Chun Oakland.

No. 29 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."

Introduced by: Senators Chun Oakland, Kanno.

No. 30 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HALE MAKUA-WAILUKU FACILITY."

Introduced by: Senators Baker, English, Tsutsui.

No. 31 "A BILL FOR AN ACT RELATING TO AIR POLLUTION."

Introduced by: Senator Hooser, by request.

No. 32 "A BILL FOR AN ACT RELATING TO MINIMUM WAGE LAW."

- Introduced by: Senators Chun Oakland, Baker, English, Kanno, Tsutsui.
- No. 33 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."
- Introduced by: Senators Chun Oakland, Espero, Baker, English, Kanno, Ige, Nishihara.
- No. 34 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES."
- Introduced by: Senators Chun Oakland, Kanno, Ige, Nishihara.
- No. 35 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."
- Introduced by: Senators Chun Oakland, English, Baker, Nishihara, Tsutsui, Ige.
- No. 36 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL REPAIR AND MAINTENANCE."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige, Nishihara.
- No. 37 "A BILL FOR AN ACT RELATING TO SCHOOL CONSTRUCTION, REPAIR, AND MAINTENANCE."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige, Nishihara.
- No. 38 "A BILL FOR AN ACT RELATING TO AFTER SCHOOL PROGRAMS."
- Introduced by: Senators Chun Oakland, Espero, Baker, English, Kanno, Tsutsui, Nishihara, Ige.
- No. 39 "A BILL FOR AN ACT RELATING TO COUNTIES."
- Introduced by: Senators Chun Oakland, Espero, Kanno, Ige.
- No. 40 "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT."
- Introduced by: Senators Chun Oakland, Espero, Baker, English, Kanno, Tsutsui, Nishihara.
- No. 41 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige, Nishihara.
- No. 42 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING REPAIR AND RENOVATION."
- Introduced by: Senators Chun Oakland, Espero, Baker, Kanno, Tsutsui, Nishihara, Ige.
- No. 43 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PUBLIC HOUSING."
- Introduced by: Senators Chun Oakland, Baker, English, Kanno, Tsutsui, Nishihara, Ige.
- No. 44 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 45 "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 46 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 47 "A BILL FOR AN ACT RELATING TO TOBACCO."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 48 "A BILL FOR AN ACT RELATING TO THE USE OF SAFETY HELMETS BY MINORS."
- Introduced by: Senators Chun Oakland, Kanno, Tsutsui, Ige.
- No. 49 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."
- Introduced by: Senators Chun Oakland, Baker, Ige.
- No. 50 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORGANIC AGRICULTURE."
- Introduced by: Senators Chun Oakland, Kanno, Ige.
- No. 51 "A BILL FOR AN ACT RELATING TO THE EDUCATION OF FOSTER YOUTH."
- Introduced by: Senators Chun Oakland, Kanno, Ige.
- No. 52 "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN."
- Introduced by: Senator Chun Oakland.
- No. 53 "A BILL FOR AN ACT RELATING TO HOUSING PROJECTS."
- Introduced by: Senator Kanno.
- No. 54 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Kanno.
- No. 55 "A BILL FOR AN ACT RELATING TO MEAL BREAKS."
- Introduced by: Senators Kanno, Chun Oakland.
- No. 56 "A BILL FOR AN ACT RELATING TO LABOR DISPUTES."

Introduced by: Senators Kanno, Chun Oakland.

No. 57 "A BILL FOR AN ACT RELATING TO WAGE OF WORKERS ON SERVICE CONTRACTS."

Introduced by: Senators Kanno, Taniguchi.

No. 58 "A BILL FOR AN ACT RELATING TO MANDATORY OVERTIME FOR NURSES."

Introduced by: Senators Kanno, Taniguchi.

No. 59 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Kanno, Ihara.

No. 60 "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."

Introduced by: Senators Kanno, Menor.

No. 61 "A BILL FOR AN ACT RELATING TO WAGES."

Introduced by: Senator Kanno.

No. 62 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Slom, Trimble, English, Hemmings.

No. 63 "A BILL FOR AN ACT TAXABLE INCOME EXCLUSION; MILITARY"

Introduced by: Senators Slom, Hogue, Hemmings, Chun Oakland, Tsutsui, Trimble, Nishihara, Taniguchi, Inouye, Espero.

