

SECOND DAY

Thursday, January 20, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:33 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Carpenter, District Superintendent of Missionary Churches of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Kawamoto who was excused.

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

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 19, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2000," was adopted.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 19, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 19, 2000:

Senate Bill	Referred to:
No. 2041	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 2042	Committee on Education and Technology, then to the Committee on Judiciary
No. 2043	Committee on Judiciary
No. 2044	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2045	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 2046	Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2047	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2048	Committee on Judiciary
No. 2049	Committee on Ways and Means
No. 2050	Committee on Ways and Means
No. 2051	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2052	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2053	Committee on Economic Development, then to the Committee on Ways and Means
No. 2054	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2055	Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
No. 2056	Committee on Ways and Means
No. 2057	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2058	Committee on Ways and Means
No. 2059	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2060	Committee on Labor and Environment, then to the Committee on Judiciary
No. 2061	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2062	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2063	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2064	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2065	Committee on Judiciary
No. 2066	Committee on Judiciary
No. 2067	Committee on Judiciary
No. 2068	Committee on Judiciary
No. 2069	Committee on Judiciary
No. 2070	Committee on Judiciary
No. 2071	Committee on Judiciary
No. 2072	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2073	Committee on Judiciary
No. 2074	Committee on Judiciary
No. 2075	Committee on Health and Human Services, then to the Committee on Ways and Means

- No. 2076 Committee on Judiciary
- No. 2077 Committee on Judiciary
- No. 2078 Committee on Judiciary
- No. 2079 Committee on Judiciary
- No. 2080 Committee on Judiciary
- No. 2081 Committee on Judiciary, then to the
Committee on Ways and Means
- No. 2082 Committee on Judiciary, then to the
Committee on Ways and Means
- No. 2083 Committee on Labor and Environment,
then to the Committee on Ways and Means
- No. 2084 Committee on Government Operations
and Housing, then to the Committee on Ways and Means
- No. 2085 Committee on Labor and Environment,
then to the Committee on Ways and Means
- No. 2086 Committee on Economic Development,
then to the Committee on Ways and Means
- No. 2087 Committee on Labor and Environment,
then to the Committee on Ways and Means

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, January 19, 2000:

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| Senate
Concurrent
Resolution | Referred to: |
| No. 2 | Committee on Water, Land, and Hawaiian
Affairs, then to the Committee on Ways and Means |
| No. 3 | Jointly to the Committee on Judiciary and
the Committee on Health and Human Services, then to the
Committee on Ways and Means |
| No. 4 | Committee on Health and Human
Services, then to the Committee on Ways and Means |
| No. 5 | Committee on Transportation and
Intergovernmental Affairs, then to the Committee on Ways and
Means |
| No. 6 | Committee on Judiciary, then to the
Committee on Ways and Means |

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Wednesday, January 19, 2000:

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| Senate
Resolution | Referred to: |
| No. 1 | Committee on Water, Land, and Hawaiian
Affairs, then to the Committee on Ways and Means |
| No. 2 | Jointly to the Committee on Judiciary and
the Committee on Health and Human Services, then to the
Committee on Ways and Means |

- No. 3 Committee on Health and Human
Services, then to the Committee on Ways and Means
- No. 4 Committee on Judiciary, then to the
Committee on Ways and Means

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

"Mr. President, on September 2nd of last year, I attended a ceremony at the National Cemetery of the Pacific at Punchbowl. It was the 50th anniversary of the rededication of Punchbowl, and at that time there were representatives from our congressional delegation, the Governor, from the State House, from the Mayor's Office, and it seemed that there were representatives from everywhere else except the State Senate. So I know my colleagues would have wanted me to do what I did and that is to represent the entire State Senate and receive a plaque that was given to the State Senate in appreciation from the Department of Veteran Affairs. So, Mr. President, I'm very happy to now turn over this plaque to you and to my colleagues in the State Senate.

"Thank you."

The Chair responded:

"I'm sure the Senate was well represented at the ceremony."

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Anderson then rose and stated:

"Mr. President, I understand that some of my remarks from my opening day speech seemed to be traditional GOP concerns such as the economy, eliminating G.E.T. off of food and over the counter drugs, and proposing gaming bills to stimulate the economy.

"I would like people to know that when I was elected to the House representing Kailua, I conducted a survey. The results showed about 76 percent in my district wanted gaming. As a State Senator, I now have the referendum attached to gaming bills I've introduced. It's an advisory referendum.

"In 1999, I conducted another survey. It was one of the best we've ever done. I think I received about 18 percent return. The people surveyed paid for the return postage. About 80 or 82 percent of the people noted that even if they don't like gambling, they wanted a chance to vote. So I don't think that it's just traditional if you propose different ideas to help the economy.

"What makes me laugh, though, is that for 30 years we've been having education second to none, and everybody says, 'Oh, the Democratic Party wants to move forward with education.' That's not traditional. That seems to be we're going to have a new start.

"Well, I want my colleagues, Mr. President, and everybody else to remember, if we don't move this economy forward with the types of innovative things that we mentioned yesterday, such as eliminating rules and regulations (we have a bill in -- all rules will drop dead in two years unless the departments can justify the rules that they want to keep), we'll never help businesses and we'll never move forward. We'll continue to sit in the middle of the ocean treading water. And that's not what we want to do. We want to swim. We want to make sure that we move forward.

"Yesterday I said 'waves.' Today I'm wearing a tie with sailboats on it. I get a lot of hot air, but I don't get anybody doing anything. So, I'm not mad at anybody. I'm going to try

harder this new year since this is a new millennium. I'm not going to attack and get angry or frustrated, but I will stand and I will make the comments that I hope will help us move forward, because that's what we have to do, ladies and gentlemen.

"And when things become controversial, I want you to know I don't mind. I have put in bills for castration for rape in the first degree because it was needed. And everybody told me your bill won't go because it's too controversial. And yet the young people of Hawaii that came into these chambers and took these seats said they wanted a bill on such and such and we didn't have the guts to do it.

"We don't move forward because we just don't desire to do so. So I do thank you, Mr. President. And it's not attacking. It's just understanding what we're not doing.

"Mahalo."

INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:52 o'clock a.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 2108 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Tam, Tanaka.

No. 2109 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Introduced by: Senators Hanabusa, Matsuura, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Nakata, Tam, Tanaka, Taniguchi.

No. 2110 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Nakata, Tam, Tanaka.

No. 2111 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS SALARY COMMISSION."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Nakata, Tam, Tanaka.

No. 2112 "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2113 "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF FEDERAL FUNDS."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2114 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kawamoto, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2115 "A BILL FOR AN ACT RELATING TO FALSE CLAIMS."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kawamoto, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2116 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING A SECOND AMBULANCE TO SERVICE THE WAIANAE COAST."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2117 "A BILL FOR AN ACT RELATING TO PROJECT FAITH."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka.

No. 2118 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Tam, Tanaka.

No. 2119 "A BILL FOR AN ACT RELATING TO IDENTIFICATION CARDS."

Introduced by: Senator Mizuguchi.

No. 2120 "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999."

Introduced by: Senator Mizuguchi, by request.

No. 2121 "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS."

Introduced by: Senator Mizuguchi, by request.

No. 2122 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2123 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE."

Introduced by: Senators Sakamoto, Bunda, Inouye, Kawamoto.

No. 2124 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Senator Bunda.

No. 2125 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Bunda.

No. 2126 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senator Bunda.

No. 2127 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Bunda, by request.

No. 2128 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Senator Bunda.

No. 2129 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Kawamoto, Bunda, Ige, D., Sakamoto.

No. 2130 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ADD AN ADDITIONAL NONVOTING MEMBER TO THE BOARD OF EDUCATION."

Introduced by: Senators Kawamoto, Ige, D., Sakamoto.

No. 2131 "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION."

Introduced by: Senators Kawamoto, Bunda, Hanabusa, Sakamoto.

No. 2132 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senators Kawamoto, Bunda, Hanabusa.

No. 2133 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROMOTE A STRONG PARTNERSHIP BETWEEN THE MILITARY AND THE STATE OF HAWAII."

Introduced by: Senators Kawamoto, Bunda, Sakamoto.

No. 2134 "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS."

Introduced by: Senators Kawamoto, Bunda, Sakamoto.

No. 2135 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION."

Introduced by: Senators Kawamoto, Buen, Bunda, Mizuguchi, Slom, Taniguchi.

No. 2136 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 2137 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Sakamoto, Kawamoto, Fukunaga.

No. 2138 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES."

Introduced by: Senator Sakamoto.

No. 2139 "A BILL FOR AN ACT RELATING TO PARTIAL-BIRTH ABORTIONS."

Introduced by: Senators Sakamoto, Buen, Bunda, Kawamoto.

No. 2140 "A BILL FOR AN ACT RELATING TO THE DUPLICATION OF GOVERNMENTAL SERVICES."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chun, Ihara.

No. 2141 "A BILL FOR AN ACT RELATING TO LIENS."

Introduced by: Senators Sakamoto, Ihara.

No. 2142 "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS."

Introduced by: Senator Slom.

No. 2143 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Buen, Kawamoto.

No. 2144 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2145 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2146 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2147 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Chumbley, Matsunaga.

No. 2148 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2149 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2150 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2151 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Matsunaga, Kanno, Ihara, Hanabusa, Iwase, Inouye, Taniguchi.

No. 2152 "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2153 "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2154 "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2155 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2156 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Fukunaga.

No. 2157 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Fukunaga.

No. 2158 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII."

Introduced by: Senator Fukunaga.

No. 2159 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Fukunaga, Ige, D.

No. 2160 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Fukunaga, Kawamoto.

No. 2161 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Mizuguchi, Fukunaga, Levin.

No. 2162 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ENFORCEMENT."

Introduced by: Senator Levin.

No. 2163 "A BILL FOR AN ACT RELATING TO AEROMEDICAL SERVICES."

Introduced by: Senators Levin, Inouye, Matsuura.

No. 2164 "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY."

Introduced by: Senator Levin.

No. 2165 "A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS."

Introduced by: Senators Levin, Chun Oakland.

No. 2166 "A BILL FOR AN ACT RELATING TO WIND FARMS."

Introduced by: Senators Levin, Inouye.

No. 2167 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE PROPERTY AT PUNALU'U BEACH IN KA'U IN THE COUNTY OF HAWAII TO ESTABLISH A STATE PARK."

Introduced by: Senators Levin, Inouye.

No. 2168 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Levin, Matsuura, Inouye.

No. 2169 "A BILL FOR AN ACT RELATING TO ALCOHOL CONCENTRATION LEVELS."

Introduced by: Senator Levin.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 21, 2000.