No. 64 "A BILL FOR AN ACT RELATING TO MANDATED HEALTH COVERAGE."

Introduced by: Senator Slom.

No. 65 "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS."

Introduced by: Senators Slom, Chun Oakland, Hemmings, Trimble, Espero, Hogue.

No. 66 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."

Introduced by: Senators Slom, Hemmings, Chun Oakland, Trimble, Hogue, Tsutsui, Nishihara, Inouye.

No. 67 "A BILL FOR AN ACT RELATING TO PAYCHECK PROTECTION."

Introduced by: Senators Slom, Hogue, Chun Oakland, Hemmings, Tsutsui, Nishihara, Inouye, Espero.

No. 68 "A BILL FOR AN ACT RELATING TO LABOR AND INDUSTRIAL RELATIONS."

Introduced by: Senators Slom, Hogue, Hemmings.

No. 69 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Slom, Hogue, Trimble, Hemmings.

No. 70 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senators Slom, Hogue, Hemmings.

No. 71 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII IN ORDER TO CHANGE THE GOVERNANCE, INTERNAL STRUCTURE, MANAGEMENT AND OPERATION OF THE PUBLIC SCHOOLS IN HAWAII."

Introduced by: Senators Slom, Hogue, Trimble, Hemmings.

No. 72 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX."

Introduced by: Senator Inouye.

No. 73 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Inouye, Kanno.

No. 74 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Inouye, Chun Oakland, English, Kanno, Espero, Nishihara, Slom.

No. 75 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Inouye, Espero, Trimble, Chun Oakland, Nishihara, Kanno, Slom.

No. 76 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Inouye, Kanno, Espero, Nishihara, Slom.

No. 77 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Inouye, Kanno, Espero, Chun Oakland, Nishihara.

No. 78 "A BILL FOR AN ACT RELATING TO MARINE RESERVES."

Introduced by: Senators Inouye, Chun Oakland, Baker.

No. 79 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Inouye, Chun Oakland, Trimble, Baker, Slom.

No. 80 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Inouye, Kanno, Espero, English, Chun Oakland, Nishihara, Slom.



No. 81 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Inouye, Chun Oakland, Trimble, Baker, Slom.

No. 82 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Senators Inouye, Chun Oakland, Baker, Slom.

No. 83 "A BILL FOR AN ACT RELATING TO PHOTO TRAFFIC ENFORCEMENT."

Introduced by: Senator Inouye.

No. 84 "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES."

Introduced by: Senator Inouye, by request.

No. 85 "A BILL FOR AN ACT RELATING TO DERELICT VEHICLES."

Introduced by: Senator Inouye.

No. 86 "A BILL FOR AN ACT RELATING TO NUMBER PLATES."

Introduced by: Senator Inouye.

No. 87 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Kanno.

No. 88 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senator Ihara, by request.

No. 89 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Senator Ihara.

No. 90 "A BILL FOR AN ACT RELATING TO HOSPITAL INFECTIONS DISCLOSURE."

Introduced by: Senator Ihara.

No. 91 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Ihara, by request.

No. 92 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE."

Introduced by: Senator Ihara.

No. 93 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Senator Ihara, by request.

No. 94 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Menor, by request.

No. 95 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Menor, by request.

No. 96 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Menor, by request.

The following Senate leadership assignments were then announced by Senate President Bunda:

Majority Leader:  
Senator Colleen Hanabusa

Assistant Majority Leader:  
Senator Russell S. Kokubun

Majority Floor Leader:  
Senator Clayton Hee

Assistant Majority Floor Leader:  
Senator Rosalyn H. Baker

Majority Policy Leader:  
Senator Norman Sakamoto

Majority Caucus Leader:  
Senator Shan S. Tsutsui

Minority Leader:  
Senator Fred Hemmings

Minority Floor Leader:  
Senator Bob Hogue

Minority Policy Leader  
Senator Gordon Trimble

The President also announced the following standing committees of the Senate, their respective chairs and members:

BUSINESS AND ECONOMIC DEVELOPMENT

Senator Will Espero, Chair  
Senator Carol Fukunaga, Vice Chair  
Senator David Y. Ige  
Senator Ron Menor  
Senator Norman Sakamoto  
Senator Gordon Trimble

COMMERCE, CONSUMER PROTECTION AND HOUSING

Senator Ron Menor, Chair  
Senator Rosalyn H. Baker, Vice Chair  
Senator Will Espero  
Senator David Y. Ige  
Senator Norman Sakamoto  
Senator Bob Hogue

EDUCATION AND MILITARY AFFAIRS

Senator Norman Sakamoto, Chair  
Senator Gary L. Hooser, Vice Chair  
Senator Suzanne Chun Oakland  
Senator Clarence K. Nishihara  
Senator Shan S. Tsutsui  
Senator Bob Hogue

ENERGY, ENVIRONMENT, AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
 Senator Russell S. Kokubun, Vice Chair  
 Senator Colleen Hanabusa  
 Senator Gary L. Hooser  
 Senator Fred Hemmings

HEALTH

Senator Rosalyn H. Baker, Chair  
 Senator Suzanne Chun Oakland, Vice Chair  
 Senator Colleen Hanabusa  
 Senator Shan S. Tsutsui  
 Senator Paul Whalen

HIGHER EDUCATION

Senator Clayton Hee, Chair  
 Senator Lorraine R. Inouye, Vice Chair  
 Senator Rosalyn H. Baker  
 Senator Suzanne Chun Oakland  
 Senator Norman Sakamoto  
 Senator Gordon Trimble

HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair  
 Senator Les Ihara, Jr., Vice Chair  
 Senator Carol Fukunaga  
 Senator Gary L. Hooser  
 Senator Russell S. Kokubun  
 Senator Gordon Trimble

INTERGOVERNMENTAL AFFAIRS

Senator David Y. Ige, Chair  
 Senator Donna Mercado Kim, Vice Chair  
 Senator Rosalyn H. Baker  
 Senator J. Kalani English  
 Senator Lorraine R. Inouye  
 Senator Clarence K. Nishihara  
 Senator Sam Slom

JUDICIARY AND HAWAIIAN AFFAIRS

Senator Colleen Hanabusa, Chair  
 Senator Clayton Hee, Vice Chair  
 Senator Suzanne Chun Oakland  
 Senator J. Kalani English  
 Senator Les Ihara, Jr.  
 Senator Paul Whalen

LABOR

Senator Brian Kanno, Chair  
 Senator Les Ihara, Jr., Vice Chair  
 Senator Brian T. Taniguchi  
 Senator Sam Slom

MEDIA, ARTS, SCIENCE AND TECHNOLOGY

Senator Carol Fukunaga, Chair  
 Senator David Y. Ige, Vice Chair  
 Senator J. Kalani English  
 Senator Les Ihara, Jr.  
 Senator Bob Hogue

TOURISM

Senator Donna Mercado Kim, Chair  
 Senator Clarence K. Nishihara, Vice Chair  
 Senator Will Espero  
 Senator Clayton Hee  
 Senator Shan S. Tsutsui  
 Senator Sam Slom

TRANSPORTATION AND GOVERNMENT OPERATIONS

Senator Lorraine R. Inouye, Chair  
 Senator Will Espero, Vice Chair  
 Senator Rosalyn H. Baker  
 Senator Clayton Hee  
 Senator Brian Kanno  
 Senator Ron Menor  
 Senator Paul Whalen

WATER, LAND, AND AGRICULTURE

Senator Russell S. Kokubun, Chair  
 Senator Gary L. Hooser, Vice Chair  
 Senator J. Kalani English  
 Senator Carol Fukunaga  
 Senator Fred Hemmings

WAYS AND MEANS

Senator Brian T. Taniguchi, Chair  
 Senator Shan S. Tsutsui, Vice Chair  
 Senator J. Kalani English  
 Senator Will Espero  
 Senator Carol Fukunaga  
 Senator Gary L. Hooser  
 Senator Lorraine R. Inouye  
 Senator Brian Kanno  
 Senator Donna Mercado Kim  
 Senator Russell S. Kokubun  
 Senator Clarence K. Nishihara  
 Senator Norman Sakamoto  
 Senator Fred Hemmings  
 Senator Sam Slom  
 Senator Gordon Trimble

**ADJOURNMENT**

At 11:49 o'clock a.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 20, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate